



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, March 20, 2018

11:30 AM

Council Chambers

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**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 Pastor David Bendett, Rock City Church.**

Pastor David Bendett gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Jay Ellington, Director of Parks and Recreation.**

Director of Parks and Recreation Jay Ellington 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:** 8 - 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 Lucy Rubio, and Council Member Greg Smith

**E. Proclamations / Commendations**

1. Proclamation declaring March 21, 2018, "National Small Business Development Center Day".  
Proclamation declaring April 7, 2018, "Earth Day-Bay Day" and April 2018 "Earth Month".

Mayor McComb presented the proclamations.

**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:

**a. OTHER**

1) City Manager Rose provided a recap of the items that City Council approved in the month of February 2018 related to the City Council's goals: Water - a resolution for additional funding to continue the water quality improvements and a two-year supply agreement for water treatment chemicals; Economic Development - the use of reinvestment zone funding to repair and other projects associated with Packery Channel and the appropriation of funds for the Rediscover Corpus Christi and Coastal Bend advertising campaign to help encourage tourism and stimulate the local economy after Hurricane Harvey. 2) City Manager Rose provided a recap highlighting the success of the 2018 Warrant Roundup. This year, Municipal Court had an increase of 73% in cases handled, totaling 4,277 cases, compared to 2017 which totaled 2,474. The Warrant Roundup is time set aside to allow residents to voluntarily take care of citations without the threat of being arrested. 3) The Engineering Services Department will celebrate the grand opening of Bond 2012, Proposition 1 - Kostoryz Road Improvements beginning at 11:00 a.m. on Friday, March 23, 2018 in the Del Mar College Economic Development Center parking lot. 4) City Manager Rose announced the appointment of Nina Nixon-Méndez as Director of Development Services and Daniel McGinn as Director of Planning and Environmental Strategic Initiatives (ESI).

**G. MINUTES:**

2. Regular Meeting of February 27, 2018.

Mayor McComb referred to approval of the minutes. Council Member Hunter made a motion to approve the minutes, seconded by Council Member Garza and passed unanimously.

**H. BOARD & COMMITTEE APPOINTMENTS:**

- 3.** Corpus Christi Regional Economic Development Corporation  
Electrical Advisory Board  
Island Strategic Action Committee  
Reinvestment Zone No. 3

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

**Corpus Christi Regional Economic Development Corporation**

**Council Member Garza nominated William F. Goldston. Council Member Molina nominated Curtis T. Clark.**

**William F. Goldston was appointed with Mayor McComb and Council Members Garza, Lindsey-Opel, Guajardo, Smith, and Rubio voting for William F. Goldston and Council Members Molina and Hunter voting for Curtis T. Clark.**

**Electrical Advisory Board**

**Council Member Garza made a motion to reappoint John McMullan (Registered Professional Engineer), seconded by Council Member Lindsey-Opel and passed unanimously.**

**Council Member Garza made a motion to appoint Paul S. Cervantes (Master Electrician), seconded by Council Member Lindsey-Opel and passed unanimously.**

**Island Strategic Action Committee**

**Council Member Smith made a motion to reappoint Libby Edwards (At-Large), Jodi Steen (Construction Contractor), David Perry (Environmental Group), Carter Tate (Realtor), and Brud Jones (Residential Property Owner), seconded by Council Member Hunter and passed unanimously.**

**Council Member Smith made a motion to realign Aaron Huffman from the At-Large to Developer, seconded by Council Member Lindsey-Opel and passed unanimously.**

**Council Member Garza made a motion to appoint Stephan M. Noack (Mustang Island Rep.), seconded by Council Member Lindsey-Opel and passed unanimously.**

**Council Member Lindsey-Opel made a motion to appoint Jay N. Gardner (Architect/Professional Engineer), seconded by Council Member Garza and passed unanimously.**

**Council Member Smith made a motion to appoint Jerry D. Watkins (At-Large), seconded by Council Member Hunter and passed unanimously.**

**Reinvestment Zone No. 3 Board**

Council Member Lindsey-Opel made a motion to reappoint Michael T. Hunter, Joe McComb, and Ben Molina, seconded by Council Member Rubio and passed unanimously.

Council Member Lindsey-Opel made a motion to appoint Carolyn Vaughn as Chair for a term ending December 2018, seconded by Council Member Rubio and passed unanimously.

**I. EXPLANATION OF COUNCIL ACTION:**

- 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. Jack Gordy, 4118 Bray, spoke regarding blocked sidewalks in the City violating the Americans with Disabilities Act and the City's failure to respond to an open records requested submitted 91 days ago. Isabel Araiza, 326 Poenisch, spoke regarding the City's projected budget deficit and potential budget cuts to the City's public institutions, public spaces and public health and discussed topics related to the following: ensuring water quality; backflow prevention; Parks and Recreation facilities; senior centers; tax abatements and industrial districts. Julie Rogers, 710 Furman, spoke regarding the shortfall in the upcoming budget and discussed the following: to not cut budgets across the board for departments; reduction of services for arts and cultural, recreational, and library services; and to not offer tax abatements. Carolyn Moon, 4902 Calvin, spoke regarding the City joining the Paris Accord and consideration to install plug-in stations for electric vehicles in the downtown area. Yvette Lara, 602 N. Staples, spoke on behalf of the United Corpus Christi Chamber of Commerce and invited the City Council to attend the "Mi Casa Es Su Casa" event which will be held on Thursday, March 22, 2018 at 7801 Rancho Vista Boulevard, hosted by the Coastal Bend Home Builders Association in conjunction with Braselton Homes, honoring City Manager Margie C. Rose. Susie Luna Saldana, 4710 Hakel, requested clarification regarding the alley ways. Alvin Villarreal, 1133 York, spoke regarding a Teen Challenge Christian Ministry in Corpus Christi. Carolyn Vaughn, 4214 Spring Creek Drive, spoke regarding Item 13 and requested that the City Council expeditiously fill the vacant District 1 City Council position. Mike Carrell, Frost Bank, provided information on Frost Bank's recent lock box security breach which may impact the City's utility customers. Reuce Kozek, 5296 Wagon Trail, spoke regarding Agenda Item 10, rezoning of property at or near 15641 Northwest Boulevard,

expressing concerns regarding: the necessity to rezone the entire property; wastewater and drainage issues; the impact on the local school district's capacity; the desire of the surrounding community to remain single-family; and noise related to an outdoor music venue.

**K. CONSENT AGENDA: (ITEMS 4 - 8)**

**Approval of the Consent Agenda**

Mayor McComb referred to the Consent Agenda. There were no comments from the Council or the public.

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

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

**Abstained:** 0

**4. Professional Services Contract - Repairs on Marina Breakwater at McGee Beach (Capital Improvement Program)**

Motion to execute a professional services contract with Lockwood, Andrews & Newnam, Inc. of Corpus Christi, Texas in the amount of \$249,215 for the Repairs on Marina Breakwater at McGee Beach project for the Survey, Design, Bid and Construction Phase services (Type A Funds).

**This Motion was passed on the consent agenda.**

Enactment No: M2018-036

**5. Construction Contract for the new Beach Operations Building**

Motion authorizing a construction contract with Abba Construction, LLC of Laredo, Texas in the amount of \$399,777 for the New Beach Operations Building. (Capital Outlay)

**This Motion was passed on the consent agenda.**

Enactment No: M2018-037

**6. Second Reading Ordinance - Rezoning for a Property located at 12750 Hearn Road (1st Reading 2/27/18)**

Case No. 0118-01 AEP Texas, Inc.: A change of zoning "RS-6" Single-Family 6 District to the "IH" Heavy Industrial District. The property is described as Hearn Addition Annex, Lot 1, located on the north side of

Hearn Road, west of Callicoatte Road, and east of Leopard Street.

Planning Commission and Staff Recommendation (January 24, 2018):

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "IH" Heavy Industrial District.

Ordinance:

Case No. 0118-01: Ordinance rezoning property at 12750 Hearn Road from "RS-6" to "IH" and amending the Comprehensive Plan.

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

Enactment No: 031384

**7. Second Reading Ordinance - Appropriating \$249,550 from the Arena Facility Fund for the Arena Wi Fi Enhancement Project (1st Reading 2/27/18)**

Ordinance appropriating \$249,550 from the unreserved fund balance of the Arena Facility Fund for a wi-fi enhancement project at the American Bank Center; and amending the operating budget.

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

Enactment No: 031385

**8. Second Reading Ordinance - Appropriating funds for negotiations related to the City's Sanitary Sewer System (1st Reading 2/27/18)**

Ordinance appropriating \$579,860 in the Wastewater Fund and authorizing up to \$325,460 for legal, engineering, and consulting services for negotiations with federal and state regulatory authorities related to the City's sanitary sewer system and a contingency of up to \$254,400 in the event of pre-agreement litigation related to said system; amending the budget; and de-authorizing \$1,142,700 previously authorized as a contingency for said litigation.

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

Enactment No: 031386

**BRIEFINGS: (ITEM 36)**

**36. Harbor Bridge Replacement Project Update**

Mayor McComb deviated from the agenda and referred to Item 36. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to allow representatives with Flatiron Dragados to provide an update on the progress of the Harbor Bridge Replacement Project. The presentation team

included: Hunter Bodycott, Deputy Project Manager; Lorette Williams, Public Information Coordinator; Darrell Chamber, Lead Traffic Engineering; and Pedro Chico Lopez, Project Manager.

Mr. Bodycott presented the following information: an explanation of the design build process; daytime rendering of new Harbor Bridge project from Whataburger Field; an overview of the project scope; the project highlights; a rendering depicting the size of the new Harbor Bridge; sustainability efforts; construction progress including: roadworks, the Comanche Street Bridge demolition, the Stillman Pedestrian Bridge demolition, the Robstown pre-cast yard, approaches - piling driving at North Beach, approaches - footings, and the north and south of the Port foundation pours. Ms. Williams presented information on the traffic mitigation plan and project communications including: traffic mitigation, stakeholder relations; traffic advisories; motorist information; upcoming traffic impacts; the hiring campaign; community involvement; the project's website; a snapshot of online traffic information; samples of regional maps that will be included on the website; and a video animation of the new Harbor Bridge.

The presentation team and council members discussed the following topics: the communication plan to citizens; the project's progress in a short period of time; response addressing the public's concerns related to the recent Florida Bridge collapse; the Florida Bridge and the new Harbor Bridge being two separate projects; the Florida Bridge being an experimental design; this year's Buc Days Parade being the last parade on its current route on Leopard Street; and working with the Texas Department of Transportation (TXDOT) on approaches and connectivity.

**M. PUBLIC HEARINGS: (ITEMS 9 - 10)**

**9. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 2722 Flour Bluff Drive**

Case No. 0118-03 Lowm, Inc.:

Ordinance rezoning property at or near 2722 Flour Bluff Drive from "CG-1" General Commercial District and "RS-6" Single-Family 6 District to "RS-22" Single-Family 22 District and amending the Comprehensive Plan.

Planning Commission and Staff Recommendation (January 24, 2018):

Approval of the change of zoning from the "CG-1" and the "RS-6" to the "RS-22".

Mayor McComb referred to Item 9. Director of Development Services Nina Nixon-Méndez stated that the purpose of this item is to rezone the subject property to allow the construction of a single-family subdivision consisting of 21, 1/2 acre, lots. Ms. Nixon-Méndez stated that the Planning Commission and staff are in favor of the zoning change.

Mayor McComb opened the public hearing. Craig Thompson, Hanson Professional Services, stated that he was available to respond to questions. Council members spoke regarding the following topics: addressing drainage

issues; increase in peak flow; whether the developer considered providing sewer service to the area; inadequate funding in the trust fund; an audit of the trust funds to be completed on April 10, 2018; drainage problems associated with other developments located at the intersection of Flour Bluff Drive and Glenoak Drive; and addressing connectivity in the master plan for the area. Mayor McComb closed the public hearing.

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

**Abstained:** 0

**10. Public Hearing and First Reading Ordinance - Rezoning for a Property at or near 15641 Northwest Boulevard**

Case No. 0218-02 Puerto Los Caballeros, LLC:

Ordinance rezoning property at or near 15641 Northwest Boulevard from "FR" Farm Rural District to the "CG-2" General Commercial District.

Planning Commission and Staff Recommendation (February 7, 2018):

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

Mayor McComb referred to Item 10. Director of Development Services Nina Nixon-Méndez stated that the purpose of this item is to rezone the subject property to allow for the construction of a barbecue restaurant. Ms. Nixon-Méndez stated that the Planning Commission and staff are in favor of the zoning change.

Mayor McComb opened the public hearing. Ryan Lawhon, 4218 Rapids Drive and representative for the applicant, stated that the owner would like to move the existing barbecue restaurant, Sam's BBQ, from the current location on the north side to the south side to grow her business. Council members discussed the following topics: the proposed use for the subject property; the residential properties located outside the city limits; the noise regulations related to outside entertainment; revitalization of the northwest area of the City; location of the sewer line; the zoning pattern of "CG-2"; of future evaluation of wastewater for the area. Mayor McComb closed the public hearing.

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

**Abstained:** 0

**EXECUTIVE SESSION: (ITEMS 37 - 38)**



Mayor McComb deviated from the agenda and referred to Executive Session Items 37 and 38. The Council went into executive session at 1:47 p.m. The Council returned from executive session at 2:57 p.m.

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 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.

38. **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 Harbor Bridge construction and the Agreement for the Adjustment of City of Corpus Christi Municipal Utilities in Connection with the U.S. 181 Harbor Bridge Replacement Project.

This E-Session Item was discussed in executive session.

L. **RECESS FOR LUNCH**

The recess for lunch was held during Executive Session Items 37 and 38.

R. **BRIEFINGS: (ITEM 35)**

35. **Discussion regarding Options for Bond 2018 Ballot Language**

Mayor McComb deviated from the agenda and referred to Item 35. City Secretary Rebecca L. Huerta introduced Clay Binford, Norton Rose Fulbright US LLP. Mr. Binford stated that the purpose of this item is to discuss matters

related to the preparation of the City's Bond 2018 election. Mr. Binford presented the following information: an explanation of Texas Laws that apply to General Obligation Bond Elections for Texas cities; the election ordinance, key components, and public notice requirements; the difference between the measure and ballot proposition components of the election ordinance; the issuance of ad valorem tax-backed bonds; Texas Supreme Court ruling on ballot proposition language; Texas Law Ballot Proposition requirements; transparency requirements; and prohibition against dual propositions.

Following Mr. Binford's presentation, council members discussed the separation of propositions in Bond 2012 and 2014 and the potential proposition split for Bond 2018.

### **PUBLIC HEARINGS: (ITEMS 11 - 12)**

#### **11. Public Hearing and First Reading Ordinance - North Beach Redevelopment Initiative**

Ordinance adopting North Beach Redevelopment Initiative Specific Plan; and amending the Comprehensive Plan.

Mayor McComb referred to Item 11. Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to adopt the North Beach Redevelopment Initiative.

Council members and staff discussed the following topics: comments made by council members regarding the City Council not having sufficient time to review the lengthy attachments related to Item 11, North Beach Redevelopment Initiative and Item 12, Downtown Area Development Plan; staff's presentation of the Downtown Area Development Plan to the City Council in November and action being tabled at that time to allow staff to bring forward the North Beach Area Development Plan, which was presented to City Council on February 27, 2018; the North Beach Redevelopment Initiative including both Alternatives 1 and 2; approval of the North Beach Redevelopment Initiative would promote developer interest in the area; the Downtown Area Development Plan's reference to the reconstruction and relocation of Shoreline Boulevard; participation in the surveys and engaging stakeholders; discussion regarding the North Beach Alternative 2 plan related to the proposed islands and that if a coastal engineering study is done, it should be paid for by a developer and not the City.

Mayor McComb opened the public hearing. Joan Veith, 5701 Cain Drive, spoke regarding the realignment of Shoreline Boulevard. Mayor McComb closed the public hearing.

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

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

**Abstained:** 0

**12. Public Hearing and First Reading Ordinance - Adopting the Downtown Area Development Plan**

Ordinance adopting Downtown Area Development Plan; rescinding Central Business Development Plan; and amending comprehensive plan.

**Mayor McComb** referred to Item 12, adopting the Downtown Area Development Plan. The presentation team included: Director of Planning & ESI Daniel McGinn and Senior Planner Keren Costanza.

**Mayor McComb** opened the public hearing. Alyssa Barrera, Executive Director of the Downtown Management District, spoke in support of adopting the Downtown Area Development Plan. Mayor McComb closed the public hearing.

**Ms. Costanza** provided a brief overview of the plan including: the document updates; a description of the study area; 2017 community engagement; the vision themes and goals; the three categories focusing on: real estate reinvestment; infrastructure, and great-places-for-people initiatives; and development guidelines.

Council members and staff discussed the following topics: the flexibility to amend the plan; feedback from stakeholders; activities occurring at The Water's Edge Park; approval of the plan would promote revitalization of the downtown area; utilizing the Tax Increment Reinvestment Zone #3; addressing neighborhood plans; the need for additional community input prior to spending funds in the area; utilization of Shoreline Boulevard; the inclusion of the R/UDAT and Harbor Bridge planning; the impact of the plan on downtown businesses; language in the plan related to the reconstruction and relocation of Shoreline Boulevard; the difference between infrastructure initiatives R3 and R5 related to the Shoreline Boulevard project; consideration to remove infrastructure initiative R5 from the plan; the future impact for removing infrastructure initiative R5 from the plan; the Bond 2004 ballot language; and addressing critical areas of infrastructure.

Council Member Rubio made a motion to amend the Downtown Area Development Plan, page 48, by removing Infrastructure Initiative R5 as it relates to the Shoreline Realignment Project, seconded by Council Member Smith. The motion to amend was passed and approved with the following vote: Mayor McComb and Council Members Hunter, Rubio, Smith and Garza voting "Aye" and Council Member Guajardo, Lindsey-Opel, and Molina voting "No".

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

**Aye:** 7 - Mayor McComb, Council Member Garza, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio and Council Member Smith

**Nay:** 1 - Council Member Guajardo

**Abstained:** 0

**N. REGULAR AGENDA: (ITEMS 13 - 18)****13. Discussion and possible action regarding the process to fill a vacancy in the office of council member.**

Mayor McComb referred to Item 13. City Secretary Rebecca L. Huerta stated that the purpose of this item is to discuss the process to fill the vacancy in the office of council member. City Secretary Huerta presented the following information: the language from the City's Charter, Article II, Section 13; the qualifications for the position of city council member; the process used by prior City Councils from the 1990s to present; common practices; recent changes to the process in 2016 and 2017; a suggested timeline to fill the vacancy; and two timeline options.

In response to Mayor McComb, City Secretary Huerta stated that the filing period for individuals interested in filing for the 2018 General Election begins July 21, 2018.

Mayor McComb called for comments from the public. Gloria Scott, 4422 S. Alameda, requested clarification of the timeline.

The following motion was considered:

Motion to approve the Option 1 timeline consisting of the following: accept applications from March 22 – April 6, 2018; individual review of applications by council members from April 13 – April 16, 2018; executive session to review and discuss applications, name finalists and discuss the interview process on April 17, 2018; hold public interviews, deliberate in executive session and decide in open session on April 24, 2018; administrative swearing-in on April 25, 2018; and ceremonial swearing-in on May 8, 2018.

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

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

**Abstained:** 0

Enactment No: M2018-038

**14. Resolution for publication of Notice of Intention to issue Certificates of Obligation for Solid Waste System Improvements**

Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue not more than \$7,500,000 in Certificates of Obligation for Solid Waste System improvements; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

Mayor McComb referred to Item 14. Director of Financial Services Constance Sanchez stated that Items 14 and 15 are two resolutions for requests to publish notice of intention in the Corpus Christi Caller Times. Item 14 is regarding the notice of intention to issue certificates of obligation for Solid Waste System Improvements for not more than \$7,500,000. Item 15 is regarding the notice of intention to issue certificates of obligation for not more than \$15,750,000 for certain street and facility improvements including: Bond 2014 projects; facilities; and the Harbor Bridge Replacement Project. The City plans to publish the notices on Sunday, March 25, 2018 and Sunday, April 1, 2018. There were no comments from the public.

Council members and staff discussed the following topics: the timeframe for awarding bids and construction of Sector 3C disposal cell at the Cefe Valenzuela Landfill; debris collection from Hurricane Harvey; the impact of the issuance on Bond 2018 projects; and completion of street improvements related to the Harbor Bridge Replacement Project.

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

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

**Abstained:** 0

Enactment No: 031387

**15.**

**Resolution for publication of Notice of Intention to issue  
Certificates of Obligation for Street and Facility Improvements**

Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue not more than \$15,750,000 in Certificates of Obligation for certain street and facility improvements; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

**This item was discussed during discussions on Item 14.**

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

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

**Abstained:** 0

Enactment No: 031388

**16.**

**One Reading Action Item - Construction Contract for the Corpus  
Christi Museum of Science and History Flooring Replacement**

**Project as a result of damage from Hurricane Harvey**

Motion authorizing the City Manager, or designee, to execute a construction contract with AAA Time Saver Services of San Antonio, Texas in the amount of \$73,915 for the Corpus Christi Museum of Science and History Flooring Replacement project for the base bid.

Mayor McComb referred to Item 16. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to award a construction contract with AAA Time Saver Services in the amount of \$73,915 for the Corpus Christi Museum of Science and History Flooring Replacement project due to damage from Hurricane Harvey. The City will seek reimbursement from the Federal Emergency Management Agency (FEMA). There were no comments from the public.

Council members and staff discussed the following topics: the reasons Additive Alternate No. 1 was not recommended; Engineering staff consulting with the Corpus Christi Museum of Science and History; and the bid amount submitted by AAA Time Saver Services.

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

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

**Abstained:** 0

Enactment No: M2018-039

**17. One Reading Action Item - Resolution for purchase of Wedeco EcoRay Ultra Violet Lamps and Accessory Parts for Broadway Wastewater Treatment Plant**

Resolution authorizing a one-time purchase from Xylem Water Solutions USA of Charlotte, North Carolina, for Wedeco EcoRay Ultra Violet (UV) lamps and accessory parts for a total amount not to exceed \$95,479.80.

Mayor McComb referred to Item 17. Executive Director of Utilities Dan Grimsbo stated that the purpose of this item is to approve the one-time purchase from Xylem Water Solutions USA in an amount not to exceed \$95,749.80 for the purchase of Wedeco EcoRay Ultraviolet (UV) lamps to ensure that testing currently being done at the Broadway Wastewater Treatment Plant continues under the same conditions. There were no comments from the public.

Council members and staff discussed the following topics: a reference to a memo submitted by Assistant Director of Wastewater John Bryum regarding the UV unit at the Broadway Wastewater Treatment Plant as designed and constructed does not disinfect per specifications; and claims in the lawsuit regarding the Broadway Wastewater Treatment Plant regarding construction specifications and engineering design.

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

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

**Abstained:** 0

Enactment No: 031389

**18. Second Reading Ordinance - Authorizing a Five-Year Lease Agreement with option for one additional five-year term for 1621 N. Mesquite Street (28-Day Delay Required) (1st Reading 2/13/18)**

Ordinance authorizing the City Manager to execute a five-year lease agreement with The Corpus Christi Ballet for the property located at 1621 N. Mesquite Street in consideration of monthly rental payment of \$400.00 with option to extend for up to 1 additional five-year term.

**Mayor McComb referred to Item 18, a lease agreement with The Corpus Christi Ballet. Director of Parks and Recreation Jay Ellington was available to respond to questions. There were no comments from the Council or the public.**

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

**Abstained:** 0

Enactment No: 031390

**O. BUDGET RELATED ITEMS: (ITEMS 19 - 22)**

**19. First Reading Ordinance - Amending the Code of Ordinances to increase alarm permit fees and adopt a new animal care service fee schedule**

Ordinance amending Corpus Christi Code to increase alarm permit fees; and adopting new animal care service fee schedule.

**Mayor McComb referred to Item 19. City Manager Margie C. Rose stated that Items 19 - 24 are related to user fees recommendations for Police, Animal Care, Code Enforcement, EMS, Fire, Libraries, and Parks and Recreation. The results of the user fee were provided to the City Council in December 2017. The City last conducted a comprehensive fee analysis in the late 1980s. City Manager Rose stated that the goal moving forward would be to review the fees and charges internally to periodically update them every three to five years.**

Police Chief Mike Markle stated that the purpose of Item 19 was to amend the City's Code of Ordinances to increase alarm permit fees and adopt a new Animal Care Services fee schedule. Chief Markle provided a brief overview of the changes to the alarm permit fees and Animal Care Services fees. The presentation team included: Commander David Blackmon, Commander John Houston, Assistant Director of Strategic Management Sandra Thaxton, and Assistant City Attorney Buck Brice.

Following Chief Markle's presentation, council members and staff discussed the following topics: consideration for revenue from fee increase to be directed back to the respective departments and not to the General Fund; the maximum fee for residential alarm permits; notification to alarm permit owners; the costs incurred to address alarm calls; the language in the ordinance related to fee increases annually by more than 25% requiring City Council approval; fee increases without City Council approval; the average time an animal remains in a kennel at Animal Care; rental fees for traps; the code related to dangerous dogs; an explanation of animal head shipment fees; communication to grooming shops, kennels, and horse stables regarding the proposed fee increases; and the recommendation to include all incurred costs associated with performing animal exhibits.

Mayor McComb called for comments from the public. Joan Veith, 5701 Cain Drive, spoke regarding the impact increasing alarm permit fees would have on citizens on a fixed income.

Council Member Lindsey-Opel 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: Mayor McComb and Council Members Guajardo, Hunter, Lindsey-Opel, Molina, Rubio and Smith voting "Aye"; Council Member Garza voting "Nay".

(Note: Item 19 was reconsidered later in the meeting.)

## **20. First Reading Ordinance - Adopting a Code Enforcement Fee Schedule**

Ordinance amending Corpus Christi Code to adopt a Code Enforcement fee schedule.

Mayor McComb referred to Item 20. Police Chief Mike Markle stated that the purpose of this item is to amend the City's Code of Ordinances to increase Code Enforcement fees. Chief Markle provided a brief overview of the changes to the fee schedule. The presentation team included: Commander David Blackmon, Commander John Houston, Assistant Director of Strategic Management Sandra Thaxton, and Assistant City Attorney Buck Brice. There were no comments from the public.

Council members and staff discussed the following topics: changing the recommended administrative fees for a single fee to three categories; consideration to charge the full cost of service; the number of liens on properties last fiscal year; and the timeline for collection of liens.



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

**Abstained:** 0

**21. First Reading Ordinance - Emergency Medical Services  
Recommended Fee Changes**

Ordinance amending Corpus Christi Code to adopt ambulance rates schedule and to increase ambulance service permitting fees.

**Mayor McComb referred to Item 21. Fire Chief Robert Rocha stated that the purpose of this item is to amend Emergency Medical Services fees. Chief Rocha provided a brief overview of: the current and proposed fees; the EMS fee escalation; and the estimated revenue. The presentation team included: Assistant Fire Chief Kenneth Erben, Fire Captain Billy Belyeu, Assistant Director of Strategic Management Sandra Thaxton, and Assistant City Attorney Buck Brice.**

**Council members and staff discussed the following topics: Medicare and Medicaid not being impacted by the fee adjustment; reimbursement from private insurance and individuals for ambulance services; clarification regarding the EMS 911 Base Rate - No Transport fee; whether ambulance operator fees and inspector fees are in line with what other cities are charging; the collection rate for EMS transport; annual escalation of EMS related fees; fee increases coming back for City Council approval; the consumer price index; labor costs associated with EMS charges; and contract obligation commitments.**

**Council Member Lindsey-Opel made a motion to amend Section 18-20(b)(2) to reflect that increases to the EMS fee schedule be brought back annually for City Council approval, seconded by Council Member Rubio and passed unanimously.**

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

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

**Abstained:** 0

**22. First Reading Ordinance - Corpus Christi Fire Prevention Fee  
Amendments**

Ordinance amending the Corpus Christi Code to adopt a new fire

prevention permit fee schedule.

Mayor McComb referred to Item 22. Fire Chief Robert Rocha stated that the purpose of this item is to adopt a new fire prevention permit fee schedule. Chief Rocha provided a brief overview of the fire prevention fee amendments. The presentation team included: Assistant Fire Chief Randy Paige; Senior Management Assistant Arlene Medrano, Assistant Director of Strategic Management Sandra Thaxton, and Assistant City Attorney Buck Brice. There were no comments from the public.

A council member discussed: the fees associated with commercial vent-a-hood cleanings and increasing fees for foster and group homes.

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

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

**Abstained:** 0

**I. EXPLANATION OF COUNCIL ACTION:**

Council Member Lindsey-Opel made a motion to reconsider Item 19, First Reading Ordinance amending Corpus Christi Code to increase alarm permit fees; adopting new animal care service fee schedule; and providing for publication, seconded by Council Member Garza and passed unanimously.

**O. BUDGET RELATED ITEMS: (ITEMS 19, 23 - 24)**

**19. First Reading Ordinance - Amending the Code of Ordinances to increase alarm permit fees and adopt a new animal care service fee schedule**

Ordinance amending Corpus Christi Code to increase alarm permit fees; and adopting new animal care service fee schedule.

Mayor McComb returned to Item 19. Council Member Lindsey-Opel made a motion to amend the ordinance by removing the provision that requires City Council approval of an increase of fees annually by more than 25% and replace the language will all increases will be brought back to the City Council for approval, seconded by Council Member Garza and passed unanimously.

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

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

**Abstained:** 0

**23. First Reading Ordinance - Amending City Code to increase the photocopy fee for the Libraries**

Ordinance amending section 2-79 of the code of ordinances regarding library fees to increase the photocopy fee.

Mayor McComb referred to Item 23. Director of Libraries Laura Garcia stated that the purpose of this item is to amend Section 2-79 of the City's Code of Ordinances regarding library fees to increase the photocopy fee. Ms. Garcia provided a brief overview of the fee changes. There were no comments from the public.

Following Ms. Garcia's presentation, council members and staff discussed the following topics: whether staff compared fees with other copier shops; and a review of other Texas libraries to compare charges.

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

**Abstained:** 0

**24. Resolution for Fiscal Year 2017-2018 Parks and Recreation fees**

Resolution amending and adding new parks and recreational use fees.

Mayor McComb referred to Item 24. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to approve proposed new fees or fees increasing by more than 25% for FY2017-2018. The Parks and Recreation department has 330 fees. Staff is proposing no changes to 120 fees; 59 fees for City Council review; and 124 fees, under 25%, for City Manager review. Mr. Ellington discussed the fee study recommendations that were reviewed by the Parks and Recreation Advisory Committee. Staff is recommending increasing Parks and Recreation fees incrementally over five years. Mr. Ellington provided a brief overview of the current and proposed recreation fees and charges.

Council members and staff discussed the following topics: an explanation of staff utility and building fee at the Greenwood Softball Complex; the total fees associated with the Greenwood Softball Complex; providing the City Council with the complete list of Parks and Recreation fees; the challenges the Parks and Recreation Department has with the large number of fees and the need to simplify the fees; whether the fees include the agreements with the various sports leagues; whether the seasonal swim pass includes all three seasons; new programs having 100% recovery; collection of 11% cost recovery for the Oso Bay Wetland Preserve facility and a request from a council member to review those fees; the fees associated with The Water's Edge Park; the process for renting parks; a percentage of the fees being directed to improve Parks and Recreation facilities; recovery costs for the latchkey program; the improvements made to the golf course and the cost of services; food truck

operation fees; and the grand opening date for The Water's Edge Park.

Council Member Lindsey-Opel made a motion to amend the ordinance to change that all fee increases come before City Council for approval and not just those fees increased by more than 25%, seconded by Council Member Garza. This motion to amend was passed and approved with the following vote: Mayor McComb and Council Members Garza, Guajardo, Hunter, Rubio, and Smith voting "Aye"; Council Members Lindsey-Opel and Molina were absent.

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

**Aye:** 6 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Rubio and Council Member Smith

**Absent:** 2 - Council Member Lindsey-Opel and Council Member Molina

**Abstained:** 0

Enactment No: 031391

**P. FIRST READING ORDINANCES: (ITEMS 25 - 27)**

**25. First Reading Ordinance - Approval of agreement and appropriating funds for the Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement**

Ordinance authorizing Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement with MPM Development, LP; and appropriating \$72,130.00 from Water Arterial Transmission and Grid Main Trust Fund to reimburse the Developer.

Mayor McComb referred to Item 25. Assistant Director of Development Services Bill Green stated that the purpose of this item is to execute a Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement with MPM Development, LP for the construction of a public water line. MPM Development, LP will be required to install 917 linear feet of 12-inch public waterline to provide adequate water service to a proposed residential subdivision development. There were no comments from the public.

Council members and staff discussed the following topics: reimbursement from the Water Arterial Trust Fund; and the status of the construction of the intersection at Yorktown Boulevard and Airline Road.

Council Member Hunter 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:** 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio and Council Member Smith

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**26. First Reading Ordinance - Appropriating funds for construction contract for American Bank Center & Exhibition Hall & Convention Center Restroom Upgrades project**

Ordinance appropriating \$1,042,200.00 from the Unreserved Fund Balance in the Hotel Occupancy Tax Fund; changing the Operating Budget in the amount of \$1,042,200.00; and authorizing execution of a construction contract with Cordova Construction Company Inc., of Nacogdoches, TX in the amount of \$786,210.00 for the American Bank Center & Exhibition Hall & Convention Center Restroom Upgrades project. (Capital Outlay Project FY 2018).

Mayor McComb referred to Item 26. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to appropriate funding from the Hotel Occupancy Tax Fund and execute a construction contract with Cordova Construction Company, Inc. for the American Bank Center & Exhibition Hall & Convention Center Restroom Upgrades. Mr. Edmonds provided information on the project's scope. There were no comments from the public.

Council members and staff discussed the following topics: rebid of the project; the original bid for the project; and whether issues associated with vibrating pipes in a restroom located at the Convention Center were included in this project scope.

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:** 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio and Council Member Smith

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**27. First Reading Ordinance - Amending City Code to decrease speed limit on Beach Access Road 3A**

Ordinance amending Code of Ordinances to decrease the speed limit on Beach Access Road 3A; providing for penalty.

Mayor McComb referred to Item 27. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the City's Code of Ordinances to decrease the speed limit on Beach Access Road 3A, from Saint Bartholomew Avenue to the beach to a speed of 15 miles per hour. There were no comments from the Council or the public.

Council members and staff discussed: the condition of the sidewalk on 3A; and the recent vandalism of the newly installed bathrooms at Packery Channel.

Council Member Molina 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:** 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio and Council Member Smith

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**Q. FUTURE AGENDA ITEMS: (ITEMS 28 - 34)**

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that there were no planned presentations on these items.

**28. Resolution authorizing submission of grant application for funding under Local Border Security Program**

Resolution authorizing submission of grant application to Office of the Governor for funding under Local Border Security Program.

This Resolution was recommended to the consent agenda.

**29. Service Agreement for one-year with two one-year options for Overhead Door Repair and Maintenance for the Fire Department**

Motion authorizing a one-year service agreement with Hub City Overhead Door Co., Inc. of Corpus Christi, Texas for a total amount not to exceed \$56,325, with two one-year options for a total potential multi-year amount of \$168,975.

This Motion was recommended to the consent agenda.

**30. Contribution-In-Aid-of-Construction Agreements with AEP**

Motion authorizing execution of Contribution-In-Aid-of-Construction Agreements with AEP in the amount of \$87,178.02 for installation of streetlights on Ennis Joslin from South Padre Island Drive (SPID) to Williams Drive and in the amount of \$80,641.54 for installation of street lights on Ennis Joslin from Williams Drive to Holly Road.

This Motion was recommended to the consent agenda.

**31. Supply Agreement for 36 months for Manhole Covers for the Utilities Department**

Motion authorizing a 36-month supply agreement with Core & Main, L.P., of Corpus Christi, Texas, for Manhole Covers for the Utilities Department for a total amount not to exceed \$166,185.00.

**This Motion was recommended to the consent agenda.**

**32. Service Agreement for one-year with two one-year options for hauling services for the Utilities Department**

Motion authorizing a one-year service agreement for hauling services with Tahoe Trucking, LLC. of Robstown, Texas for \$269,850, with two one-year options for a total potential multi-year amount of \$ 809,550.

**This Motion was recommended to the consent agenda.**

**33. Resolution authorizing a five-year service agreement for Koha Integrated Library System Service and support for the Libraries Department**

Resolution authorizing a five-year service agreement with ByWater Solutions, from Santa Barbara, California, for a total amount not to exceed \$100,000.00.

**This Resolution was recommended to the consent agenda.**

**34. Type A Agreement - CCREDC Program Management and Funding**

Motion to approve an agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi to fund services provided to the Corporation by the Corpus Christi Regional Economic Development Corporation in the amount of \$125,000.

**This Motion was recommended to the consent agenda.**

**S. EXECUTIVE SESSION: (ITEMS 39 - 40)**

**Mayor McComb referred to Executive Session Items 39 and 40. The Council went into executive session at 7:10 p.m. The Council returned from Executive Session at 8:37 p.m.**

**39. 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 potential contracts, proposals or responses to requests for information related to operation, management, license, lease or transfer of parts of the City's water or wastewater management system, including, but not limited to the City's water or wastewater treatment plants and pursuant to **Texas Government Code § 551.072** to deliberate the potential purchase, exchange, lease, or value of real property, including, but not limited to**

parts of the City's wastewater management system, including, but not limited to the City's water or wastewater treatment plants or real property rights that might be utilized for any of the aforementioned uses.

**This E-Session Item was discussed in executive session.**

**40.**

**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 Belden Street, Mesquite Street, Broadway Street, Highway 181/I-37, Tancahua Street, the intersections thereof, or blocks adjacent to those streets and/or intersections, and areas within one mile thereof, 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.**

**T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

**None.**

**U. ADJOURNMENT**

**The meeting was adjourned at 8:40 p.m.**