



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, September 30, 2014

11:30 AM

Council Chambers

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

A. Mayor Nelda Martinez to call the meeting to order.

Mayor Pro Tem Garza called the meeting to order.

B. Invocation to be given by Elder Henry Williams, Corpus Christi Christian Fellowship.

Elder Henry Williams gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Donna James-Spruce, Safety & Risk Manager.

Safety & Risk Manager Donna James-Spruce led the Pledge of Allegiance.

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

City Secretary Rebecca Huerta called the roll and stated that a quorum of the Council and the required Charter Officers were present to conduct the meeting. City Secretary Huerta announced that Mayor Martinez would be absent and Council Member Leal has been granted a leave of absence.

Charter Officers:

City Manager Ron Olson, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

Present: 6 - Council Member Kelley Allen, Council Member Rudy Garza, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Mark Scott

Absent: 3 - Mayor Nelda Martinez, Council Member Priscilla Leal, and Council Member David Loeb

E. Proclamations / Commendations

1. Proclamation declaring September 17, 2014 as, "Mission of Mercy Mobile Medical Program Clinic Day"
Proclamation declaring October 3-9, 2014 as, "Ideas Week Corpus Christi"
Proclamation declaring October 5-11, 2014 as, "National Fire

Prevention Week"

Proclamation declaring October 15, 2014 as, "Pregnancy and Infant Loss Awareness & Remembrance Day"

Mayor Pro Tem Garza presented the proclamations.

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

Mayor Pro Tem Garza deviated from the agenda and referred to City Manager's Comments.

a. Other

City Manager Olson stated that staff has been monitoring the impact of the recent rain and reported that the rain has had a minimal impact because it was not falling in the drainage basin.

I. MINUTES:

4. Regular Meeting of September 23, 2014

Mayor Pro Tem Garza deviated from the agenda and referred to approval of the minutes. Council Member Magill made a motion to approve the minutes, seconded by Council Member Scott and passed unanimously.

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 6 - 17)

Approval of the Consent Agenda

Mayor Pro Tem Garza deviated from the agenda and referred to the Consent Agenda. There were no comments from the Council or the public. The consent agenda items were passed and approved by one vote as follows:

Aye: 6 - Council Member Allen, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 3 - Mayor Martinez, Council Member Leal and Council Member Loeb

Abstained: 0

6. Approving a construction contract and an engineering contract for construction observation services for the Wastewater Service Line Repair and Clean-out Installation and Man-hole Ring and Cover Adjustment Program FY 2014-2015

Motion authorizing the City Manager or designee to execute a construction contract with RCM Constructors, Inc. of Corpus Christi, Texas in the amount of \$657,391 for the Wastewater Service Line

Repair and Clean-out Installation and Manhole Ring and Cover Adjustment Program FY 2014-2015 for the base bid and to execute an engineering contract with Engineering & Construction Management Services, LLC of Corpus Christi, Texas in the amount of \$69,300, for the Wastewater Service Line Repair and Clean-out Installation and Manhole Ring and Cover Adjustment Program FY 2014-2015 for construction observation services.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-136

7. Purchase Six Months End of Lease Extension from ePlus for Mobile Data Terminals used by Public Safety

Motion authorizing the City Manager or designee to execute all documents necessary to purchase six months end of lease extension from ePlus of Herndon, Virginia for 207 Public Safety mobile data terminals in the amount of \$31,643.43 per month for a total cost of \$189,860.58. Funds are available in the MIS FY2013-2014 budget.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-137

8. Purchase of Localizer Array System for the Corpus Christi International Airport

Motion approving the purchase of a localizer array system for the Corpus Christi International Airport (CCIA) with Thales ATM, U.S., Overland Park, Kansas, based on sole source for the total amount of \$268,612.00. Ninety (90) percent of the project is funded through a Federal Administration Grant with a ten (10) percent local match.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-138

9. Installation of Monitors for the Multi-User Flight Information Display System

Motion approving the installation of twenty nine (29) monitors and related materials at the Corpus Christi International Airport (CCIA) for the Multi-User Flight Information Display System (MUFIDS) from MCFSA LTD., San Antonio, Texas in accordance with the State of Texas Cooperative Purchasing Program for a total expenditure of \$155,050.00. Funds have been budgeted in the Airport Fund No. 4610 in FY 2013- 2014.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-139

10. Approving a legal services contract with Tim Brown for general water issues

Motion to authorize the City Manager or designee to execute a legal services agreement with Timothy L. Brown to advise the City on water rights and general water law issues, at monthly rate of \$7,000 plus expenses.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-140

11. Approval of Tax Abatement Guidelines

Resolution adopting the City's Guidelines and Criteria for Granting Tax Abatements

This Resolution was passed on the Consent Agenda.

Enactment No: 030296

12. Second Reading Ordinance - Rezoning from Single-Family to Neighborhood Commercial and Multi-family at 7901 South Padre Island Drive (1st Reading 9/23/14)

Case No. 0814-01 Gladys Mattie Smith Marital Trust, Patricia Peterson Nuss and Chris Ann Peterson Brown: A change of zoning from "RS-6" Single Family 6 to "CN-1" Neighborhood Commercial District on Tract 1 and "RM-3" Multifamily 3 District on Tract 2 resulting in a change to the Future Land Use Plan. The property is described as being 14.24 acres out of Lots 23 and 24, Section 28, Flour Bluff and Encinal Farm and Garden Tracts, located south of Williams Drive between Ennis Joslin Road and Paul Jones Avenue.

Planning Commission and Staff Recommendation (August 13, 2014): Approval of the rezoning from the "RS-6" Single-Family 6 District to "CN-1" Neighborhood Commercial District on Tract 1 and "RM-3" Multifamily 3 District on Tract 2.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Gladys Mattie Smith Marital Trust, Patricia Peterson Nuss and Chris Ann Peterson Brown ("Owners"), by changing the UDC Zoning Map in reference to a 14.24-acre tract of land out of Lots 23 and 24, Section 28, Flour Bluff and Encinal Farm and Garden Tracts, from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood

Commercial District on Tract 1 and to the "RM-3" Multifamily 3 District on Tract 2; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030297

13. Second Reading Ordinance - Appropriating fund proceeds in the City's Capital Improvement Program Funds (1st Reading 9/23/14)

Ordinance appropriating funds as detailed in Attachment 1 summarized as follows:

\$19,293.27 in AIRPORT interest earnings for the City's match for future FAA Grant Projects; \$201,380.61 in BOND PROCEED interest earnings for Bayfront, Public Facilities, Fire, Police, Public Health and Safety, Sanitary Landfill, Convention Center, Parks, and Streets for the stated bond projects not yet complete, similar projects to be approved by City Council or the payment of debt service; \$272,814.59 in UTILITY REVENUE BOND interest earnings for the support of the City's approved Capital Improvement Program; \$135,529.63 in SPECIALTY BOND PROCEED interest earnings for Sales Tax Bonds for the Seawall, Packery Channel Bonds, and Energy Efficiency Bonds for the stated bond projects not yet complete, the support of the City's approved Capital Improvement Program, specific military supported projects and as determined by the Type A Board; and appropriating \$239,234.33 in OTHER UNAPPROPRIATED FUNDS for Street Assessments, Construction Yard Lease Rental, Sale of Scrap, and Texas Department of Transportation Refund for the repair of city street due to private construction and other street expenses to be approved by City Council; and Changing the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to increase expenditures by total of \$868,252.43.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030298

14. Second Reading Ordinance - Appropriating funds for Corpus Christi Downtown Revitalization Alliance (CCDRA) Development Director (1st Reading 9/23/14)

Ordinance appropriating \$30,000 in the Parking Improvement Fund 1040 from Parking Meter Collection revenue for payment to the Corpus Christi Downtown Revitalization Alliance and changing the FT2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing expenditures in the Parking Improvement Fund by \$30,000.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030299

15. Second Reading Ordinance - Appropriating funds to pay for emergency repairs to Police Department roof. (1st Reading 9/23/14)

Ordinance appropriating \$267,214.82 from the unreserved fund balance in the No. 1020 General Fund for emergency repairs to the roof of the Police Department; and changing the FY 2013-2014 operating budget adopted by Ordinance No. 029915 by increasing expenditures by \$267,214.82.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030300

16. Second Reading Ordinance - Appropriating funds to refund wastewater lot/acreage fees paid (1st Reading 9/23/14)

Ordinance appropriating \$5,928.97 from the No. 4220 Wastewater Trunk System Trust Fund to refund Jack R. Day, Jr., the wastewater lot/acreage fee paid since wastewater services are not available nor will it be available within the next 5 years as related to Oak Terrace Unit 2, Block 4, Lot 6A.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030301

17. Second Reading Ordinance - Approving a wastewater reimbursement agreement and appropriating funds for property located on the south side along Holly Road, east of Rodd Field Road (SH 357) and west of Encino Drive. (1st Reading 9/23/14)

Ordinance authorizing execution of a wastewater collection line extension construction and reimbursement agreement ("Agreement") with Palm Land Investment, Inc. ("Developer"), for the construction of a wastewater collection line and appropriating \$243,846.90 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030302

F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. 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 have a petition or other information pertaining to your subject, please present it to the City Secretary.

Mayor Pro Tem Garza called for comments from the public. Susie Luna Saldana stated that citizens in the community are concerned with the increasing fees. Dick Messberger spoke regarding the potential impact the proposed windfarm will have on military bases. Captain Mark McLaughlin, Former Commanding Officer at Naval Air Station Kingsville, stated that where the location APEX plans to build the windfarm is not conducive to air traffic control and radars at NAS-Kingsville and Corpus Christi International Airport, or to future growth. Prasant Chhotu spoke in support of the southside annexation. Jane Helm spoke in opposition to the location of the proposed windfarm. Juan Araiza spoke regarding ethics and transparency and a possible conflict of interest on the agreement between the City and the Corpus Christi Country Club regarding effluent water. Lydia Bray spoke in opposition to the windfarm development. Abel Alonzo expressed his displeasure with citizens attacking the character and credibility of the council members.

H. EXECUTIVE SESSION: (ITEMS 2-3)

Mayor Pro Tem Garza deviated from the agenda and referred to the day's executive sessions. Mayor Pro Tem Garza announced that Council would discuss Item 18 in executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys concerning legal issues related to the ordinance approving the Southside FM2444 annexation. City Secretary Huerta announced that Council Member Magill recused himself from the discussion on Item 18. The Council went into executive session.

2. Executive session pursuant to Section 551.071 of the Texas Gov't Code for consultation with attorneys regarding *Scorpio Development, LLC v. City of Corpus Christi*, with possible discussion and action in open session.

Mayor Pro Tem Garza referred to Item 2 and stated that the following motion was discussed for consideration:

Motion authorizing the settlement of Cause No. 2011-CCV-60894-2, styled Scorpio Development, LLC v. City of Corpus Christi; County Court of Law No. 2, Nueces County, Texas in the amount of \$110,000 to be effective October 1, 2014.

Council Member Allen made a motion to approve the motion, seconded by Council Member McIntyre, and passed unanimously.

Aye: 6 - Council Member Allen, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 3 - Mayor Martinez, Council Member Leal and Council Member Loeb

Abstained: 0

Enactment No: M2014-135

3. Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding fire collective bargaining negotiations with possible discussion and action in open session.

This E-Session Item was discussed in executive session.

M. PUBLIC HEARINGS: (NONE)

N. REGULAR AGENDA: (ITEMS 18 - 20)

18. Second Reading Ordinance - Approving the Southside FM 2444 Annexation (1st Reading 9/16/14) (Tabled 9/30/14) (Requires 2/3 vote)

Ordinance annexing Laureles Farm Tracts adjacent to the City limits located along and on both sides of FM 2444, areas south of FM 2444 and west of County Road 41, commonly referred to as a portion of the Chapman Ranch and a portion of the proposed APEX Wind Farm; providing for a Municipal Services Plan for the annexed tracts of land; providing that the owner and inhabitants are entitled to all rights, privileges, and burdens of other citizens and property owners of the City of Corpus Christi and are subject to and bound by the City Charter, Ordinances, Resolutions and Rules; providing for amendment of the official maps of the City of Corpus Christi; designating area to be added to City Council District number 5; providing for severance; and providing an effective date.

Mayor Pro Tem Garza referred to Items 18, 19, and 20 and stated that the annexation issue is a very serious topic for the City Council and the community and the Council would prefer that the Mayor and the entire City Council be present. Council Member McIntyre made a motion to table Items 18, 19 and 20 until October 14, 2014, seconded by Council Member Allen and passed unanimously.

Aye: 0

Abstained: 0

Enactment No: 030307

19. Approving the funding of utility improvements in the Southside FM 2444 Annexation Area (Tabled 9/30/14) (Requires 2/3 vote)

Resolution regarding the funding of utility improvements in the Southside FM 2444 Annexation Area with property taxes from the area.

This item was discussed under Item 18. This Resolution was tabled to October 14, 2014.

Enactment No: 030308

20. Development Agreements for Property Owners with Exemptions in the Southside FM 2444 Annexation Area (Tabled 9/30/14) (Requires 2/3 vote)

Resolution granting a Development Agreement for properties in the Proposed Southside FM 2444 Annexation Area where the property contains an agricultural, wildlife management, or timber land exemption established by the Nueces County Appraisal District and where the property owner has requested the City grant a development agreement in lieu of annexation on their qualifying property; providing for a 15 year time limit; providing that the City will not annex land that is the subject of a Development Agreement; providing that the development agreement authorizes the City to enforce all regulations and planning authority of the municipality provided the authority does not interfere with the use of the area for agriculture, wildlife management, or timber land uses; providing that the area under the Development Agreement is considered adjacent or contiguous to the city; providing that the agreement is automatically terminated if the landowner files any type of subdivision plat or related development document regardless of how the property is appraised by the Nueces County Appraisal District; providing that the agreement will be filed with the Nueces County Clerk; providing for severance; and providing an effective date.

This item was discussed under Item 18. This Resolution was tabled to October 14, 2014.

Enactment No: 030309

J. BOARD & COMMITTEE APPOINTMENTS:

- 5** Advisory Committee on Community Pride
 Corpus Christi Convention and Visitors Bureau
 Ethics Commission
 Food Service Advisory Committee
 Mayor's Fitness Council
 Regional Health Awareness Board
 Reinvestment Zone No. Three Board
 Retired and Senior Volunteer Program Advisory Committee
 Transportation Advisory Committee
 Watershore and Beach Advisory Committee

Mayor Pro Tem Garza deviated from the agenda and referred to board and committee appointments. The following appointments were made:

Advisory Committee on Community Pride

Mayor Pro Tem Garza made a motion on behalf of Mayor Martinez to appoint Marie T. Guajardo and Eric Newman, seconded by Council Member Magill and passed unanimously.

Mayor's Fitness Council

Mayor Pro Tem Garza made a motion on behalf of Mayor Martinez to appoint

Dr. Misty Kesterson and David Keith, seconded by Council Member McIntyre and passed unanimously.

Corpus Christi Convention and Visitors Bureau

Council Member Scott made a motion to reappoint Ken Griffin, James "Jim" Needham, Darcy Jones, and Toby Hammett Futrell, seconded by Council Member Magill and passed unanimously. Council Member McIntyre made a motion to appoint Terri Adams and Jason Rodriguez, seconded by Council Member Riojas and passed unanimously.

Ethics Commission

Council Member McIntyre made a motion to reappoint David Ghably, Haysam D. Dawod, and Larry L. White, seconded by Council Member Magill and passed unanimously.

Food Service Advisory Committee

Council Member Magill made a motion to realign Anthony Hernandez from Community at Large to Food Industry, seconded by Council Member McIntyre and passed unanimously. Council Member McIntyre made a motion to reappoint Carlos R. Moreno, Manuel Ortega, Robert Boyle and Anthony Hernandez, seconded by Council Member Scott and passed unanimously. Council Member Magill made a motion to appoint Dr. Patricia Polastri, seconded by Council Member Scott and passed unanimously.

Regional Health Awareness Board

Council Member Magill made a motion to reappoint Ambar Qureshi, seconded by Council Member McIntyre and passed unanimously.

Reinvestment Zone No. Three Board

Council Member Magill made a motion to appoint Stefany Schade, seconded by Council Member Allen and passed unanimously.

Retired and Senior Volunteer Program Advisory Committee

Council Member Magill made a motion to reappoint Anne Bauman, seconded by Council Member McIntyre and passed unanimously. Council Member Magill made a motion to appoint Renee I. Hundley, seconded by Council Member McIntyre and passed unanimously.

Transportation Advisory Committee

Council Member Magill made a motion to appoint Christina Cisneros-Guzman, seconded by Council Member Scott and passed unanimously. Council Member Magill made a motion to appoint Anthony Gavlik, seconded by Council Member McIntyre and passed unanimously. Council Member Magill made a motion to appoint Leo Rios, seconded by Council Member Scott and passed unanimously.

Watershore and Beach Advisory Committee

Council Member Magill made a motion to appoint Robert Kent, seconded by Council Member Allen and passed unanimously.

REGULAR AGENDA: (ITEM 21)

21. Second Reading Ordinance - Approving the Capital Improvement Budget for fiscal year 2014-2015 (1st Reading 9/23/14)

Ordinance approving the Fiscal Year 2014 - 2015 Capital Budget and Capital Improvement Planning Guide in the amount of \$265,257,900.

Mayor Pro Tem Garza referred to Item 21. Assistant City Manager Gus Gonzalez stated that the purpose of this item is to approve the second reading of the FY2014-2015 Capital Budget and Capital Improvement Planning (CIP) Guide. Mr. Gonzalez stated that the wastewater tab has been inserted into the CIP, at the direction of the City Council, in the amount of \$47,820,900. There were no comments from the Council or the public.

Council Member Magill made a motion to amend the ordinance prior to second reading to change the amount to \$313,078,800 to include the wastewater tab, seconded by Council Member McIntyre and passed unanimously. This Ordinance was passed on second reading as amended and approved with the following vote:

Aye: 6 - Council Member Allen, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 3 - Mayor Martinez, Council Member Leal and Council Member Loeb

Abstained: 0

Enactment No: 030303

O. FIRST READING ORDINANCES: (ITEMS 22 - 23)

22. First Reading Ordinance - Amending City Code to implement cost of living increase for City employees

Ordinance amending the Corpus Christi Code of Ordinances, Chapter 39, Personnel, Article III Employee Classification and Compensation System to revise Section 39-303, adjusting the pay grades and steps to implement a one and a half percent (1.5%) cost of living increase as approved in the Fiscal Year 2015 Budget and to add new pay grades 401 and 402; repealing conflicting ordinances and rules; providing for effective date and providing for severance.

Mayor Pro Tem Garza referred to Item 22. Director of Human Resources Yasmine B. Chapman stated that the purpose of this item is to amend the City Code of Ordinances, Chapter 39, Article III to revise pay grades and steps to include the 1.5% cost of living increase approved in the budget. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 6 - Council Member Allen, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 3 - Mayor Martinez, Council Member Leal and Council Member Loeb

Abstained: 0

Enactment No: 030305

23. First Reading Ordinance - Appropriating program income revenue for laboratory and public health services

Ordinance appropriating \$459,000 from the estimated program income revenue in the No. 1066 Health Grants Fund as State fiscal year 2014-2015 program income to fund laboratory and public health services for the period of September 1, 2014 through August 31, 2015.

Mayor Pro Tem Garza referred to Item 23. Director of Public Health Annette Rodriguez stated that the purpose of this item is to appropriate \$459,000 from the estimated program income revenue to fund laboratory and public health services for the period of September 1, 2014 through August 31, 2015. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 6 - Council Member Allen, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 3 - Mayor Martinez, Council Member Leal and Council Member Loeb

Abstained: 0

Enactment No: 030306

P. FUTURE AGENDA ITEMS: (ITEMS 24 - 26)

Mayor Pro Tem Garza referred to Future Agenda Items. City Manager Ron Olson stated that staff did not have any planned presentations.

24. Supply agreement for lease of computers, servers and other computer peripherals and related products (Requires 2/3 vote)

Motion approving a supply agreement with CSI Leasing, Inc., Saint Louis, Missouri for lease of approximately 300 desktop computers, 200 laptop computers, 20 servers, and other computer peripherals and related products in accordance with the State of Texas cooperative purchasing program and the City's Master Lease Agreement No. 1880CCC for an estimated expenditure of \$1,398,138.27, of which \$30,503.23 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve months with an option to extend for up to three additional twelve month periods subject to the approval of the supplier and the City Manager or designee.

This Motion was recommended to consent agenda.

Enactment No: M2014-141

25. Engineering construction contract for the Schanen Ditch Improvements Phase 2 Project (Requires 2/3 vote)

Motion authorizing the City Manager, or designee, to execute a construction contract with Saenz Brothers Construction, LLC, in the amount of \$678,276.00 for the Schanen Ditch Improvements Phase 2 project for Total Base Bid.

This Motion was recommended to consent agenda.

Enactment No: M2014-142

26. Type A Grant for Acción Texas Loan Buy Down Program for Fiscal Year 2014-2015

Resolution approving the renewal of a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Acción Texas, Inc. ("Acción") to provide grant amount up to \$250,000 for the interest buy down and grant programs for small businesses.

This Resolution was recommended to consent agenda.

Enactment No: 030304

Q. BRIEFINGS TO CITY COUNCIL: (ITEM 27)

27. Texas State Aquarium Lease Agreement

Mayor Pro Tem Garza referred to 27. Assistant City Manager Wes Pierson stated that the purpose of this item is to discuss a request by the Texas State Aquarium for a new lease agreement. Mr. Pierson provided a background of the current lease agreement with the Texas State Aquarium; the request made by the Texas State Aquarium and the options for consideration. Tom Schmid, President and CEO of the Texas State Aquarium, provided information on the proposed expansion of the aquarium and Caribbean Journey attraction; the economic impact of the private/public partnership; and a computer animation of the expansion project. Mr. Pierson said staff is recommending the creation of a new lease-purchase agreement with the same terms as the existing agreement, but with the option for the Texas State Aquarium to purchase; based upon the level of investment and continued operation over a period of time.

Council members spoke regarding the following topics: the relationship between the City and the Texas State Aquarium; the addition of the Caribbean Journey; the performance-based purchasing agreement; the benefits to the community; liability to the City; and the timeline.

R. ADJOURNMENT

The meeting was adjourned at 2:26 p.m.