



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, December 10, 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 11:32 a.m.

B. Invocation to be given by Pastor Rob Bailey, Southside Community Church.

Pastor Rob Bailey gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Alan Carlos, Assistant Director of Information Technology.

Mr. Alan Carlos 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 Zaroni, 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: (NONE)

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

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

a. OTHER

1) The City recently received a water fluoridation quality award from the U.S. Centers for Disease Control and Prevention. 2) The City is in the process of conducting a risk assessment and developing emergency response plans, by

March 2020, in compliance with America's Water Infrastructure Act. 3) The City is in the process of updating the Westside Area Development Plan and will conduct an open house on Thursday, December 12, 2019 at Martin Middle School from 5:30 p.m. - 8:00 p.m. This will be the first update since the plan was developed in 1989. 4) The Police and Fire Departments are recruiting uniformed positions for their upcoming academies. In addition to other recruiting events for both Police and Fire, the Fire Department will host a recruitment event at Brooks AME Church's Workshop Center on Port Avenue on Thursday, December 12, 2019 at 6:00 p.m.

R. BRIEFINGS: (ITEM 38)

38. Corpus Christi Seawater Desalination Siting and Permitting Project Quarterly Update

Mayor McComb deviated from the agenda and referred to Item 38.

Executive Director of Water Utilities Dan Grimsbo presented information on the following topics: seawater desalination update objectives; siting and permitting project overview; tasks and schedule; ongoing effort; outreach / key meetings to date; next steps; and summary.

Council members, Executive Director Grimsbo, Water Resource Manager Steve Ramos and City Manager Peter Zanoni discussed the following topics: what is the demand for water as a percentage of capacity that triggers the City moving to a new water source; why the loan application, related to desalination, is being pursued and the associated timeline; current and anticipated demand for water as a percentage of million-gallons-per-day water production capacity; options other than desalination; that Council approved pursuing the permitting, siting and loan application related to a desalination plant; potential restrictions on other entities obtaining a desalination-related permit if the City obtains such a permit; the need for a public-private partnership that will allow for private industry to pay for a desalination plant versus the City's rate payers, progress to date and actively pursuing this option; not being at the point in the desalination process to make a decision regarding a public-private partnership; taking into consideration the potential impact to the City's financial capacity of a consent decree with the U.S. Environmental Protection Agency related to wastewater.

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.

The following individuals spoke in opposition to utilizing the Lamar Elementary building as a homeless shelter: Edward and Dolores Marines, 2323 Mary St.; Jose Martinez, 2307 Mary St.; Joel Mumford, 6212 Hidden Cove; Robert G. Hernandez, 4114 Rehfeld Dr.; Rolando Garza, Saxet Heights; Priscilla Rivera, 2504 Marguerite St.; Gilbert Pena, Jr.; 2206 Mary St.; and Arnold Tapia; 2303 Mary St.

Errol Summerlin, Portland, Texas, on behalf of the Coastal Alliance to Protect our Environment, spoke regarding multiple proposed desalination plants; the large amount of brine to be discharged into the bay; the negative impact to public health and quality of life that selling water to industry will have on the area; the negative impact of large-scale industrialization planned; and in favor of economic development on North Beach.

Flo East, 1605 Yorktown Blvd., extended an invitation to council members to the Nueces County Junior Livestock Show. Shirley Thornton, 1917 Woodcrest Dr., President of the Flour Bluff Citizens' Council, invited council members, the city manager and staff to attend their next meeting on January 13, 2020 at 6:00 p.m. at Grace Community Church in Flour Bluff and discussed the cost and funding sources for a canal on North Beach, if the canal will accomplish its stated goals and if public information meetings will be held regarding the canal. Guy Watts, 4237 Ocean Dr., spoke regarding development at the intersection of Rodd Field Rd. and Yorktown Blvd. and the importance of extending Rodd Field Rd., across Oso Creek, via a bridge. Constance C., 5910 Fenway Dr., spoke in support of Animal Care Services, related signage on Holly Rd., and to allow dogs seized in drug raids to be adopted.

The following individuals spoke in support of a canal on North Beach: Juan Cantu, 3302 Surfside Blvd.; Dennis Patel, 710 Buffalo St., Steve Moody, Sarah Dr., Jose Mendez, 5817 Crestford Dr.; Juan Olivares, 3839 Surfside Blvd.; Ron Graven, 202 Surfside Blvd.; Moses Estrada, 4805 FM 1889; Debra Pope, 4242 Gulfbreeze Blvd.; Kim Novak, 2901 W. Surfside Blvd., President of the North Beach Community Association; Dolores Vela, 4418 Loveland Pass Court; Lei Arandela, 9425 Cobblestone Ln.; Jeff Blackard, 401 Adriatic Pkwy., McKinney, Texas; Jean Marie Giegerich, 1009 Furman Ave., Hank Harrison, 901 Driftwood; Chad Magill, 641 Texas Ave.; Barbara Welder, 202 Reef Ave.; Pamela Oualline, 3938 Surfside Blvd.; Day Manley, 6705 Pharaoh Dr.; Guy Chipman, 3938 Surfside Blvd.; James Magill, 451 Southern Dr.; Carolyn Vaughn, Nueces County Commissioner; Steve Gomez, 6630 Clarion Dr.; Andy Taubman, 5601 South Padre Island Dr.

Greg Hood, 4942 Valley Stream Dr. spoke in support of the Corpus Christi Cross. Rick Milby, 4412 High Ridge Dr., spoke in support of the Corpus Christi Cross and economic development in Corpus Christi and on North Beach. Jonathan Gonzalez, 13753 Cayo Gorda Court, spoke in support of a canal on North Beach and the Corpus Christi Cross. Ruben Saenz, 807 W. Avenue J, Robstown, Texas, spoke regarding a past lawsuit between the City of Corpus Christi and the Water District in Robstown regarding water rights, the water filtration plant that the City of Corpus Christi has for sale, the cost of water produced by means of desalination, and the City of Corpus Christi purchasing water from the Dimmit Utility Water Supply Corporation. Melissa Zamora, 3917 Brawner Pkwy., spoke regarding holding council meetings after 5:30 p.m., in opposition to permitting the proposed seawater desalination plant, the percent of water

used by residents of Corpus Christi versus industry, the large volume of brine to be discharged, from desalination, by the Port of Corpus Christi and others into the bay, and the existing salinity of the bay. Eduardo Canales, 7821 Bevington Dr., spoke in opposition to brine being discharged into the bay from desalination plants. Susie Luna Saldana, 4710 Hakel, questioned who will pay for the proposed canal on North Beach and in opposition to a homeless shelter in the Lamar Elementary building. Lindsay Gee, 2409 Shaftsbury Dr., spoke in opposition to high-density development and the demands on infrastructure in the London area. Brian Watson, 5813 Hugo Dr., spoke regarding concerns using taxpayer monies to build a canal on North Beach. Ray Madrigal de Pancho Villa, 4253 Dody St., spoke in support of using the Lamar Elementary building for a homeless shelter and a canal on North Beach, and questioned the status of the proposed Barisi Village project in the Pharaoh Valley subdivision. Taylor Oldroid, 4825 Everhart Rd., with the Corpus Christi Association of Realtors, spoke regarding the Texas Windstorm Insurance Association's proposed rate increase and in support of a canal on North Beach. Marsha Williams, 6006 Strasbourg Dr., a member of the City's Planning Commission, spoke regarding selling wastewater effluent to industry, fiscal transparency, and what costs are unknown related to infrastructure in newly annexed areas versus a canal on North Beach.

T. Iovale, 2273 Shaftsbury Dr.; Gary Abbott, 2401 Shaftsbury Dr., spoke in opposition to Item 8 regarding annexation and rezoning in the London area.

Carrie Robertson Meyer, 4401 Gulfbreeze Blvd. spoke regarding elevation of and drainage on North Beach.

I. BOARD & COMMITTEE APPOINTMENTS:

2. Corpus Christi Regional Economic Development Corporation (1 Vacancy)
Electrical Advisory Board (5 vacancies)
Landmark Commission (2 vacancies)
North Padre Island Development Corporation (5 vacancies)
Port of Corpus Christi Authority of Nueces County (1 vacancy)
Reinvestment Zone No. 4 (1 vacancy)

Mayor McComb deviated from the agenda and referred to Item 2.

Port of Corpus Christi Authority of Nueces County, Texas
Council Member Barrera made a motion to reappoint David Engel (City), seconded by Council Member Hunter and passed unanimously.

Corpus Christ Regional Economic Development Corporation
City Secretary Rebecca L. Huerta stated she had received input from several council members to have a more diverse and inclusive list of applicants. To accomplish this, City Secretary Huerta suggested postponing this appointment to the first meeting in January 2020. There were no objections from the Council.

Electrical Advisory Board

Council Member Barrera made a motion to reappoint John McMullen (Registered Professional Engineer) and Paul S. Cervantes (Master Electrician), seconded by Council Member Roy and passed unanimously.

Landmark Commission

Council Member Smith made a motion to appoint Myron Grossman (Real Estate), seconded by Council Member Roy and passed unanimously.

Council Member Molina made a motion to appoint Madeleine Fontenot (Regular Member), seconded by Council Member Smith and passed unanimously.

North Padre Island Development Corporation

Council Member Garza made a motion to reappoint Rudy Garza, Michael Hunter, Ben Molina, Everett Roy and Greg Smith, seconded by Council Member Hernandez and passed unanimously.

Reinvestment Zone No. 4 Board

Council Member Guajardo made a motion to appoint Carrie R. Meyer (Community Member), seconded by Council Member Hernandez and passed unanimously.

T. EXECUTIVE SESSION: (ITEM 41)

Mayor McComb deviated from the agenda and referred to Executive Session Item 41. The Council went into executive session at 2:28 p.m. The Council returned from executive session at 5:13 p.m.

- 41. 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 a proposed ordinance authorizing a navigable canal on North Beach, a proposed term sheet related thereto, state and federal laws and regulations related to land development and structures on North Beach and permit requirements related thereto, existing/potential incentive agreement(s) for development(s) on North Beach with Blackard Global, Inc. or affiliates thereof and/or Tax Increment Reinvestment Zone #4, drainage matters related thereto, hotel occupancy funding restrictions related thereto, municipal funding restrictions related thereto, and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, lease, and/or value of real property interests on North Beach owned or controlled by the City or other third parties when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, 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 in North Beach 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.

N. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 41.

H. MINUTES:

- 1. Regular Meeting of November 19, 2019 and Joint Workshop Session of December 3, 2019.

Mayor McComb referred to Item 1.

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

J. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 3 - 24)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. Council members requested that Items 6 and 23 be pulled for individual consideration. Mayor McComb announced that, because two council members would abstain on Item 8, it was being pulled for individual consideration.

There were no comments from the public.

A motion was made by Council Member Garza, seconded by Council Member Guajardo, to approve the Consent Agenda. The motion carried by 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

- 3. One-reading ordinance approving a seawall improvement project for the demolition of K-Pier at the Corpus Christi Municipal Marina in an amount up to \$175,000.00; appropriating \$175,000 from the Seawall Improvement Fund; transferring funds in the amount of \$175,000.00 from the Seawall Improvement Fund to the Capital Improvement Program Fund; amending the operating and capital budgets; and declaring an

emergency.

This Ordinance was passed on emergency on the consent agenda.

Enactment No: 031940

4. Ordinance authorizing a 20-year Lease Agreement with Art Community Center of Corpus Christi, Inc. a Texas nonprofit corporation, for continued use and operation of the Art Community Center at no charge, located at 100 N. Shoreline Blvd. for use by local and visiting artists, to provide meeting rooms, art exhibits, an information center, a gift shop, a restaurant, display areas for the arts, and art classes.

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

Enactment No: 031941

5. Ordinance approving amendment to the Tax Increment Reinvestment Zone #2 Amended Project & Financing Plans approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas, regarding approval of additional funds up to \$2,884,815.66 for the Park Road 22 Bridge Project.

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

Enactment No: 031942

7. Ordinance annexing into the territorial limits of the City of Corpus Christi approximately 281 acres of land located in the area west of the Oso Creek and southeast of Farm-to-Market 43 and County Road 43.

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

Enactment No: 031944

9. Zoning Case No. 0819-02, Fish Pond Development, LLC. (District 1). Ordinance rezoning property at or near 1000 Sixth Street from the "RM-3" Multifamily 3 District and "ON" Neighborhood Office District to the "RM-3/PUD" Multifamily 3 District with a Planned Unit Development. Planning Commission and Staff recommend approval.

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

Enactment No: 031946

10. Zoning Case No. 0819-03, SuperElite, LLC. (District 4). Ordinance amending the development guidelines of a Planned Unit Development (PUD) at or near 14836 Granada Drive currently zoned "RM-AT/IO/PUD" Multifamily AT District with the Island Overlay and a Planned Unit Development. Planning Commission and Staff recommend approval.

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

Enactment No: 031947

11. Zoning Case No. 0819-01, MPM Development, LP. (District 5). Ordinance rezoning property at or near 6810 Bison Drive from the "RS-4.5" Single-Family 4.5 District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development. Planning Commission and Staff recommend approval.
- This Ordinance was passed on second reading on the consent agenda.**
- Enactment No: 031948
12. Ordinance providing for prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Corpus Christi; and establishing an effective date for the ordinance.
- This Ordinance was passed on second reading on the consent agenda.**
- Enactment No: 031949
13. Ordinance consenting to and ratifying an assignment of the On-Airport Rental Car Concession and Lease Agreement ("Agreement") from Coastal Bend Rent-A-Car, Inc. (dba Avis Rent A Car), and South Texas Auto Rental Services, LLC (dba Budget Rent A Car), to Avis Budget Car Rental, LLC.
- This Ordinance was passed on second reading on the consent agenda.**
- Enactment No: 031950
14. Motion authorizing a five-year supply agreement with Miller Veterinary Supply Co., Inc. of Fort Worth, Texas, in an amount not to exceed \$584,511.00 for animal food and supplies, effective upon issuance of notice to proceed, with funding in the amount of \$87,676.65 available through the FY 2020 Animal Control Services' budget in the General Fund.
- This Motion was passed on the consent agenda.**
- Enactment No: M2019-196
15. Motion authorizing a five-year service agreement with ESO Solutions, Inc., of Austin, Texas, in an amount not to exceed \$104,920.00, for a records management system for the Fire Department, effective upon issuance of a notice to proceed, with first-year funding in the amount of \$20,984.00 available in the FY 2020 Fire Department General Fund.
- This Motion was passed on the consent agenda.**
- Enactment No: M2019-197
16. Motion authorizing a five-year license agreement with Everbridge, Inc., of

Pasadena, California, in an amount not to exceed \$395,232.00, for the Reverse Alert mass notification system for the Emergency Operations Center (EOC), effective upon issuance of a notice to proceed, with first-year funding in the amount of \$81,632.00 available in the FY2020 Local Emergency Planning Committee (LEPC) fund.

This Motion was passed on the consent agenda.

Enactment No: M2019-198

17. Resolution authorizing a five-year supply agreement with Doggett Heavy Machinery Services, LLC of Corpus Christi, Texas in an amount not to exceed \$937,500.00 for the purchase of John Deere construction equipment parts for Asset Management, effective upon issuance of notice to proceed, with FY 2020 funding in an estimated amount of \$156,250.00 available through the Fleet Maintenance Service Fund.

This Resolution was passed on the consent agenda.

Enactment No: 031951

18. Motion awarding a contract to Associated Construction Partners, Ltd. of Boerne, Texas in the amount of \$3,118,590 to upgrade the headworks and odor control systems for the Greenwood Wastewater Treatment Plant Headworks and Grit Removal Rehabilitation Project located in Council District 3, effective upon notice to proceed with funding available through FY 2020 Wastewater Capital Reserves Fund.

This Motion was passed on the consent agenda.

Enactment No: M2019-199

19. Motion authorizing a three-year license agreement with Routeware, Inc., of Portland, Oregon for the amount not to exceed \$673,968.62 for the purchase and support of routing software for the Solid Waste Operations, effective upon issuance of a notice to proceed, with FY 2020 funding in the amount of \$315,948.00 available through the General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2019-200

20. Motion authorizing a purchase of two John Deere 17G mini excavators from Doggett Heavy Machinery Services, LLC of Corpus Christi, Texas, for a total amount of \$79,236.00, as additions to the fleet, to be used daily by Gas Operations to dig trenches for the installation or repair of gas lines, effective upon issuance of letter of acceptance with funding available through the FY 2020 Gas Operations Fund.

This Motion was passed on the consent agenda.

Enactment No: M2019-201

21. Motion authorizing a purchase of one 2019 624L John Deere wheel loader from Doggett Heavy Machinery Services, LLC of Corpus Christi, Texas in an amount not to exceed \$205,144.00, to be used by Street Operations as an addition to the fleet, effective upon issuance of letter of acceptance, with funding available in the Streets Fund.
- This Motion was passed on the consent agenda.**
- Enactment No: M2019-202
22. Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed 4% Housing Tax Credit affordable housing project known as FishPond at Corpus Christi at 1006 6th Street, Corpus Christi, Texas to be developed by FishPond Living at Corpus Christi, LP.
- This Resolution was passed on the consent agenda.**
- Enactment No: 031952
24. Motion approving Amendment No. 2 to a Contract with J. Schwarz & Associates, Inc. to provide engineering design and development of Delivery Orders for Fiscal Year 2020 Citywide Street Preventative Maintenance Program (SPMP) in the amount of \$423,250 for a restated fee not to exceed \$1,297,500, work will be city-wide and begin upon issuance of notice to proceed with funding available in the Street Operation Budget.
- This Motion was passed on the consent agenda.**
- Enactment No: M2019-203
6. Ordinance appropriating additional funds in the amount of \$2,884,815.66 from the Reinvestment Zone No. 2 Fund 1111 for construction of the Park Road 22 Bridge; transferring funds in the amount of \$6,884,815.66 from the Reinvestment Zone No. 2 Fund 1111 to the Capital Improvement Program Fund for the project; and amending the operating and capital budgets.
- Mayor McComb referred to Item 6.**
- City Secretary Rebecca L. Huerta requested that Item 6 be tabled because the City's bond counsel has recommended that Item 6 be considered after the meeting of the North Padre Island Development Corporation.**
- Council Member Smith made a motion to table Item 6, seconded by Council Member Molina and passed unanimously.**
- Enactment No: 031943
8. Ordinance annexing approximately 446.4 acres of land into the territorial limits of the City of Corpus Christi; and rezoning said annexed property at

or near 1442 Farm-to-Market (FM) 43 from "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District (Tract 1) and "CN-1" Neighborhood Commercial District (Tract 2) per Zoning Case No. 1019-08. Staff recommends approval. Planning Commission recommends denial of the zoning; therefore, a 3/4 vote is required on zoning.

Mayor McComb referred to Item 8.

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

Abstained: 2 - Council Member Garza and Council Member Roy

Enactment No: 031945

23.

Resolution relating to City of Corpus Christi's intention to reimburse itself from future issuances of Utility System Revenue bonds in an amount not to exceed \$110,000,000 for Utility System expenditures budgeted in the Fiscal Year 2019-2020 Capital Improvement Plan but incurred before the issuance of the bonds.

Mayor McComb referred to Item 23.

Controller Judy Sandroussi stated that the purpose of this item is to allow the City to reimburse itself from future utility revenue bond proceeds for costs associated with the City's fiscal year 2020 capital budget; this is standard municipal bond practice designed to save municipalities money; and is outlined in U.S. Treasury Regulations.

In response to questions from a council member, Chief Financial Officer Constance Sanchez and Capital Improvement Program Manager Kamil Taras discussed the following topics: approving an amount applicable to the current fiscal year versus the \$110 million; that the \$110 million amount is part of the Capital Improvement Program budget; and if \$110 million in capital improvements is realistic in the current fiscal year.

There were no comments from the public.

Council Member Molina made a motion to approve the resolution, seconded by Council Member Hunter. 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: 031953

L. RECESS TO CORPORATION MEETING: (ITEM 25)

Mayor McComb recessed the regular Council meeting at 5:22 p.m. to hold a meeting of the North Padre Island Development Corporation.

25. Meeting of the North Padre Island Development Corporation

This Corporation Meeting was held.

M. RECONVENE COUNCIL MEETING:

Mayor McComb reconvened the regular Council meeting at 5:26 p.m.

K. CONSENT AGENDA: (ITEM 6)

6. Ordinance appropriating additional funds in the amount of \$2,884,815.66 from the Reinvestment Zone No. 2 Fund 1111 for construction of the Park Road 22 Bridge; transferring funds in the amount of \$6,884,815.66 from the Reinvestment Zone No. 2 Fund 1111 to the Capital Improvement Program Fund for the project; and amending the operating and capital budgets.

Mayor McComb deviated from the agenda and referred to Item 6.

Council Member Smith made a motion to take Item 6 from the table, seconded by Council Member Molina and passed unanimously.

Council Member Smith made a motion to approve the ordinance, seconded by Council Member Garza.

Council members and Assistant City Manager Keith Selman discussed the following topics: if the amount to be approved includes the purchase of an associated lift station; plans and funding for the lift station; the estimated cost of the lift station; the reasons for the need for the lift station and force main; and that additional capacity is needed to serve the planned development of Lake Padre.

There were no comments from the public.

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: 031943

S. ADDENDUM ITEMS: (ITEM 39)

39. Ordinance authorizing a navigable canal on North Beach.

Mayor McComb deviated from the agenda and referred to Item 39.

Council Member Garza made a motion to approve a substitute ordinance, seconded by Council Member Roy, which Council Member Garza read into the record.

Council members discussed the following topics: that this is one step in a process to address drainage on North Beach; that this ordinance does not address tidal flooding; the need to fix drainage on North Beach; why assist a developer versus addressing drainage issues throughout the city; gratitude to the people who helped with this effort; that the proposed canal can be an iconic symbol for Corpus Christi; the process related to the canal on North Beach to date; issues that have been and have yet to be addressed on North Beach; the target price of the canal; related pending approvals required by various governmental agencies; and thanks to the City Attorney.

There were no comments from the public.

The substitute Ordinance was passed on first reading as substitute 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

The Council went into recess at 5:49 p.m. The Council returned from recess at 5:53 p.m.

O. PUBLIC HEARINGS: (ITEMS 26 - 28)

26. Zoning Case No. 1019-05, Southside Ventures III, LP. (District 5). Ordinance rezoning property at or near 7564 Brooke Road from the "RS-TH" Townhouse District to the "RS-4.5" Single-Family 4.5 District. Planning Commission and Staff recommend Approval.

Mayor McComb referred to Item 26.

Director of Development Services Al Raymond stated that the purpose of this item is to rezone the subject property for the purpose of construction of single-family homes.

Director Raymond presented information on the following topics: aerial

overview; subject property at 7564 Brooke Rd.; zoning pattern; and Planning Commission's and staff's recommendation to approve.

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

There were no comments from the Council.

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

Absent: 1 - Council Member Roy

Abstained: 0

27.

Zoning Case No. 1019-02, DMPI Beach Investments (District 4). Ordinance rezoning property at or near 14901 Granada Drive from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and Planned Unit Development. Planning Commission and Staff recommend Approval.

Mayor McComb referred to Item 27.

Director of Development Services Al Raymond stated that the purpose of this item is to rezone the subject property for the purpose of construction of nine single-family homes.

Director Raymond presented information on the following topics: aerial overview; subject property at 14901 Granada Dr.; zoning pattern; deviation table; master site plan; public notification; and Planning Commission's and staff's recommendation to approve.

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

In response to a question from a council member, Director Raymond stated that the reduced street width was reviewed and approved by the Fire Department.

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

Absent: 1 - Council Member Roy

Abstained: 0

- 28.** Zoning Case No. 0819-05, Tammy Johnson (District 4). Ordinance rezoning property at or near 3837 Herring Drive from the "RMH" Manufactured Home District to the "RS-6" Single-Family 6 District. Planning Commission and Staff recommend Approval.

Mayor McComb referred to Item 28.

Director of Development Services Al Raymond stated that the purpose of this item is to rezone the subject property for the purpose of construction of one single-family home.

Director Raymond presented information on the following topics: aerial overview; subject property at 3837 Herring Dr.; zoning pattern; and Planning Commission's and staff's recommendation to approve.

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

There were no comments from the Council.

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

Absent: 1 - Council Member Roy

Abstained: 0

P. REGULAR AGENDA: (NONE)

Q. FIRST READING ORDINANCES: (ITEMS 29 - 35)

- 29.** Ordinance accepting grant funds from the Coastal Bend Wellness Foundation in the amount of \$22,892.91 for the Red Cord Initiative Diversion Program; and appropriating \$22,892.91 in the FY 2020 Police General Fund.

Mayor McComb referred to Items 29 - 36 and 40. A council member requested that Item 36 be pulled for individual consideration.

There were no comments from the Council or the public.

Council Member Molina made a motion to approve Items 29 - 35 and 40,

seconded by Council Member Smith. These Ordinances were passed on first reading and approved by one 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

- 30.** Ordinance eliminating, revising, modifying, and merging advisory boards and committees as a result of a thorough review.

This Ordinance was passed on first reading by one vote (see Item 29).

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 approving the sale of lot of approximately 0.1431 acres at 7101 Edgebrook Drive for the highest cash offer received by real estate broker of \$18,000 to James Magill.

This Ordinance was passed on first reading by one vote (see Item 29).

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 approving the sale of City's partial interest in the lot of approximately 0.1993 acres at or near 926 St. Bernard, Corpus Christi, Texas for \$7,500.00 to Strategic Investment Solutions, LLC.

This Ordinance was passed on first reading by one vote (see Item 29).

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 approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide grant up to \$133,000 for their Contractor Resource Center (CRC) program to assist small businesses bid for existing and upcoming large industrial opportunities; appropriating

\$133,000 from the unreserved fund balance in the Business/Job Development Fund; and amending the budget.

This Ordinance was passed on first reading by one vote (see Item 29).

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

- 34.** Ordinance closing, abandoning, and vacating a 25-foot wide by approximately 993.17-foot long (24,136 sq. ft.) utility easement in Callicoatte Estates Unit 5 located at 3802 Callicoatte Road. (District 1).

This Ordinance was passed on first reading by one vote (see Item 29).

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

- 35.** Ordinance authorizing an amendment to the Depository Services Agreement with Frost Bank to modify a collateral requirement and to extend the term of the contract for the final one-year extension commencing January 1, 2020 and ending December 31, 2020.

This Ordinance was passed on first reading by one vote (see Item 29).

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. ADDENDUM ITEMS: (ITEM 40)

- 40.** Ordinance awarding a contract to Bay, Ltd. for Ultra-Thin Bonded Wear Course in an amount not to exceed \$20,000,000 and Overlays in an amount not to exceed \$30,000,000 as part of the Street Preventative Maintenance Program located city-wide with work starting upon notice to proceed and funding available through Streets, Utilities with ADA improvement funds from Bond 2016 and 2018; and amending the budget to appropriate \$5,000,000 in Street Preventative Maintenance Program Reserves.

This Ordinance was passed on first reading by one vote (see Item 29).

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: (ITEM 36)

- 36.** Ordinance amending the FY 2020 City of Corpus Christi Capital Budget to appropriate \$350,000 from the unreserved fund balance in Seawall Improvements; transferring and appropriating said funds into Seawall CIP Fund; adding the Bayshore Park Improvement Project to the Capital Improvement Program; and authorizing a change order to Fulton-Coastcon, Inc. of Corpus Christi, Texas to restore the Bayshore Park Playground Area (Water's Edge Park in Council District 1) for a total amount not to exceed \$234,745.

Mayor McComb referred to Item 36.

Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to repair the fall protection at Bayshore Park, which holds water; that the best solution is to install a concrete foundation and appropriate drainage; and that this item is a request to appropriate funds, approved by Corpus Christi Business and Job Development Corporation (Type A), and approve a change order in excess of \$100,000, requiring Council approval; and discussed the reasons the City's contract with Fulton-Coastcon remains open.

Council members, Director Edmonds, Assistant Director over Construction Management Brett Van Hazel and Director of Procurement and Contracts Kim Baker discussed the following topics: what happened to the original base in the fall zone; the reasons for the failure of the sub-base; paying for the fall zone twice; how long the Fulton-Coastcon contract can remain open; opening up this project for bids; how this project is connected to the seawall and how it provides flood or storm protection; the legal opinion allowing for the use of seawall funds for this project; using seawall funds for projects outside the bounds of what voters voted for; how it was determined that the cost of the requested change order is competitive; and citizens' utilization of city parks.

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: 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

R. BRIEFINGS: (ITEM 37)

37. ~~City of Corpus Christi Port Authority Appointees Quarterly Update to City Council on Port Matters~~

This item will be rescheduled for a later date.

This Presentation was withdrawn by staff.

U. **IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

This item was not considered.

V. **ADJOURNMENT**

The meeting was adjourned at 6:21 p.m.