



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final

### City Council

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Tuesday, February 13, 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.**

*Si Usted desea dirigirse al Concilio y cree que su inglés es limitado, habrá un intérprete inglés-español en todas las juntas del Concilio para ayudarle.*

*Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (at 361-826-3105) at least 48 hours in advance so that appropriate arrangements can be made.*

- A. Mayor Joe McComb to call the meeting to order.**
- B. Invocation to be given by Pastor Brian Hill, First Baptist Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Keith Selman, Assistant City Manager.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [18-0206](#) Proclamation declaring February 2018, "Black History Month".  
Proclamation declaring National League of United Latin American Citizens (LULAC) Week, February 11-17, 2018.  
Proclamation declaring February 13, 2018, "Love Your Heart Day".  
Proclamation declaring the week of February 18-24, 2018, "National Engineers' Week".**

**F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:****a. [18-0229](#) CONTRACT MANAGEMENT****b. OTHER****G. MINUTES:****2. [18-0204](#) Regular Meeting of January 30, 2018 and Workshop Meeting of January 23, 2018.****H. BOARD & COMMITTEE APPOINTMENTS:****3. [18-0207](#) Civil Service Commission  
Civil Service Board  
Committee for Persons with Disabilities  
Corpus Christi Regional Transportation Authority  
Leadership Committee for Senior Services****I. EXPLANATION OF COUNCIL ACTION:**

*For administrative convenience, certain of the agenda items are listed as motions, resolutions, or ordinances. If deemed appropriate, the City Council will use a different method of adoption from the one listed; may finally pass an ordinance by adopting it as an emergency measure rather than a two reading ordinance; or may modify the action specified. A motion to reconsider may be made at this meeting of a vote at the last regular, or a subsequent special meeting; such agendas are incorporated herein for reconsideration and action on any reconsidered item.*

**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.**

**PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:**

- 1. MAKE A STATEMENT OF FACTUAL INFORMATION.**
- 2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.**
- 3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.**

**PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.**

**K. CONSENT AGENDA: (ITEMS 4 - 16)**

*NOTICE TO THE PUBLIC: The following items are consent motions, resolutions, and ordinances of a routine or administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

- 4. [18-0120](#) Resolution authorizing submission of grant application to the State for funding available under the Victims of Crime Act (VOCA) Fund to continue the Victim Outreach Program**

Resolution authorizing submission of grant application for \$216,469.70 to the State of Texas, under the Victims of Crime Act with city match of \$13,637.43 cash and \$40,480 in-kind services.

Sponsors: Police Department

- 5. [18-0121](#) Resolution authorizing submission of grant application to the State for funding available under the Violence Against Women Act (VAWA) for prevention of violence against women**

Resolution authorizing submission of grant application for \$54,339.42 to the State of Texas under the Violence Against Women Act with city match of \$14,000 cash and \$8,280 in-kind services.

Sponsors: Police Department

- 6. [18-0141](#) Five-year Subscription Service Agreement for database software for Risk Management**

Resolution finding that the purchase of a claims database system for the

Risk Management Division is a sole source procurement; and authorizing a five-year service agreement with Recordables, Inc. of Venice, Florida, for a total amount not to exceed \$97,437.25.

*Sponsors:* Legal Department and Purchasing Division

7. [18-0042](#) **Construction contract for Barge Dock Improvements (Rebid) (Type A Funds)**

Motion authorizing a construction contract with Grace Paving and Construction, Inc., of Corpus Christi, Texas, in the amount of \$553,199.17 for the Barge Dock Improvements (Rebid) project for the total base bid plus additive alternates 1 and 2 (Type A Funds).

*Sponsors:* Engineering Services

8. [18-0067](#) **Service Agreement for HVAC Service and Repair for a one-year not to exceed \$66,700, with two additional one-year options and a total potential multi-year amount of \$200,100**

Motion authorizing a service agreement with Rapid Air of Corpus Christi, Texas to provide HVAC services and repairs for Corpus Christi Fire Department for a total amount not to exceed \$66,700 for a term of one year with the option to extend for two additional one-year periods for a potential multi-year amount of \$200,100.

*Sponsors:* Fire Department and Purchasing Division

9. [18-0100](#) **Supply Agreement for 36 months for gate valves for the Utilities Department**

Motion authorizing a 36-month supply agreement with Gajeske, Inc., of Houston, Texas, for Gate Valves for the Utilities Department for a total amount not to exceed \$362,589.54.

*Sponsors:* Water Utilities Department and Purchasing Division

10. [18-0105](#) **Service Agreement Amendment No. 1 for Continual Rental of One Komatsu Dozer for Solid Waste Operations**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to Service Agreement No. 52422 with Waukesha-Pearce Industries, LLC, of Dallas, Texas, for the rental of one Komatsu dozer for Solid Waste Operations for an additional six-month term, as required for public health and safety, for a not to exceed amount of \$49,050 for a revised total agreement amount not to exceed of \$91,525.

*Sponsors:* Solid Waste Operations and Purchasing Division

11. [18-0115](#) **Second Reading Ordinance - Rezoning property located at 901 Airline Road (Tabled 1/23/18) (1st Reading 1/30/18)**

Case No. 0717-01 Alrich Enterprises Inc., DBA Richard Sanchez Motors and Ben L. Herndon, Jr.: A change of zoning from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District. The property is described as being Koolside, Block 6, Lots 24 and 25 less portion to right-of-way and Lot 26, located at the intersection of Airline Road and Gollihar Road, north of McArdele Road and south of South Alameda Street.

Planning Commission and Staff Recommendation (November 15, 2017): Denial of the change of zoning from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District, in lieu thereof approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit (SP) with conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Alrich Enterprises Inc., D/B/A Richard Sanchez Motors and Ben L. Herndon, Jr. ("Owner"), by changing the UDC Zoning Map in reference to the property described as Koolside, Block 6, Lots 24 and 25 less portion to right-of-way and Lot 26, from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

12. [18-0122](#) **Second Reading Ordinance - Appropriating funds for repairs to radio tower (1st Reading 1/30/18)**

Ordinance appropriating \$14,439.73 from Radio System Capital Replacement Reserve Fund for repairs to radio tower site transmission lines; amending FY18 operating budget.

Sponsors: Police Department

13. [18-0049](#) **Second Reading Ordinance - Closing utility easement located at 4002 and 4018 South Padre Island Drive (1st Reading 1/30/18)**

Ordinance abandoning and vacating 0.0446 acre of an existing utility easement out of Geo J. Merriman Subdivision, Lots 1-A and 4-A, located at 4002 and 4018 South Padre Island Drive and requiring the owner, Weber Dorado Partners, LLC., to comply with the specified conditions.

Sponsors: Development Services

14. [18-0048](#) **Second Reading Ordinance - Approval of agreement and appropriating funds for AEL Development, LLC, for the Wastewater Collection Line Extension Construction and Reimbursement Agreement (1st Reading 1/30/18)**

Ordinance authorizing City Manager or designee to execute a wastewater collection line extension construction and reimbursement agreement ("Agreement") with AEL Development, LLC. ("Developer"), for the construction of a sanitary sewer collection line and appropriating \$52,514.90 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

**Sponsors:** Development Services

15. [18-0103](#) **Second Reading Ordinance - Appropriating funds to purchase two Roll-off Trucks for Solid Waste Operations (1st Reading 1/30/18)**

Ordinance appropriating \$176,339.34 from the Unreserved Fund Balance in the Fund 5110 Fleet Maintenance Service Fund; transferring said funds to and appropriating in Fund 4200 Wastewater Fund; amending the FY2017-18 operating budget adopted by Ordinance Number 031255 to increase revenues and expenditures; and approving the purchase of two Peterbilt roll off trucks from Rush Truck Centers of Texas, L.P., of New Braunfels, Texas, through the Houston Galveston Area Council of Governments purchasing cooperative, for an amount not to exceed \$396,960.00.

**Sponsors:** Fleet Maintenance Services, Solid Waste Operations and Purchasing Division

16. [18-0104](#) **Second Reading Ordinance - for the Installation of playground equipment at Almanza, Breckenridge and Middlecoff Parks (1st Reading 1/30/18)**

Ordinance appropriating \$64,709.27 from the No.1020 General Fund unreserved fund balance for the purchase and installation of playground equipment at Almanza, Breckenridge and Middlecoff Parks; amending the FY2017-18 operating budget adopted by Ordinance Number 031255 to increase expenditures by \$64,709.27; and approving the purchase of the said equipment and installation from The PlayWell Group, Inc. and PlayWorks, Inc., of Dallas, Texas, for an amount not to exceed \$251,933.60, via Buyboard.

**Sponsors:** Parks and Recreation Department and Purchasing Division

**L. RECESS FOR LUNCH**

*The City Council will take a lunch break at approximately 1:30 p.m.*

**M. PUBLIC HEARINGS: (ITEMS 17 - 19)****17. [18-0171](#) Public Hearing and First Reading Ordinance - Rezoning Property located at 2882 Holly Road**

Case No. 0118-02 ERF Real Estate, Inc. A change of zoning from "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. The property is located at 2882 Holly Road and described as being a 5.512 acre tract out of Lot 4, Section 3, Bohemian Colony Lands, located on the northeast corner of Holly Road and Richter Street, west of Kostoryz Road, and east of Ayers Street.

Planning Commission and Staff Recommendation (January 10, 2018): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Ordinance:

Case No. 0118-02: Ordinance rezoning property at or near 2882 Holly Road from "RS-6" to "CN-1" and amending the Comprehensive Plan.

Sponsors: Development Services

**18. [18-0172](#) Public Hearing and First Reading Ordinance - Rezoning for a Property located at 1645 Clare Drive**

Case No. 1217-01 Rey Ramos: A change of zoning from "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District. The property is located at 1645 Clare Drive and described as Woodlawn Estates, Block 5, Lot 1, located on the north side of Williams Drive, east of Airline Road, and west of Rodd Field Road.

Planning Commission and Staff Recommendation (January 10, 2018): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Case No. 1217-01: Ordinance rezoning property at 1645 Clare Drive from "RS-6" to "RM-1" and amending the Comprehensive Plan.

Sponsors: Development Services

**19. [18-0149](#) Public Hearing and First Reading Ordinance - Rezoning property located at 8101 Slough Road (Tabled 1/30/18)**

Case No. 1217-02 Dorsal Development, LLC. A change of zoning from “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District. The property is described as being a 19.398 acre tract of land, more or less, a portion of Lot 8, Section 25 and a portion of Lots 1 and 2, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, located north of Yorktown Boulevard, east of Rodd Field Road, and west of Roscher Road.

Planning Commission and Staff Recommendation (December 13, 2017): Approval of the change of zoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Dorsal Development, LLC. (“Owner”), by changing the UDC Zoning Map in reference to the property described as being a 19.398 acre tract of land, more or less, a portion of Lot 8, Section 25 and a portion of Lots 1 and 2, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, from the “FR” Farm Rural District to “RS-4.5” Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

**N. REGULAR AGENDA: (ITEMS 20 - 21)**

*The following items are motions, resolutions and ordinances that will be considered and voted on individually.*

**20. [18-0123](#) Resolution authorizing submission of grant application to the State for funding eligible under the FY 2017 Body-Worn Camera Program**

Resolution authorizing submission of grant application for \$265,116 to the State of Texas under the FY 2017 Body-Worn Camera Program with city match of \$15,000 cash and \$51,279 in-kind services.

Sponsors: Police Department

**21. [18-0212](#) Ordinance appropriating \$336,960 from the Hotel Occupancy Tax Fund for the Rediscover Corpus Christi and the Coastal Bend Advertising Campaign**

Ordinance appropriating \$336,960 from the Hotel Occupancy Tax Fund for the Rediscover Corpus Christi and the Coastal Bend Advertising Campaign; amending the FY2017-18 operating budget; and declaring an emergency.

Sponsors: Assistant City Manager

**O. FIRST READING ORDINANCES: (ITEMS 22 - 25)****22. [18-0126](#) First Reading Ordinance - Authorizing a Ten-Year Lease Agreement for 1621 N. Mesquite Street (28-Day Delay Required)**

Ordinance authorizing the City Manager or designee to execute a ten-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.

Sponsors: Parks and Recreation Department

**23. [17-1510](#) First Reading Ordinance - Appropriating funds from sale of Park properties into the Community Enrichment Fund for park improvements**

Ordinance appropriating \$1,788,500.16 from sale of park properties into the Community Enrichment Fund for park improvements and related projects.

Sponsors: Parks and Recreation Department

**24. [18-0145](#) First Reading Ordinance - Appropriating funds for Municipal Court Building Security**

Ordinance appropriating \$27,347.83 from the unreserved fund balance in the No. 1035 Municipal Court Security Fund for Security Guard Services; amending FY18 Operating Budget.

Sponsors: Municipal Court Administration

**25. [18-0170](#) First Reading Ordinance - Approving the Amendments to the Tax Increment Reinvestment Zone #2 Amended Project and Financing Plans**

Ordinance approving the amendments 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.

Sponsors: Assistant City Manager and Business Liaison

**P. FUTURE AGENDA ITEMS: (ITEMS 26 - 36)**

*The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.*

**26. [18-0200](#) Periodic Ethics Training for Governing Body**

Resolution amending the City Council policies to add a periodic ethics training.

Sponsors: City Secretary's Office

27. [18-0174](#) **Sungard Public Sector Software Renewal for reduction of services**

Motion authorizing reduced software support services from Superior, LLC (formerly, SunGard Public Sector, Inc.) and execution of a new 12-month access fee agreement for \$57,000 with one option to extend for an additional 12-month period for a potential multiyear amount not to exceed \$114,000.

**Sponsors:** Information Technology Services

28. [18-0106](#) **Resolution for a Service Agreement for TRAK Fuel Management System**

Resolution authorizing a one-year service agreement with TRAK Engineering, Inc. of Tallahassee, Florida, as a sole-source and captive replacement part vendor, for maintenance of the fuel management system for a total amount not to exceed \$7,553, with nine one-year options for a potential multi-year amount of 75,530.

**Sponsors:** Fleet Maintenance Services and Purchasing Division

29. [18-0143](#) **Wrecker Services for City Owned Vehicles and Equipment (Light Vehicles)**

Motion authorizing a 36-month service agreement with DRR & RS Inc.-dba Apollo Towing of Corpus Christi, for wrecker services for City-owned vehicles and equipment for a total amount not to exceed \$326,662.50.

**Sponsors:** Fleet Maintenance Services and Purchasing Division

30. [18-0061](#) **Service Agreement for Truck Rentals for Water and Gas Departments**

Motion authorizing a 12-month service agreement with PV Rentals of Corpus Christi, Texas for the rental of 13 trucks for the Water and Gas Department, via BuyBoard, for an amount not to exceed \$171,520.

**Sponsors:** Water Utilities Department, Gas Department and Purchasing Division

31. [18-0134](#) **Two Year Supply Agreement for Sodium Chlorite Solution for the O. N. Stevens Water Treatment Plant for an amount not to exceed \$1,404,000, with two additional one-year options and a total potential multi-year amount of \$2,808,000**

Motion authorizing a supply agreement with International Dioxide, Inc., of North Kingstown, Rhode Island for the purchase of sodium chlorite solution for a total amount not to exceed \$1,404,000 for a term of two years, with an option to extend for two additional one-year periods; with a total potential multi-year amount of \$2,808,000.

**Sponsors:** Water Utilities Department and Purchasing Division

**32. [18-0083](#) Supply Agreement for Meter Boxes and Lids**

Motion authorizing a 36-month supply agreement with Ferguson Enterprises Inc., of Corpus Christi, Texas for Meter Boxes and Lids for the Utilities Department for a total amount not to exceed \$289,294.72.

*Sponsors:* Water Utilities Department and Purchasing Division

**33. [18-0128](#) Service Agreement for Solid Waste Operations for Household Hazardous Waste Disposal for 36-months at a not to exceed amount of \$491,118.75, with two one-year options and a total potential multi-year amount of \$818,531.25**

Motion authorizing a 36-month service agreement with Green Planet, Inc., of Royse, Texas for household hazardous waste disposal for a total amount not to exceed \$491,118.75, with two one-year options for a total potential multi-year amount of \$818,531.25.

*Sponsors:* Solid Waste Operations and Purchasing Division

**34. [18-0195](#) Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Urban Development (TDHCA)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as The Avanti at Greenwood to be developed by Avanti at Greenwood, LP.

*Sponsors:* Housing and Community Development

**35. [18-0196](#) Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Casa De Manana Apartments to be developed by TG 110, Inc.

*Sponsors:* Housing and Community Development

**36. [18-0197](#) Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Village at Greenwood to be developed by TG 110, Inc.

*Sponsors:* Housing and Community Development

**Q. BRIEFINGS: (ITEMS 37 - 39)**

*Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.*

**37. [18-0224](#) World Sailing 2018 Youth Worlds**

**Sponsors:** Assistant City Manager

**38. [18-0184](#) Discussion of potential new TIRZ on North Beach**

**Sponsors:** Assistant City Manager and Legal Department

**39. [18-0113](#) Proposed Annexation Policy Update**

**Sponsors:** Environmental and Strategic Initiatives

**R. EXECUTIVE SESSION: (ITEMS 40 - 43)**

*PUBLIC NOTICE is given that the City Council may elect to go into executive session at any time during the meeting in order to discuss any matters listed on the agenda, when authorized by the provisions of the Open Meeting Act, Chapter 551 of the Texas Government Code, and that the City Council specifically expects to go into executive session on the following matters. If the Council elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding officer. The City Council may deliberate and take action in open session on any issue that may be discussed in executive session. The description of an item in "Executive Sessions" constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and his determination that said item may be legally discussed in Closed Meeting in compliance with Chapter 551 the Texas Government Code.*

**40. [18-0005](#) 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 negotiations and potential litigation with the U.S. Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Attorney General, and/or U.S. Department of Justice concerning the City's sanitary sewer system and/or water system, including consideration of fees for attorneys, engineers, and other expert witnesses assisting in defense of potential lawsuit(s).****41. [18-0217](#) 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).

42. [18-0222](#) **Executive Session pursuant to Section 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 provision of incentives pursuant to any previously executed or proposed economic development / business incentive agreement(s) between the City and/or related entities and Upper Padre Partners, LP, Gulf Shores Ventures, and/or North Padre Waterpark Holdings, Ltd. and/or past or present affiliates, creditors or shareholders of any of the aforesaid entities, possible development agreements or other funding mechanisms related to the construction of Park Road 22 bridge and related infrastructure, including, but not limited to, bridges, culverts, canals, sewers, mains, lift stations, pump stations, revetments, pilings, and ditches, **and pursuant to Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to 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).

43. [18-0203](#) **Executive session pursuant to Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

**S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

*Per Council Policies, an item may be added to the agenda by four members of the City Council. Council may give direction to the City Manager to add an item to a future agenda, but no other action will be taken, and no public comment solicited.*

**T. ADJOURNMENT**