



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, February 25, 2020

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 11:31 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 Alma Casas, Interim Director of Finance and Business Analysis.

Alma Casas led the Pledge of Allegiance to the flag of the United States and the Texas Flag.

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

City Secretary Rebecca L. Huerta called the roll and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers: City Manager Peter Zanoni, City Attorney Miles K. Risley and City Secretary Rebecca L. Huerta.

Present: 8 - Mayor Joe McComb, 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

Absent: 1 - Council Member Roland Barrera

E. Proclamations / Commendations

1. Proclamation declaring February 25, 2020, "City-Wide Bluesday Tuesday Honoring Texas A&M University-Corpus Christi Homecoming".
Proclamation declaring March 6th, 13th, and 20th, 2020, "Fill-the-Boot for the Muscular Dystrophy Association Days".
Proclamation declaring March 2020, "Brain Injury Awareness Month".
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

The Proclamations were presented and the Swearing-In Ceremony was

conducted.

H. MINUTES:

2. Regular Meeting of February 11, 2020.

A motion was made by Council Member Garza, seconded by Council Member Guajardo, that the Minutes be approved. The motion carried by a unanimous vote (Council Member Barrera - absent).

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.

Leroy Pena, 1801 Bernardino St., spoke regarding inappropriate behavior of a CCISD police officer and suggested a civilian police oversight review board for Corpus Christi. Brian Watson, 5813 Hugo Dr., spoke regarding the amount of fluoride in the water, the use of aluminum and aluminum alloys, and concerns regarding illegal immigration. Wendy Herman, 5325 Yorktown Blvd., spoke in opposition of impact fees. Kathy Weimer, 518 Peerman Pl., spoke regarding the Toast of Texas event being held to recognize and celebrate Texas Independence Day.

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

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

a. OTHER

1) Recap of Public Works Director meet and greets held in all council districts. Mr. Zandoni also reported on Public Works Director Richard Martinez's plans to travel to San Antonio with key staff to visit their Public Works department. 2) Water's Edge Park Ribbon Cutting Ceremony is being held to celebrate completion of Water's Edge playground improvements. The improvement project is ahead of schedule. 3) Update on the North Beach public bathrooms, including maintenance and security, and the creation of a North Beach Advisory Committee. 4) First annual executive team member retreat will be held on February 27, 2020 through a half-day on February 28, 2020. The purpose of the retreat is to build staff relationships, discuss council and community values and expectations, to review the city's vision, mission and core values. 5) New staff members were introduced, including Randy Almaguer

with Affordable Housing and Joe Skidmore with Animal Care Services.

I. BOARD & COMMITTEE APPOINTMENTS:

- 3.** Reinvestment Zone No. 3 Board (4 vacancies)
Committee for Persons with Disabilities (5 vacancies)

Mayor McComb referred to Item 3.

Committee for Persons with Disabilities

Council Member Smith made a motion to reappoint Melanie Gomez and Anthony Navarrette, seconded by Council Member Garza and passed unanimously (Council Member Barrera - absent).

Council Member Roy made a motion to reinstate Sabrina Ramirez, seconded by Council Member Guajardo and passed unanimously (Council Member Barrera - absent).

Council Member Molina made a motion to appoint Christina C. Buttler and Huxley T. Smith and passed unanimously (Council Member Barrera - absent).

Reinvestment Zone No. 3 Board

Council Member Garza made a motion to reappoint Michael Hunter (City), Ben Molina (City) and Joe McComb (City), seconded by Council Member Smith and passed unanimously (Council Member Barrera - absent).

Council Member Smith made a motion to reappoint Everett Roy Chairman, seconded by Council Member Hunter and passed unanimously (Council Member Barrera - absent).

J. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 15)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda.

There were no comments from the Council or the public.

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

Consent - Second Reading Ordinances

4. Ordinance accepting a grant in the amount of \$10,000 from The Hartford to be used to support fire safety education efforts and programming; and appropriating the funds into the FY2020 Fire Grant Fund.

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

Enactment No: 032029

5. Ordinance authorizing acceptance of a grant from the Texas Division of Emergency Management in the amount of \$54,887.82 for the 2019 Emergency Management Performance Grant with a City cash match of \$54,887.82 from the FY2020 Emergency Management General Fund; and appropriating \$54,887.82 in the FY2020 Emergency Management Grants Fund.

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

Enactment No: 032030

6. Ordinance accepting a \$180,000 donation for the Games of Texas from the P.A.L.S. Fund (Parks, Arts, Leisure and Seniors Fund), a Texas nonprofit corporation; and appropriating in the General Fund.

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

Enactment No: 032031

7. Ordinance amending City Code of Ordinances, Chapter 12, Section 12-10, establishing a 200-foot restricted zone as required by Texas Commission on Environmental Quality through Texas Administrative Code Title 30 Chapter 290, Section 290.41(e) (2) (C) at the City's raw water intake on the Nueces River; and providing penalties.

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

Enactment No: 032032

8. Ordinance approving a five-year Business Incentive Agreement between the Type B Corporation and LiftFund Inc. in the amount of \$100,000 for the Dream Makers Fund, a revolving loan fund for small businesses within the city limits of Corpus Christi, effective upon signature of the City Manager or designee; appropriating funds in the amount of \$100,000 from the Type B Economic Development Fund; and amending the budget.

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

Enactment No: 032033

Consent - Capital Projects

9. Motion awarding a contract with LNV, Inc. for design, preparation of construction documents and related construction phase services to install a new 24" water main and 8" gas main crossing the Ship channel at the Tule Lake Turning Basin in the amount of \$937,160, located in City Council District 1, effective upon issuance of notice to proceed, with funding approved and available from FY 2020 Water and Gas Capital Improvement Program Budgets.

This Motion was passed on the consent agenda.

Enactment No: M2020-054

General Consent Items

10. Resolution authorizing execution of an Interlocal Cooperation Agreement with Del Mar College for a 20-year participation in the North Beach Tax Increment Reinvestment Zone Number Four for a period ending December 31, 2039.

This Resolution was passed on the consent agenda.

Enactment No: 032034

11. Resolution authorizing a developer participation agreement with MPM Development, LP, to reimburse the developer up to \$104,230.50 for the City's share of the cost to extend Bill Witt Drive. (District 5)

This Resolution was passed on the consent agenda.

Enactment No: 032035

12. Resolution authorizing the submittal of a grant application in the amount of \$919,500.00 to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program with in-kind services from the City for \$92,000.00 to fund City staff time for grant administration services.

This Resolution was passed on the consent agenda.

Enactment No: 032036

Consent - Resolutions of Support for Affordable Housing Projects

13. Resolution of the City Council of the City of Corpus Christi, Texas identifying an affordable housing project known as Fishpond at Fitzgerald, to be developed by FishPond Development, LLC, as a project which contributes most significantly to the City's concerted revitalization

efforts in a designated area.

This Resolution was passed on the consent agenda.

Enactment No: 032037

- 14.** Resolution of the City Council of the City of Corpus Christi, Texas identifying an affordable housing project known as Village at McArdle to be developed by TG 110, Inc as contributing most significantly to the revitalization efforts within a designated area.

This Resolution was passed on the consent agenda.

Enactment No: 032038

- 15.** Resolution of the City Council of the City of Corpus Christi, Texas identifying an affordable housing project known as Washington Coles Apartments to be developed by Washington Coles Apts., LP as a project which contributes most significantly to the City's concerted revitalization efforts in a designated area.

This Resolution was passed on the consent agenda.

Enactment No: 032039

M. PUBLIC HEARINGS: (ITEMS 16 - 20)

- 16.** Zoning Case No. 0120-02, Grangerfield Development, LLC. (District 5). Ordinance rezoning property at or near 7702 Yorktown Boulevard from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District and "CN-1" Neighborhood Commercial District. Planning Commission and Staff recommend Approval.

Mayor McComb referred to Item 16.

Director of Development Services Al Raymond presented information on the following topics: aerial overview; zoning pattern; and Planning Commission's and staff's recommendation.

Council Members, City Manager Peter Zaroni and Director Raymond discussed the following topics: the city's plans for widening Yorktown Blvd. and if such plans include adding the project to Bond 2020; widening of Flour Bluff Drive; at what point adding a park is considered in a residential development and who determines if a park is added; the developer and UDC decide if a park will be added; if there is developer participation in covering some of the road costs; the city's participation monies are populated through bond projects; if funding for community enrichment funds are being put into the Bill Witt Park; the pros and cons of neighborhood parks; and what the city's plans are for developing parks, streets and zoning.

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

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

- 17.** Zoning Case No. 0120-03, Judy and Doyle E. Hobbs, High Ground Advisors, Texas Scottish Rite Hospital, and Texas A&M University Development Foundation (District 3). Ordinance rezoning property at or near 5102 Old Brownsville Road from the "IL" Light Industrial District and "RS-6" Single-Family 6 District to the "CG-2" General Commercial District. Planning Commission and Staff recommend Approval.

Mayor McComb referred to Item 17.

Director of Development Services Al Raymond stated the purpose of the rezoning is to reconstruct a medical clinic.

Director Raymond presented information on the following topics: aerial overview; zoning pattern; and Planning Commission's and staff's recommendation.

A council member and Director Raymond discussed that the proposed location is close to the Veterans Administration.

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

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

- 18.** Zoning Case No. 0120-01, Johnson Development (District 3). Ordinance rezoning property at or near 5101 Old Brownsville Road from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. Planning Commission and Staff recommend Approval.

Mayor McComb referred to Item 18.

Director of Development Services Al Raymond stated that the purpose of the rezoning is for the construction of a medical clinic.

Director Raymond presented information on the following topics: aerial overview of property; zoning pattern; and Planning Commission and staff's recommendation.

Council members and Director Raymond discussed the following topics: the Texas Scottish Rite Hospital and Johnson Development zoning cases are linked with the same development; and that the two locations are competing for the same project.

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

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

19.

Ordinance adopting a new Southside Area Development Plan, an element of the Plan CC Comprehensive Plan; rescinding the former Southside Area Development Plan adopted on May 19, 1989; and amending the Plan CC Comprehensive Plan

Mayor McComb referred to Item 19.

Keren Costanzo with the Planning Department presented information on the following topics: area development plans; timeline of events and activities; engagement process; introduction; future land use map; vision themes; celebrate our safe, family-oriented neighborhoods; improve transportation conditions; enhance parks and trails; promote the Oso Creek and Bay as a community amenity; policy initiatives; public investment initiatives; MetroQuest survey summary; and Planning Commission's and staff's recommendation to adopt.

Mayor McComb opened the public hearing.

Jonathan Aman, 5117 Royalton Dr., spoke in support of the plan in that it will improve the quality of life on the southside. Ed Cantu, 7122 S. Staples St., spoke regarding whether the city is going to purchase the property along Oso Creek and Oso Bay as depicted in the plan.

In response to Mr. Cantu's question, Director of Planning & ESI Daniel McGinn and Ms. Costanzo discussed the following topics: that the city has acquired a good amount of the property around Oso Creek; that developers have an interest in donating some of that land; and the city would look to purchase or work with a partner agency to purchase that land.

Mayor McComb closed the public hearing.

Council members, City Manager Peter Zaroni, Director McGinn and Ms. Costanzo discussed the following topics: what the city's plan is for the flooding of the detention ponds; the creation of a stormwater master plan is in place; the importance of safe neighborhoods and exploring policing programs; the city's plan for trees and shade; the location of a regional recreational center; if a permit is needed for a pier; the probability of a bike trail; the use of the creek for kayaking; a council member congratulated the staff for their work and for making Oso Creek more accessible and park friendly; the plan for drainage improvement of the basin; a preference for underground power lines; desire for more trees and shade; city requirements for tree planting in the right-of-way; the Unified Development Code (UDC) includes tree planting requirements for commercial development; concern that tree roots can damage sidewalks; UDC includes recommendations for tree planting and tree species; holistic approach to tree maintenance across departments; the UDC guidelines and landscaping recommendations; and that trees are environmentally friendly.

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

Aye: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Barrera and Council Member Molina

Abstained: 0

20.

Ordinance adopting a new London Area Development Plan, an element of the Plan CC Comprehensive Plan; rescinding the former London Area Development Plan adopted on August 17, 1987; and amending the Plan CC Comprehensive Plan

Mayor McComb referred to Item 20.

Keren Costanzo with the Planning Department presented information on the following topics: area development plans; timeline of events and activities; engagement process; introduction; future land use map; vision themes; celebrate our community character; promote sustainable growth; promote the Oso Creek and Bay as a community amenity; policy initiatives; public investment initiatives; MetroQuest survey summary; and Planning Commission's and staff's recommendation to adopt.

Council members, Director of Planning & ESI Daniel McGinn and Ms. Costanzo discussed the following topics: facing challenges due to MPO funds; MPO's priority of projects; the problem that the county does not have a drainage district; the need for dirt for the landfill; the need for public improvement to address some of the cost and infrastructure; the plan for the roads in the London area; and the plan to accommodate growth.

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

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

Q. EXECUTIVE SESSION: (ITEM 26)

Mayor McComb deviated from the agenda and referred to Executive Session Item 26. The Council went into executive session at 1:42 p.m. The Council returned from executive session at 2:40 p.m.

- 26. 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 Chapter 380 Economic Development Incentive Agreement with Upper Padre Partners, LP and North Padre Waterpark Holdings, Ltd., a Developer Agreement for Park Road 22 Bridge and Village Canal with Padre Island Holdings, LLC and Diamond Beach Holdings, LLC and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).**

This E-Session Item was discussed in executive session.

L. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 26.

N. REGULAR AGENDA: (NONE)

O. FIRST READING ORDINANCES: (ITEMS 21 - 23)

- 21. Ordinance exempting Morton Meadows subdivision, located East of Flour Bluff Drive and South of Graham Road, from the payment of the wastewater lot or acreage fee under section 8.5.2.G.1 of the Unified Development Code conditioned upon a Sanitary Sewer Connection Agreement. (District 4)**

Mayor McComb referred to Item 21.

Director of Development Services Al Raymond presented information on the

following topics: vicinity map; aerial of Master Plan-required wastewater construction; and the Planning Commission recommends approval and staff recommends denial.

Council members, Director Raymond, Water Utilities Design Manager Gabriel Hinojosa, Assistant Director of Development Services Michael Dice and Contracts/Funds Administrator Michael Johnston discussed the following topics: if the fee is waived and then the city decides to extend sewer in the developed area will they have to pay at that time; a council member's personal experience of replacing a septic system because the city had no plan to provide sewer service; all surrounding areas are on septic system; if everyone in the neighborhood would have to connect to the wastewater system; if a force main would be needed; there is a master plan in the area for the force main; if there is a dollar figure in the amount of funds that people have paid in for this fee in anticipation of service; the city has spent a lot of money through bonds to put sewer lines in Flour Bluff; and if they want sewer they will have to pay into the trust fund.

There were no comments from the public.

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: 6 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina and Council Member Smith

Nay: 1 - Council Member Hernandez

Absent: 2 - Council Member Barrera and Council Member Roy

Abstained: 0

22.

Ordinance closing, abandoning and vacating a 1.89 acre prescriptive easement known as Airline Road Extension between Yorktown Boulevard and Rodd Field Road pursuant to a land exchange agreement.

Mayor McComb referred to Item 22.

Director of Development Services Al Raymond presented information on the following topics: vicinity map; conveyance agreement highlights; aerial overview; retained easements; and staff's recommendation to approve.

Council members and Director Raymond discussed the following topics: the definition of prescriptive easement; no recorded title of prescriptive easement, it is an adverse possession; and traded the easement in exchange for the right-of-way needed for Rodd Field Road.

There were no comments from the public.

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

- 23.** Ordinance authorizing a Wastewater Collection Line Extension Construction and Reimbursement Agreement with Walker Holdings and Development, LLC to extend a 12-inch wastewater collection line for a planned residential subdivision located on IH-69 with a completion date of March 30, 2021; and appropriating \$215,393.85 from the Sanitary Sewer Collection Line Trust Fund to reimburse the Developer per the agreement. (District 1)

Mayor McComb referred to Item 23.

Director of Development Services Al Raymond presented information on the following topics: location map; vicinity map; and staff's recommendation to approve.

A council member, Director Raymond and Water Utilities Design Manager Gabriel Hinojosa discussed the following topics: the amount of linear wastewater line that Walker Holdings needs in comparison to Morton Meadows; that the Walker Holdings development is part of a master plan and is willing to comply and will build a 12-inch line; and that Morton could have complied, but that would have cost them \$4 to 5 million.

There were no comments from the public.

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

Absent: 1 - Council Member Barrera

Abstained: 0

P. BRIEFINGS: (ITEMS 24 - 25)

- 24.** Alternative Utility Financing Study Update / Impact Fee Study and Implementation Plan.

Mayor McComb referred to Item 24.

Director of Development Services Al Raymond presented information on the following topics: presentation overview; alternative utility financing; current funding of water and wastewater infrastructure; this is how the primary source, trust funds, are populated; issues with current funding strategy; impact fee

structure; next steps; why the sole source request by DSD; rough order of magnitude; costs for service; impact fee study comparisons; impact fee process; and impact fee implementation timeline.

Council members, Director Raymond, and Senior Vice President with Pape-Dawson Engineers Cara C. Tackett discussed the following topics: that \$700,000 as the sole source seems steep; that the chart in the presentation is a breakdown of impact fee study comparisons; it is a necessity for a stormwater master plan; what a master plan entails; meeting with the citizens, leaders, and community in terms of water and experts in terms of what we want and what we want to see; the plan is predicated on land use assumptions all of which is wrapped up into what creates a master plan for water, wastewater and stormwater; the cost to build infrastructure for certain growth; land usage assumption is already in our GIS system; impact fee studies are conducted on a five or 10 year basis to anticipate which projects will go into the capital improvement plan (CIP); that the plans will be available to the public on the GIS webpage; if there are additional costs associated with the plan; if the study could be completed in-house; what the long term interaction is with the city; can costs from 2008/2009 studies be reviewed to benchmark previous jobs; the law requires a creation of a citizen advisory committee with a minimum of five members; 40% of that membership needs to be from the construction industry; what the trust fund pays for now versus what would be paid for under impact fees; trust fund only reimburses developer for new infrastructure; impact fees can pay for master planning, operation and maintenance, facility expansions and debt service; how the impact fee on a current home builder and/or taxpayer is not affected if you have water, sewer, connect to a road and a storm drain; impact fee is only paid by new development whether it is at platting or time of connection; the impact fees are rolled into the price of a home; anyone who develops pays this fee; the city and engineers and utility group are in control of where, when and how; with impact fees, the city does not have to be responsible for constructing everything; an incentive for the developer to advance the cost in lieu of the city having to build it by offsetting their construction cost; developers are concerned about the cost difference between trust fund versus impact fees; if the impact fee study comparisons in the presentation are actual studies in the cities listed; the goal of an impact fee is to find a balance between a developer driven process versus a city driven process; and the great effort to move our city forward.

City Manager Peter Zanoni congratulated the staff for delivering the task timely.

25. Proposed Bond 2020 Overview

Mayor McComb referred to Item 25.

Director of Engineering Services Jeff Edmonds and Chief Financial Advisor Constance Sanchez presented information on the following topics: Bond 2020 program recommendations; key dates for Bond 2020; community bond committees; role of Community Bond Committees (CBC's); general obligation (G.O.) debt capacity; financial impact; alternative tax rate option for bigger bond program; and recent G.O. Bond programs.

Council members, City Manager Peter Zanoni, Chief Financial Officer Sanchez and Director Edmonds discussed the following topics: tax rates have two

components, the debt rate (I&S) and the general funds needed to maintain and operate the city (M&O); recent legislation pertains to the general fund side; the I&S side was excluded from the legislation; where we stand on current bond 2016-2018; the debt plan will be discussed in more depth at a later date; the 2016 bond project is under construction and near completion; the three bond 2018 projects, which were changed and funded with the Type A sales tax, are well under construction; the 2014 bond projects are mostly complete except for the one impacted by the Harbor Bridge; the amount dedicated to roads is much less than needed; the key is recommending fewer, but bigger and more complete projects; the comparison of last year's budget to this year's budget; the funds for the 2021 budget will be tax revenue and possibly savings or other projects; that streets will be a high priority; the remainder of the money goes to parks and facilities, roofs and maintenance, public safety, senior centers and community centers; the last bond program was focused primarily on maintenance, therefore capital will be highly recommended; how to implement the monies being distributed; if the current tax rate is under the charter imposed cap; if the budget includes the new police contract; the two cents for residential streets has already been voter approved; and if the city adopts a tax rate higher than 3.5% over the current M&O rate, then a referendum would have to be placed on the November 2020 ballot.

EXECUTIVE SESSION: (ITEM 27)

27. **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 potential lease and/or acquisition of property in or near Morris Street and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, lease, and/or value of real property interests in or near Morris Street when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with third person(s).

Mayor McComb referred to Executive Session Item 27. The Council went into executive session at 4:39 p.m. The Council returned from executive session at 5:01 p.m.

R. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items.

Council members and City Manager Peter Zanoni discussed the following items: a request from a council member to have presentations included in the agenda packet in order to review before the meeting; the next meeting is March 17, 2020; and the meeting on April 28, 2020 is cancelled due to the CB to DC trip.

S. ADJOURNMENT

The meeting was adjourned at 5:04 p.m.