



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, May 9, 2017

11:30 AM

Council Chambers

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

MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

A. Mayor Pro Tem Lucy Rubio to call the meeting to order.

Mayor Pro Tem Lucy Rubio called the meeting to order.

B. Invocation to be given by Pastor Kevin Jennings, Mt. Olive Lutheran Church.

Pastor Kevin Jennings gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Ethan Brown, Mary Carroll High School Senior, National Honor Society Member.

Mr. Ethan Brown led the Pledge of Allegiance.

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

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

Charter Officers:

City Manager Margie C. Rose, City Attorney Miles K. Risley, and City Secretary Rebecca L. Huerta.

Present: 8 - Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Joe McComb, Council Member Ben Molina, Council Member Lucy Rubio, Council Member Greg Smith, and Council Member Carolyn Vaughn

E. Proclamations / Commendations

1. Proclamation declaring May 7 - 13, 2017 "National Hurricane Preparedness Week".
Proclamation declaring May 8-13, 2017, "National Economic Development Week".
Proclamation declaring May 9, 2017, "The HOSPIS Awards to Celebrate the Tourism Industry Day".
Proclamation declaring May 13-17, 2017, "First Mahakumbhabhishekam Celebration Days".
Proclamation declaring May 15, 2017, "National Peace Officers Memorial Day" and May 14 - 20, 2017 "National Peace Officers Memorial Week".
Proclamation declaring May 2017, "Elder Abuse Prevention Month".
Proclamation declaring May 2017, "Older Americans Month".

Mayor Pro Tem Rubio presented the proclamations.

- J. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak MUST be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.**

Mayor Pro Tem Rubio deviated from the agenda and referred to comments from the public. Rick Milby, 4412 High Ridge Drive, thanked the City Council for their service; congratulated Mayor-Elect McComb; and spoke regarding the future ordinance relating to regulation of carports. Ken Baker, 7421 Idle Hour, thanked the City Council for their public service and expressed concerns regarding building codes for new construction. Margareta Fratila, 3606 Tripoli, thanked the City Council and Police Chief Mike Markle for their service to the community. Jamey Jones, 302 Cape Hatteras Drive; Anthony Gonzalez, 8041 SPID; Dee Lynn Braman, 1717 Ocean Drive; Daniel Kublicki, 6037 Tarafaya Drive; Michelle Ewing, 1901 Caribbean; Steve Coronado, 3035 Ayers Street asked for an increase in the number of police and firefighters and requested additional funding for public safety equipment. Rick Robertson, 315 Del Mar Boulevard, spoke regarding inaccurate charges on his utility bill. Ginny Cross, 602 N. Staples, read a resolution passed by the United Corpus Christi Chamber of Commerce supporting a Bond 2018 Election. Susie Luna Saldana, 4710 Hakel, thanked the City Council for their actions related to the dog park and asked for an increase in the number of police officers. Abel Alonzo, 1701 Thames, spoke regarding the following: the leadership of City Manager Rose;

the upcoming "City Hall at the Mall" event; and encouraged the City Council to acknowledge the good work performed by City civilian employees. Rudy Medina, 5413 Cain Drive, spoke regarding code enforcement violations in his neighborhood and the need for enforcement. Ray Madrigal, 4253 Dody, congratulated Mayor-Elect McComb; and discussed the need to address domestic violence in the community; and changes made by the Buccaneer Commission to the parade schedule.

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

Mayor Pro Tem Rubio deviated from the agenda and referred to City Manager's Comments. City Manager Margie C. Rose reported on the following topics:

a. OTHER

1) An update on the water conversion to return to chloramine water disinfectant. 2) City Manager Rose recognized the following Utilities Department employees: Water Quality Field Technicians Kristopher Cortinas, Pete Freeman and Christopher Aguilar who received a Class D Water License and Water Quality Specialist Kyle Luce who received a Class D Wastewater License. 3) City Manager Rose recognized Police Officer Skylar Baker who was honored by the Corpus Christi Police Department as "Officer of the Year" and the recipient of the Kiwanis Club "Chief Floyd Simpson Officer of the Year" award.

G. MINUTES:

2. Regular Meeting of April 25, 2017 and Workshops of April 27, 2017 and May 1, 2017.

Mayor Pro Tem Rubio referred to approval of the minutes. City Secretary Rebecca L. Huerta stated that the workshop minutes of April 27, 2017 and May 1, 2017 need to be amended to reflect that Assistant City Attorney Buck Brice was present in place of City Attorney Miles K. Risley.

Council Member Rudy Garza made a motion to approve the minutes as amended, seconded by Council Member Molina and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS:

3. Building Code Board of Appeals
Coastal Bend Council of Governments
Corpus Christi Convention and Visitors Bureau
Electrical Advisory Board
Library Board
Senior Companion Program Advisory Committee
Transportation Advisory Commission

Mayor Pro Tem Rubio referred to board and committee appointments. The following appointments were made:

Building Code Board of Appeals

Council Member Garza made a motion to reappoint Chuck Anastos (Architect), Garry M. Camp (General Contractor), and Randy Farrar (Building Industry), seconded by Council Member Vaughn and passed unanimously.

Coastal Bend Council of Governments

Council Member Garza made a motion to reappoint Margie C. Rose, Richie Quintero, Tom Tagliabue, Pat Eldridge (Alternate), Rebecca L. Huerta (Alternate), Lawrence Mikolajczyk (Alternate), and Mark Van Vleck (Alternate), seconded by Council Member Hunter and passed unanimously.

Council Member Garza made a motion to appoint Keith Selman and Rudy Bentancourt, seconded by Council Member Hunter and passed unanimously.

Council Member Vaughn made a motion to reappoint Rudy Garza, Michael T. Hunter, Ben Molina, and Greg Smith, seconded by Council Member Guajardo and passed unanimously.

Corpus Christi Convention and Visitors Bureau

Council Member Vaughn nominated Lynn Frasier (Restaurant Industry).
Council Member Smith nominated Fred F. Soward III (Restaurant Industry).
Council Member Hunter nominated Josh Richline.

Council Members Garza, Rubio and Vaughn voted for Lynn Frasier. Council Members Smith, Guajardo and McComb voted for Fred F. Soward III. Council Members Molina and Hunter voted for Josh Richline.

With no nominee receiving a majority vote, a runoff was conducted between the two nominees receiving the highest number of votes, Lynn Frazier and Fred F. Soward.

Fred F. Soward III (Restaurant Industry) was appointed with Council Members Hunter, McComb, Guajardo, Smith, and Garza voting for Fred F. Soward III and Council Members Molina, Vaughn and Rubio voting for Lynn Frasier.

Electrical Advisory Board

Council Member Garza made a motion to reappoint Robert Aguilar (Master Electrician) and Robert Sandate (Electrical Supply Business Representative), seconded by Council Member Guajardo and passed unanimously.

Council Member Garza made a motion to appoint David S. Schury (Commercial Builder), seconded by Council Member Molina and passed unanimously.

Mayor Pro Tem Rubio made a motion to appoint David A. Carranco (Journeyman Electrician), seconded by Council Member Garza and passed unanimously.

Council Member Molina made a motion to appoint Lyndon E. Smiling (Not Connected with Electrical Industry), seconded by Mayor Pro Tem Rubio and

passed unanimously.

Council Member Garza made a motion to appoint William R. Ashcroft Jr. (Utility Power Distributor Representative), seconded by Mayor Pro Tem Rubio and passed unanimously.

Council Member Molina made a motion to appoint John McMullan (Registered Professional Engineer), seconded by Council Member Garza and passed unanimously.

Library Board

Mayor Pro Tem Rubio made a motion to appoint Zoraida J. Basaldu, seconded by Council Member Guajardo and passed unanimously.

Senior Companion Program Advisory Committee

Council Member McComb made a motion to appoint Christine Head (Senior Companion Program Volunteer), seconded by Council Member Molina and passed unanimously.

Transportation Advisory Commission

Council Member Garza made a motion to appoint Richard J. Diaz, seconded by Council Member Guajardo and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 7)

Approval of the Consent Agenda

Mayor Pro Tem Rubio referred to the Consent Agenda. There were no comments from the Council or the public.

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

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

4. **Second Reading Ordinance - Accepting and appropriating grant funds for the Houston High Intensity Drug Trafficking Area (HIDTA) program (1st Reading 4/25/17)**

Ordinance authorizing the City Manager or designee to execute all

documents necessary to accept a grant subaward in the amount of \$20,000 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for additional overtime in an effort to eradicate the synthetic cannabinoid epidemic; and appropriating the \$20,000 in the No. 1061 Police Grants Fund.

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

Enactment No: 031131

5. Second Reading Ordinance - Amending the City Code to update the Hazardous Substance Pipeline Ordinance (1st Reading 4/25/17)

Ordinance amending Chapter 35 of the Corpus Christi Code of Ordinances to revise Article VII. - HAZARDOUS SUBSTANCES, LIQUIDS, AND GAS PIPELINES AND DISTRIBUTION SYSTEM; and providing for severance, publication, penalty, and an effective date.

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

Enactment No: 031132

6. Second Reading Ordinance - Approval of agreement and appropriating funds for developer for the construction of wastewater collection line extension located south of Holly Road and east of Rodd Field Road (1st Reading 4/25/17)

Ordinance authorizing City Manager or designee to execute a wastewater collection line extension construction and reimbursement agreement ("Agreement") with Palm Land Investments Inc. ("Developer"), for the construction of a sanitary sewer collection line and appropriating \$14,724.00 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

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

Enactment No: 031133

7. Second Reading Ordinance - Exemption from the sanitary sewer infrastructure construction and wastewater lot and acreage fees for Don Patricio, Block G, Lot 1R, located west of Waldron Road and south of Don Patricio Road. (1st Reading 4/25/17)

Ordinance exempting Don Patricio, Block G, Lot 1R, located west of Waldron Road and south of Don Patricio Road, from the payment of wastewater lot/acreage fees under Section 8.5.2.G.1. of the Unified

Development Code; requiring the owner/developer to comply with the specified conditions.

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

Enactment No: 031134

Q. BRIEFINGS: (ITEM 22)

22. CCREDC Quarterly Update to City Council (Q2 2017)

Mayor Pro Tem Rubio deviated from the agenda and referred to Item 22. Iain Vasey, President/CEO of the Corpus Christi Regional Economic Development Corporation (EDC), stated that the purpose of this item is to provide the EDC's quarterly update. Mr. Vasey presented the following information: employment numbers by sector; year-to-date goals and results; key economic indicators; legislative actions; and overview of major issues identified in 2016 and the first quarter of 2017.

Council members and staff discussed the following topics: recognition of EDC staff for securing the ExxonMobil project; the potential to generate additional businesses in the area with the new ExxonMobil project; the status of legislation; and the reasons for an increase in unemployment rates with the increase in the total number of jobs.

L. RECESS FOR LUNCH

Mayor Pro Tem Rubio called for a recess at 1:33 p.m. Mayor Pro Tem Rubio reconvened the Council meeting at 2:06 p.m.

M. PUBLIC HEARINGS: (ITEMS 8 - 9)

8. Public Hearing and First Reading Ordinance - Rezoning property located at 3825 County Road 69

Case No. 0317-06 Prosperity Bank: A change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District. The property to be rezoned is described as a 0.629-acre tract of land out of River Ridge Unit 2, Block 1, Lot 1A, as recorded in Volume 68, Page 509, Map Records of Nueces County, Texas, located on the west side of Hazel Bazemore Parkway (County Road 69) between Northwest Boulevard (FM 624) and Riverway Drive.

Planning Commission and Staff Recommendation (April 5, 2017): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Prosperity Bank ("Owner"), by changing the UDC Zoning

Map in reference to a 0.629-acre tract of land out of River Ridge Unit 2, Block 1, Lot 1A, as recorded in Volume 68, Page 509, Map Records of Nueces County, Texas, from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District; amending Plan CC to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Rubio deviated from the agenda and referred to Item 8. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to rezone the subject property to allow development of a small medical office. Mr. Dimas stated that the Planning Commission and staff are in favor of the zoning change.

Mayor Pro Tem Rubio opened the public hearing. There were no comments from the public. Mayor Pro Tem Rubio closed the public hearing.

A council member asked for clarification on the location of the subject property and its proximity to Hazel Bazemore Park and Prosperity Bank.

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

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

9. Public Hearing and First Reading Ordinance - Amending the Urban Transportation Plan by removing the proposed extension of Delgado Street between Greenwood Drive and Castenon Street

Ordinance amending the Urban Transportation Plan Map of MobilityCC, a transportation element of the comprehensive plan of the City of Corpus Christi (the "City"), by deleting the proposed extension of Delgado Street, between Greenwood Drive and Castenon Street; amending related elements of the comprehensive plan of the City; providing for severance; and providing for publication.

Mayor Pro Tem Rubio referred to Item 9. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to amend the Urban Transportation Plan Map of MobilityCC by deleting the proposed extension of Delgado Street between Greenwood Drive and Castenon Street. Mr. Dimas stated that the Transportation Advisory Commission, Planning Commission, and operating departments are recommending approval of the amendment.

Mayor Pro Tem Rubio opened the public hearing. There were no comments from the Council or the public. Mayor Pro Tem Rubio closed the public hearing.

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

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

N. REGULAR AGENDA: (NONE)

O. FIRST READING ORDINANCES: (ITEMS 10 - 17)

10. First Reading Ordinance - Accepting and appropriating funds for the FY 2016 Operation Stonegarden Grant Program within the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$310,000 from the State of Texas Governor's Homeland Security Grants Division for funding eligible under the FY2016 Department of Homeland Security Grant Program Operation Stonegarden to reimburse fuel, overtime, fringe benefits, and equipment expenditures for the Police Department's enforcement efforts to reduce border-security risk; and appropriating the \$310,000 in the No. 1061 Police Grants Fund.

Mayor Pro Tem Rubio referred to Item 10. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant in the amount of \$310,000 from the State of Texas Governor's Homeland Security Grant Division for the FY2016 Operation Stonegarden Grant Program. The grant funding will be used to reimburse the Police Department's enforcement efforts to reduce cross-border interdiction, drug use, money laundering, and trafficking. There were no comments from the Council or the public.

Council Member Vaughn 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 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

11. First Reading Ordinance - Accepting and appropriating grant funds for the FY 2017 Click It Or Ticket Program within the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$27,964.96 from the State of Texas, Department of Transportation for the FY2017 Click It Or Ticket program grant; and appropriating the \$27,964.96 in the No. 1061 Police Grants Fund.

Mayor Pro Tem Rubio referred to Item 11. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant in the amount of \$27,964.96 from the State of Texas Department of Transportation for the FY2017 Click It Or Ticket Program. There were no comments from the Council or the public.

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

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

12. First Reading Ordinance - Accepting and appropriating funds for the Community Preparedness Section - Laboratory Response Network - Public Health Emergency Preparedness (CPS-LRN-PHEP) grant within the Health Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Community Preparedness Section - Laboratory Response Network - Public Health Emergency Preparedness (CPS-LRN-PHEP) grant in the amount of \$201,123.00, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund, to provide continued emergency preparedness and response laboratory activities for the contract period July 1, 2017, through June 30, 2018.

Mayor Pro Tem Rubio referred to Item 12. Assistant Director of Public Health Bill Uhlarik stated that the purpose of this item is to accept and appropriate a grant contract for the Laboratory Response Network grant in the amount of \$201,123 from the Texas Department of State Health Services for the contract period July 1, 2017 through June 30, 2018. There were no comments from the Council or the public.

Council Member McComb 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 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

13. First Reading Ordinance - Accepting and appropriating funds for grant amendment for the Women, Infant and Children's Nutrition Program (WIC) grant within the Health Department

Ordinance authorizing the City Manager or designee to execute all

documents necessary to accept an amendment to a grant contract for the Women, Infant and Children's Nutrition Program (WIC) grant in the amount of \$1,012,631.00, increasing the total amount to \$2,025,262.00, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund, to provide funds for the WIC program for the amended contract period October 1, 2016, through September 30, 2018; appropriating the increased grant amount; and ratifying acceptance of the grant agreement to begin February 15, 2017.

Mayor Pro Tem Rubio referred to Item 13. Assistant Director of Public Health Bill Uhlarik stated that the purpose of this item is to accept, appropriate and ratify a grant amendment from the Texas Department of State Health Services for the Women, Infant and Children's Nutrition Program (WIC) grant in the amount of \$1,012,631, increasing the total amount to \$2,025,262 for the amended contract period October 1, 2016 through September 30, 2018. There were no comments from the public.

In response to a council member, Mr. Uhlarik stated that the additional grant funding is provided to extend the grant an additional 12 months.

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

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

14. First Reading Ordinance - Authorizing a Service Agreement for Temporary Management and Operation of Al Kruse Tennis Center

Ordinance authorizing the City Manager or designee to execute a Service Agreement with Sweet Spot Tennis, LLC ("Contractor") for management and operations of Al Kruse Tennis Center for a term of 4 months at \$3,166 per month, with up to four additional one-month extension option periods; and the Contractor will receive 95% of all Pro Revenue and 50% of collected City Revenue at Al Kruse Tennis Center and the City will receive 5% of all Pro Revenue and 50% of collected City Revenue at Al Kruse Tennis Center.

Mayor Pro Tem Rubio referred to Item 14. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to execute a short-term service agreement to manage and operate the Al Kruse Tennis Center until such time that a new solicitation can be processed and a new contract is awarded. Staff is currently benchmarking with other cities to obtain information on various management options for tennis centers. There were no comments from the public.

Council members and staff discussed the following topics: the reason the contract is not for a full year term; the contract terms coinciding with the end

of the term for the HEB Tennis Center; the beginning date of the contract; the vendor, Sweet Spot Tennis, LLC, Gerald Tjon A Joe; concern with the contractor receiving 95% of all pro revenue; the City's ownership of the tennis center property and responsibility to pay utilities and insurance; Parks and Recreation Department currently benchmarking with other cities to obtain information regarding management operations; the number of private lessons conducted; and revenue generated at Al Kruse and HEB Tennis Centers.

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

Nay: 1 - Council Member Vaughn

Abstained: 0

15. First Reading Ordinance - Closing a portion of a utility easement located at 3733 South Port Avenue

Ordinance abandoning and vacating a 268-square foot portion of an existing utility easement out of a part of Great Gulf Corporation, Block 1, Lot 3, located at 3733 South Port Ave. and requiring the owner, Nueces County Health and Retardation Community Center, to comply with the specified conditions.

Mayor Pro Tem Rubio referred to Item 15. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to abandon and vacate a 268-square foot portion of an existing utility easement located at 3733 South Port Ave. There no comments from the public.

In response to a council member, Mr. Dimas stated that there are not any utilities in the easement.

Council Member McComb 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 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

16. First Reading Ordinance - Appropriating funds bequeathed from Paralee Price estate for Library

Ordinance appropriating \$20,000 bequeathed from Paralee Price into the Library Grants fund No 1068 to provide the opportunity for all children to have access to cost-free educational materials at Corpus Christi Public Libraries; and appropriating \$5,000 bequeathed from

Paralee Price into the Library Grants fund No 1068 for the designated purpose of purchasing reading materials in large print format for the Anita & W.T. Neyland library branch.

Mayor Pro Tem Rubio referred to Item 16. Library Director Laura Z. Garcia stated that the purpose of this item is to appropriate \$25,000 bequeathed from the Paralee Price estate. The Corpus Christi Public Libraries will purchase \$20,000 in children's educational material and \$5,000 in large print format for the Anita & W.T. Neyland Library. There were no comments from the Council or the public.

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

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

17. First Reading Ordinance - Creation of new Industrial District Agreement for Basic Equipment Co. Owned Property

Ordinance disannexing from the City of Corpus Christi, Texas, an approximately 3.41-acre tract of land owned by Basic Equipment Company and located in Nueces County; adjusting the City boundaries; amending Ordinance no. 029958 by adjusting the boundary of the City's Industrial District No. 1 to include the disannexed tract; authorizing the City Manager, or designee, to execute an Industrial District Agreement with Basic Equipment Company, requiring the payment of 100 percent of the ad valorem taxes that would be due if the tract was in city limits, and to file the Industrial District Agreement in the official records of Nueces County; providing for publication; and providing for severance.

Mayor Pro Tem Rubio referred to Item 17. Business Liaison Alyssa Barrera stated that the purpose of this item is to disannex land owned by Basic Equipment Company, address the industrial district boundary, and execute an industrial district agreement. Ms. Barrera presented the following: a map of the industrial district; payment in lieu of taxes; a map of the property and the proposed investment. There were no comments from the Council or the public.

Council Member Vaughn 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 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 18 - 21)

Mayor Pro Tem Rubio referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had a planned presentation on Item 21. A council member requested information on Item 18.

18. Construction Contract for Community Park Development and Improvements - Salinas Park (Bond 2012, Proposition 4)

Motion authorizing the City Manager, or designee, to execute a construction contract with D&SS Construction, Inc. of Corpus Christi, Texas in the amount of \$424,853 for the Community Park Development and Improvements - Salinas Park. (Bond 2012, Proposition 4).

This Motion was recommended to the regular agenda.

19. Supply Agreement for Aggregate Trap Rock for the City's Street Seal Coat Program

Motion authorizing City Manager, or designee, to execute a supply agreement with Vulcan Construction Materials, LLC, of San Antonio, Texas for the purchase of aggregate trap rock in response to Request for Bid No. 938 based on the lowest, responsive, responsible bid for a total amount not-to-exceed \$243,720.00, with an estimated expenditure of \$81,240.00 in FY2016-2017 and funded by the Street Fund. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

This Motion was recommended to the consent agenda.

20. Resolution to intervene in AEP's filing at the Public Utility Commission for an amendment to its Distribution Cost Recovery Factors

Resolution of the City of Corpus Christi, Texas authorizing intervention in the Public Utility Commission of Texas Docket No. 47015 regarding AEP Texas Inc.'s application to amend its distribution cost recovery factors to increase distribution rates within the City; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

This Resolution was recommended to the consent agenda.

21. Reimbursement Resolution for Bond 2016 General Obligation Bonds

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing

various City improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes in an amount not to exceed \$18,350,000; authorizing other matters incident and related thereto; and providing an effective date.

This Resolution was recommended to the consent agenda.

Q. BRIEFINGS: (ITEMS 23 - 25)

23. Water Quality Projects Update

Mayor Pro Tem Rubio referred to Item 23. Director of Water Clarence Wittwer stated that the purpose of this item is to provide an update on the water quality projects. The presentation team included: Water Quality Manager Gabriel Garcia, Utilities System Manager Rafael Martinez, and Water Resources Manager Steve Ramos.

Mr. Wittwer presented the following information: water quality progress; the actions the City has implemented and current and future actions to address the water system including source, treatment, and distribution; highlighted projects including: solids management, the Nueces River Raw Water Pump Station, the new Chlorine Dioxide System and Improvements, Raw Water and Chemical Feed Improvements, the Pilot Plant System and Testing, an Updated Nitrification Action Plan, and Tank Mixing and Operation; the location, cost and estimated timeline for the current capital improvement plan projects; water systems projects in action; and a summary of the current status. Interim Director of Development Services Julio Dimas provided a brief overview of the status of the commercial, industrial, and private water well backflow devices.

Council members and staff discussed the following topics: completion of the Rand Morgan Storage Tank; previous discussions to allow Tuloso-Midway Independent School District to paint their logo on Rand Morgan Storage Tank; creation of a process for painting and advertising on storage tanks; sludge removal process; the new chlorine dioxide system; public awareness of the water quality projects; increase in pump size; peak demand on the system; water supply from Mary Rhodes Pipeline and Garwood; the cost analysis for the Pilot Plant System and the expected end result; comparison of the City's water rates to other Texas cities; and sediment removal options.

24. Drought Contingency Plan Recommended Changes

Mayor Pro Tem Rubio referred to Item 24. Water Resources Manager Steve Ramos stated that the purpose of this item is to recommend changes to the current drought contingency plan. Mr. Ramos presented the following information: the purpose of the drought contingency plan; state requirements; the recommended changes to modify Stage 1 and Stage 2; how the changes would effect customers today; and next steps.

Council members and staff discussed the following topics: Stage 1 taking into account if Lake Texana is less than 40% capacity; reviewing a combined water supply or blended average when addressing more severe drought stages; the City being more dependent on Lake Corpus Christi and Choke Canyon; concern with lessening the impact to get to Stage 2 and Stage 3; the agreed order for Choke Canyon and Lake Corpus Christi; average storage levels at

Lake Texana; review of the drought contingency plan every five years; whether the plan reflects pipeline water; informing the public of the changes to the drought contingency plan; enforcement of the plan while the policy is being updated; the public hearing tentatively scheduled for May 30, 2017; being proactive to drought responses; upcoming water releases in May-June timeframe; plans to take water from Garwood Water Supply; addressing the Garwood Water Supply in the future; and target demand reduction levels.

MOTION OF DIRECTION

Council Member McComb made a motion directing the City Manager to move forward with the recommended changes and commended staff for bringing forward the recommended changes, seconded by Council Member Smith and passed (Council Member Garza - absent).

25. Variable Salinity Desalination Project

Mayor Pro Tem Rubio referred to Item 25. Project Manager L.J. Francis stated that the purpose of this item is to provide recommendations on the future of the Variable Salinity Desalination (VSD) project. Mr. Francis presented the following information: a timeline of the VSD project; the differences between the industrial desalination project and the VSD project; and production costs. Staff recommends that the VSD program be placed on hold to negotiate a transfer of U.S. Bureau of Reclamation grant funds to the Industrial Desalination project and be provided an opportunity to monitor the progress of the Industrial Desalination project.

Council members and staff discussed the following topics: the status of the creation of a Local Government Corporation; negotiation of the transfer of funds from the U.S. Bureau of Reclamation; the regional approach to water supply; and the SWIFT fund application.

MOTION OF DIRECTION

Council Member Smith made a motion to accept staff's recommendation, seconded by Council Member McComb and passed unanimously.

R. LEGISLATIVE UPDATE:

None.

S. EXECUTIVE SESSION: (ITEMS 26 - 28)

Mayor Pro Tem Rubio referred to the day's executive sessions. The Council went into executive session at 4:18 p.m. The Council returned from executive session at 5:53 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 annexation, disannexation, apportionment of extra-territorial jurisdiction between municipalities, interlocal agreements with water districts and neighboring municipalities, contracts for the potential economic development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities that

will be consumers of water and wastewater 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).

This E-Session Item was discussed in executive session.

- 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 (including TCEQ and EPA regulations) related to the provision of utility services in industrial districts, desalination, reuse, utility rate design, and water and wastewater treatment and distribution 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).

City Secretary Huerta announced that Council Member Hunter abstained from the discussion on this item. This E-Session Item was discussed in executive session.

- 28. 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 Municipal Court and **Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of Municipal Court Judges with possible discussion and action in open session.

Mayor Pro Tem Rubio referred to Item 28 and the following ordinance was considered:

Ordinance appointing Robert R. Garcia as a Part-Time Judge of the Municipal Court of Record in the City of Corpus Christi; determining salary; providing a term of office; and declaring an effective date.

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

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

None.

U. ADJOURNMENT

The meeting was adjourned at 5:56 p.m.