



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, January 17, 2017

2:00 PM

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 5:30 P.M. ON CITY-RELATED MATTERS THAT ARE NOT SCHEDULED ON THE AGENDA. PUBLIC COMMENT ON AGENDA ACTION ITEMS WILL BE HEARD AT THE TIME THE COUNCIL CONSIDERS THE AGENDA ITEM. 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 Dan McQueen to call the meeting to order.

Mayor Pro Tem Carolyn Vaughn called the meeting to order.

B. Invocation to be given by Pastor David Bendett, Rock City Church.

Pastor David Bendett gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Dr. Gloria Randall Scott, Volunteer at Solomon Coles High School.

Dr. Gloria Randall Scott led the Pledge of Allegiance.

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

City Secretary Rebecca Huerta called the roll and 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 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

Absent: 1 - Mayor Dan McQueen

E. Proclamations / Commendations:

1. Swearing-In Ceremony for Newly Appointed Board, Commission and Committee Members.

Mayor Pro Tem Vaughn conducted the swearing-in ceremony for newly appointed board, commission, and committee members.

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

Mayor Pro Tem Vaughn referred to City Manager's Comments. City Manager Margie C. Rose reported on the following topics:

a. OTHER

1) The Solid Waste Department, in conjunction with the United States State Department, has worked to host international visitors for the past two years. The City of Corpus Christi was notified that the City has become a designated international visitor location for international best practices in Solid Waste Services. Along with the designation from the State Department, staff has been invited to speak on a panel at the Solid Waste Institute of Sustainability at the end of the month in Arlington, Texas. 2) City Manager Rose recognized the 2016 Employee of the Year Gerardo "Jerry" Vedia, Building and Grounds Custodian with Facilities Maintenance. 3) City Manager Rose recognized Jennifer Escobedo Ramirez, Contracts/Funds Administrator with Engineering Services, for being honored as a Corpus Christi Under 40 honoree by the Young Business Professionals.

G. MINUTES:

2. Regular Meeting of January 10, 2017.

Mayor Pro Tem Vaughn referred to approval of the minutes. Council Member Rubio made a motion to approve the minutes, seconded by Council Member Garza and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS:

3. Airport Board
Committee for Persons with Disabilities
Crime Control and Prevention District Board
Parks and Recreation Advisory Committee

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

Airport Board

Council Member McComb nominated Paul A. Cameron, Jr. Council Member Rubio nominated Marc Gonzalez. Council Member Guajardo nominated Andrew Lehrman. Council Member Molina nominated Roy L. Cotham.

Council Members Hunter, McComb, and Smith voted for Paul A. Cameron, Jr. Council Members Rubio, Vaughn, and Garza voted for Marc Gonzalez. Council Member Guajardo voted for Andrew Lehrman. Council Member Molina voted for Roy Cotham.

With no nominee receiving a majority vote, a runoff was conducted between Paul A. Cameron, Jr. and Marc Gonzalez. Paul A. Cameron, Jr. was appointed with Council Members Smith, Guajardo, McComb, Molina, and Hunter voting for Paul A. Cameron, Jr. and Council Members Garza, Vaughn, and Rubio voting for Marc Gonzalez.

Committee for Persons with Disabilities

Council Member Garza made a motion to reappoint Richard Balli, Mary Bustos, Donnie Contreras, Joe A. DeLaGarza, and Anthony Zoccolillo, seconded by Council Member Molina and passed unanimously.

Council Member Garza made a motion to appoint Anthony M. Navarrette and James (T.C.) Chadden, seconded by Council Member Molina and passed unanimously.

Crime Control and Prevention District

Council Member Garza made a motion to confirm the appointments of Jason M. McCahan (Mayor McQueen), Joan Veith (Council Member Hunter), Susie Saldana (Council Member McComb), R. Scott Leeton (Council Member Guajardo), Brian Rosas (Council Member Vaughn), Cissy L. Garcia (Council Member Molina), Randall Hicks (Council Member Rubio), Brandey Batey (Council Member Smith), and Christopher Cruz (Council Member Garza), seconded by Council Member Molina and passed unanimously.

Parks and Recreation Advisory Committee

Mayor Pro Tem Vaughn nominated Terry M. Ray. Council Member Smith nominated Lloyd Stegemann. Council Member McComb nominated Florence D. East. Council Member Molina nominated Victor M. Mendoza.

Lloyd Stegemann and Terry M. Ray received the highest number of votes and were appointed.

I. EXPLANATION OF COUNCIL ACTION:**J. CONSENT AGENDA: (ITEMS 4 - 12)**

Approval of the Consent Agenda

Mayor Pro Tem Vaughn referred to the Consent Agenda. City Secretary Huerta announced that Council Members Hunter and McComb were abstaining from the vote on Item 12. A council member requested that Item 9 be pulled for individual consideration. There were no comments from the public.

A motion was made by Council Member Rubio, 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

Absent: 1 - Mayor McQueen

Abstained: 0

4. **Service Agreement for On-Call Plumbing Services for the Corpus Christi Fire Department**

Motion authorizing City Manager, or designee, to execute a service agreement with Smart Plumbing, Inc., of Corpus Christi, Texas, for plumbing services, in accordance with Request for Bids No. 176, based on lowest, responsive and responsible bid for a total amount not to exceed \$76,115.00, with an estimated expenditure of \$51,000 in FY2016- 2017. The term of the agreement is for one year with option to extend for up to one additional one year period, subject to the approval of the Contractor and the City Manager, or designee.

This Motion was passed on the Consent Agenda.

Enactment No: M2017-004

5. **Amending Service Agreement to include Actuarial Services for the Human Resources Department**

Motion authorizing the City Manager or designee to amend a service agreement with Foster & Foster Actuaries and Consultants of Ft. Meyers, Florida to provide professional actuarial services for the Human Resources Department for a total amount not to exceed \$34,500.00 of which \$7,666.67 is required in FY 2016-2017. The agreement is established for a three year period and includes an option to extend for one additional two year period, subject to the approval of the City Manager or designee.

This Motion was passed on the Consent Agenda.

Enactment No: M2017-005

6. **Reimbursement Resolution for Certificates of Obligation**

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds from the proceeds one or more series of tax-exempt or taxable obligations to be issued by the City in an aggregate amount not to exceed \$2,500,000 for authorized purposes relating to constructing various City improvements; authorizing matters incident and related thereto; and providing an effective date.

This Resolution was passed on the Consent Agenda.

Enactment No: 031037

7. Second Reading Ordinance - Aligning Funds after Debt Refunding (1st Reading 1/10/17)

Ordinance authorizing the appropriation and transfer of approximately \$2,781,207.34 of bond proceeds from various City Utility System CIP funds to Fund 3543 Streets TMPC CO CIP Fund; and the appropriation and transfer of approximately \$2,781,207.34 of related debt liability from various City Utility System operating funds to Fund 2010 General Obligation Debt Service Fund; amending the Fiscal Year 2017 operating budget adopted by Ordinance No. 030965 to increase revenues and expenditures by approximately \$2,781,207.34 each; and providing an effective date.

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

Enactment No: 031038

8. Second Reading Ordinance - Accepting and appropriating additional grant funding for Police support in the Houston High Intensity Drug Trafficking Area (HIDTA) (1st Reading 1/10/17)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept additional grant funding in the amount of \$28,898.82 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Departments role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA); and appropriating the \$28,898.82 in the No. 1061 Police Grants Fund.

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

Enactment No: 031039

10. Second Reading Ordinance - Closing a utility easement located at 3749 Pope Drive (1st Reading 1/10/17)

Ordinance closing, abandoning, and vacating a 0.028-Acre portion of an existing utility easement out of a part of Lot 16, Block 8 of Hopper Addition

No. 2, located at 3749 Pope Drive and requiring the owner, Fernando Fernandez, to comply with the specified conditions; authorizing the City Manager or designee to execute a Utility Relocation Agreement; appropriating \$31,000 into Gas Fund #4130 to be used to cap an 8-inch wrapped steel line and construct a new 8-inch wrapped steel line, and changing the FY 2016-2017 Operating Budget adopted by Ordinance number 030965- to increase revenues and expenditures each by \$31,000.

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

Enactment No: 031040

11. Second Reading Ordinance - Appropriating funds for the Advance Funding Agreement and Interlocal Agreement for the Strategic Integration (Travel Demand Model) Feasibility Study (Bond 2014, Proposition 2) (1st Reading 1/10/17)

Ordinance appropriating \$368,000 of anticipated revenues from the Texas Department of Transportation (TXDOT); authorizing the City Manager, or designee, to execute an Advance Funding Agreement with TXDOT for the Strategic Integration (Travel Demand Model) Feasibility Study with a payment of \$18,400 due to TXDOT for reimbursement of direct state costs, and to execute an Interlocal Agreement with the Regional Transportation Authority (RTA) for their participation (\$55,200) in this project. (Bond 2014, Proposition 2)

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

Enactment No: 031041

12. Second Reading Ordinance - Appropriating Funds for the Collier Pool Renovations Rebid Package B (Restroom and Office Building) (Bond 2012, Proposition 4) (1st Reading 1/10/17)

Ordinance appropriating \$29,943.70 from forfeited bid bond proceeds in the No. 3280 Park CIP Fund for the Collier Pool Renovations Rebid Package B (Restroom and Office Building) Project E14008; changing the FY 2017 Capital Improvement Budget adopted by Ordinance No. 030936; increasing revenues and expenditures in the amount of \$29,943.70. (Bond 2012, Proposition 4)

This Ordinance was passed on second reading and approved with the following vote:

Aye: 6 - Council Member Garza, Council Member Guajardo, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Absent: 1 - Mayor McQueen

Abstained: 2 - Council Member Hunter and Council Member McComb

Enactment No: 031042

9. Second Reading Ordinance - Amending the Ethics Code as recommended by the Ethics Commission (1st Reading 1/10/17)

Ordinance amending the City Code of Ethics by revising sections to expand conflict of interest prohibitions; to prohibit disclosure or use of confidential information; to prohibit City Councilmember from participating in appointment of a person who contributed \$2700 or more to the Councilmember's campaign; to prohibit registration as a lobbyist within 2 years of leaving City service; to provide clarification of Ethics Commission review of Financial Disclosure Reports; providing for severance and providing for publication.

Mayor Pro Tem Vaughn referred to Item 9, amendments to the Ethics Code as requested by the Ethics Commission. Senior City Attorney Lisa Aguilar and Ethics Commission Member Larry White responded to questions.

Council members spoke regarding the following topics: clarification on Section 2-311(8)(e) related to an elected city official may not use their position to influence the action of a city official or employee in the performance of their duties related to a contract or business transaction; the definition of the word "order" in Section 2-311(20) related to council members shall not give any orders to any employee except through the city manager as provided by the City Charter; whether the Ethics Code provides a timeframe for an employee to be hired as a consultant; consideration to include the language "pending" to Section 2-311(8)(e) related to contracts or business transactions; and consideration to table the item for further clarification.

Mayor Pro Tem Vaughn called for comments from the public. Rick Milby, 4412 High Ridge Drive, and member of the Ethics Commission, encouraged the City Council to support the amendments. Ray Madrigal, 4253 Dody, spoke in support of Section 2-311(21)(E) prohibiting council participation in appointments of persons that contributed \$2,700 or more to their campaign during the previous election. Gloria Scott, 4422 S. Alameda, spoke regarding a council member using their position to influence the action of a city official or employee in the performance of their duties. Denise Matow, 4520 Surfside Boulevard, spoke regarding the need to simplify the language in the Ethics Code and providing it to the public.

Council Member McComb made a motion to table this item to the Council meeting of January 31, 2017, seconded by Council Member Garza. This Ordinance was tabled to the city council meeting of January 31, 2017 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

Absent: 1 - Mayor McQueen

Abstained: 0

L. REGULAR AGENDA: (ITEM 14)

14. One-Reading Action Item - Resolution supporting the economic development efforts of the Corpus Christi Regional Economic Development Corporation, the Port of Corpus Christi and other community partners to attract new businesses and industry to the Coastal Bend

Resolution expressing the full support and continued cooperation for the partnerships, incentives, investments, and job-creating strategies which will diversify the Coastal Bend economy, sustain the economic engines driving these communities, protect and enhance the quality of life and environment, instill community pride and solidarity of spirit and achieve career goals through expansion of academic and job opportunities.

Mayor Pro Tem Vaughn deviated from the agenda and referred to Item 14. Director of Intergovernmental Relations Tom Tagliabue stated that the purpose of this item is to consider a resolution supporting the economic development efforts of the Corpus Christi Regional Economic Development Corporation (EDC), the Port of Corpus Christi, and other community partners to attract new businesses and industry to the Coastal Bend. Iain Vasey, President of the EDC, provided background on the project related to ExxonMobil and Saudi Arabia Basic Industries Corporation's (SABIC) site selection process for a \$10 billion ethylene glycol manufacturing facility in the City's extraterritorial jurisdiction (ETJ). Rob Tully, Exxon Gulf Coast Growth Venture Executive, provided information on the following topics: the site evaluation process; the production of monoethylene glycol and polyethylene at the proposed facility; the creation of jobs; estimated annual salary; the economic impact; and plant safety.

Mayor Pro Tem Vaughn called for comments from the public. Abel Alonzo, 1701 Thames; David Engel, 230 Amistad and Port Commissioner; Gabe Guerra, Chair of the EDC; Tom Schmid, 201 Walden Drive, Portland, Texas; Craig Loving, 1037 Stirman, and member of the International Brotherhood of Electrical Workers Local 278; spoke in support of the project.

Carrie Robertson Meyer, 4401 Gulf Breeze Boulevard, encouraged the City Council to meet with Portland Citizens United before voting on this issue that will impact the Gregory-Portland area. Errol Summerlin, 1017 Diomedea Street, Portland, Texas, spoke on behalf of Portland Citizens United in opposition to the location of proposed facility and safety concerns. Ray Madrigal, 4253 Dody, spoke in opposition to this item. James Klein, 3501 Monterrey and a member of the Clean Economy Coalition, spoke regarding the City of Corpus Christi making a decision that impacts a neighboring city. Julie Rogers, 1324 North Mesquite and member of National Nurses United, asked the City Council to hold off on voting on this issue and discussed the impact the facility could have to public health. Denise Matow, 4520 Surfside, spoke regarding the differences in opinion related to safety and the issue of unemployment. Chris Phelan, 3806 Kingston, spoke regarding tax abatements provided to private companies.

Council members spoke regarding the following topics: whether the project would put the area in non-attainment; the impact to the water supply; public

involvement with the Portland community; the timeframe for the project; and safety.

Council Member Smith made a motion to approve the resolution, seconded by Council Member Guajardo. This Resolution was passed 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

Absent: 1 - Mayor McQueen

Abstained: 0

Enactment No: 031043

K. PUBLIC HEARINGS: (ITEM 13)

13. Public Hearing and First Reading Ordinance - Amending the Code of Ordinances by revising Chapter 14 Development Services Article II City of Corpus Christi Technical Construction Codes and Chapter 55, Utilities

Ordinance amending Section 14-281, 14-231, 14-291, and 55-37 of the City's Code of Ordinances to amend the City's adopted International Plumbing, Building and Residential Codes, authorize the City to inspect, install, repair, and replace backflow assemblies and place the cost of said work on customer utility bills, amend other requirements related to the provision of water to reduce the chance of contamination of the City's water supply, and providing for penalties, publication, severance, and an effective date.

Mayor Pro Tem Vaughn deviated from the agenda and referred to Item 13. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to amend the City's Code of Ordinances to address backflow and backflow connections. The recommended amendments include: allowing the City to use a third-party testing agency to test and certify delinquent backflow devices; appropriately charging for testing, repair or replacement to be placed on customer's utility bill; requiring annual testing for residential irrigation backflow prevention assemblies; and requiring Texas registered engineer certification annually for all facilities within the industrial district; requiring customer service inspection of properties with water wells; and conducting a public outreach campaign to educate the community about this new system, potential costs and other issues with backflow.

Mayor Pro Tem Vaughn opened the public hearing. David Loeb, 425 Del Mar, spoke in opposition to the annual inspection of residential irrigation systems and asked that consideration be given to city employees managing the inspection process. Mayor Pro Tem Vaughn closed the public hearing.

Council members spoke regarding the following topics: the recent water situation being related to an industrial partner; taking steps to protect the water system in the industrial sector; annual inspection impacting residential

customers; the use of a third-party testing agency versus in-house inspections; taking actions to isolate the areas where water issues have occurred; the backflow devices used in the City of Houston to reduce the risk of terrorism; determining whether the company that supplies water meters offers backflow prevention devices that could be installed as meters are replaced; recommendation requiring air gap devices for top 30 users; the number of users with air gap devices; support to continue the three year inspection for residential or a compromise between one and three years; compliance with water code; the number of incidents identified with current irrigation systems; clarification of irrigation systems in the ordinance; enforcement of the current ordinances for industry; the number of devices in residential versus industry; the duties of the Mechanical/Plumbing Advisory Board; whether the City has a position to not turn off water; unregistered water wells being the suspected reason for water boils; the status of the recent water issues and list of recommendations; review of the industrial district agreements; clarification of the language in the ordinance referring to Governmental Property; the recommendation requiring a Texas registered engineer certification annually for all facilities within the industrial district and consideration for more frequent certification; researching best practices across the state recommended by the Texas Commission on Environmental Quality (TCEQ); delinquency for backflow prevention inspections; and recommendations on enforcement.

MOTION OF DIRECTION

Council Member Garza made a motion directing the City Manager to review the Water Code to see what areas are not properly being enforced; bring back the report on the latest water incident; and research best practices, seconded by Council Member Smith and passed unanimously.

Mr. Dimas stated that staff will bring back an ordinance that will allow the City to add appropriate charges to current customers' water utility bill and contract with a third-party testing agency.

A motion was made by Council Member Guajardo, seconded by Council Member Joe McComb, that this Ordinance be tabled. The motion carried by a unanimous vote.

Mayor Pro Tem Vaughn called for a brief recess at 5:16 p.m. The Council reconvened the Council meeting at 5:32 p.m.

- P. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 5:30 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. This Public Comment period is for items that are NOT on the Agenda. Your presentation will be 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 Vaughn called for comments from the public. Susie Luna Saldana, 4710 Hakel, spoke regarding comments made on social media by a council member and asked the individual to resign from the City Council.

Cheryl Martinez, 3938 Surfside, spoke regarding Animal Care Services including: use of a vacant building to house young animals; consideration of an advisory committee to address the Zika Virus; the need for additional staff; and trap and release for cats. Denise Matow, 4520 Surfside, requested that the City Council address a policy on social media. Chris Phelan, 3806 Kingston, spoke in support of the City Council tabling the ordinance regarding backflow prevention devices and the importance of a chemical safety board investigation of the City's water supply.

M. FIRST READING ORDINANCES: (ITEMS 15 - 18)

15. First Reading Ordinance - Conversion and reclassification of 24 Firefighter I positions to 24 Firefighter II - EMS positions effective February 1, 2017 pursuant to Resolution No. 030964 and Settlement Agreement.

Ordinance amending Ordinance No. 030965 Section 4. to convert and reclassify 24 Firefighter I positions to 24 Firefighter II-EMS positions effective February 1, 2017 pursuant to Resolution No. 030964 and settlement agreement.

Mayor Pro Tem Vaughn referred to Item 15. Fire Chief Robert Rocha stated that the purpose of this item is to convert and reclassify 24 Firefighter I positions to 24 Firefighter II - EMS positions effective February 1, 2017 pursuant to Resolution No. 030964 and the Settlement Agreement. There were no comments from the Council or the public.

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

Absent: 1 - Mayor McQueen

Abstained: 0

16. First Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located south of South Padre Island Drive (SH 358), west of Flour Bluff Drive, along Glenoak Drive.

Ordinance authorizing City Manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with David E. and Christine L. Harris ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$141,334.85 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Mayor Pro Tem Vaughn referred to Item 16. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to execute a water arterial transmission and grid main construction and reimbursement agreement with the owners of the property and appropriating \$141,334.85 from the Arterial Transmission and Grid Main Trust Fund to reimburse the developer. The developer is required to install approximately 2,366 linear feet of 12-inch water line in order to provide water and to meet the requirements of the master water plan for the area. There were no comments from the public.

Council members and staff spoke regarding the following topics: whether the developer complied with the requirements to receive reimbursement from the trust fund; the procedure for use of the trust funds; and a future policy setting a minimum higher than 1.5% of the cost when extending a water line; acreage fees; replenishment of the fund; and whether the City did the engineering on this project; and future users wanting to connect to the water line to receive service would have to pay a pro rata fee based on the frontage of their property to repay the fund.

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

Absent: 1 - Mayor McQueen

Abstained: 0

17. First Reading Ordinance - Accepting and appropriating two donations for the North Beach Breakwater Plaza, North Shoreline Repair and Enhancement Project (Bond 2012, Proposition 8)

Ordinance accepting and appropriating a donation in the amount of \$25,000 from the USS Lexington and a donation in the amount of \$25,000 from the Texas State Aquarium in Fund No. 3530 for the North Beach Breakwater Plaza, North Shoreline Repair and Enhancement Project E12129; Changing the FY 2017 Capital Improvement Budget adopted by Ordinance No. 030936 to increase revenues and expenditures by \$50,000. (Bond 2012, Proposition 8)

Mayor Pro Tem Vaughn referred to Item 17. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to accept and appropriate donations from the Texas State Aquarium and U.S.S. Lexington for the North Beach Breakwater Plaza, North Shoreline Repair and Enhancement Project. There were no comments from the Council or the public.

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

Absent: 1 - Mayor McQueen

Abstained: 0

18. First Reading Ordinance - Approving the Amendment to the Revised Project and Financing Plans for the Reinvestment Zone Number Two

Ordinance approving the amendment to the Tax Increment Reinvestment Zone No. 2 Amended Project & Financing Plan approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas on January 17, 2017 regarding Park Road 22 Bridge Project, Packery Channel Monitoring and Improvements, and Budget Approval Process.

This Ordinance was withdrawn.

N. FUTURE AGENDA ITEMS: (ITEMS 19 - 29)

Mayor Pro Tem Vaughn referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 19, 20, 25 and 26.

19. Appointing Financial Advisor for Solid Waste Certificates of Obligation

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Taxable Series 2017B in an amount not to exceed \$2,500,000.

This Motion was recommended to the consent agenda.

20. Resolution approving publication of Notice of Intention to Issue Certificates of Obligation

Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

This Resolution was recommended to the consent agenda.

21. Resolution approving a Homebuyer Assistance Program agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi.

Resolution approving an agreement between the Corpus Christi

Business and Job Development Corporation and the City of Corpus Christi for Type A Affordable Housing Program - Homebuyer Assistance Program in the amount of \$107,500; and authorizing the City Manager or designee to execute said agreement.

This Resolution was recommended to the consent agenda.

22. Engineering Construction Contract for Corpus Christi International Airport (CCIA) Runway 18-36 and Associated Work

Motion authorizing the City Manager, or designee, to execute a construction contract with GL Contracting / Double Rafter H Construction Company, LLC. - Joint Venture of San Antonio, Texas in the amount of \$1,094,167.18 for the CCIA Runway 18-36 and Associated Work for the Base Bid (Asphalt Option) with a 90/10% respective share of contract costs between the FAA and the City.

This Motion was recommended to the consent agenda.

23. Engineering Construction Contract for City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program (Capital Improvement Program)

Motion authorizing the City Manager, or designee, to execute a construction contract with IPR South Central LLC of Pasadena, Texas in the amount of \$4,000,000 for the City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity Program (ID/IQ) for the Total Base Bid. The initial contract is anticipated as a two (2) year (730 calendar days) base contract, with three (3) optional one (1) year (365 calendar days) extensions subject to availability of funding and satisfactory contractor performance. The optional contract extension will not exceed an amount of \$2,000,000 per year and will be administratively authorized by the City Manager or designee based on available funding. (Capital Improvement Program)

This Motion was recommended to the consent agenda.

24. Engineering Construction Contract for Greenwood Drive Storm Water Improvements

Motion authorizing the City Manager, or designee, to execute a construction contract with Clark Pipeline Services, LLC. of Corpus Christi, Texas in the amount of \$469,401.98 for the Greenwood Drive Storm Water Improvements.

This Motion was recommended to the consent agenda.

25. Resolution approving Street Preventative Maintenance Program

(SPMP) FY 2017 Annual Work Plan

Resolution approving the concepts, direction, and general work plan for the Fiscal Year (FY) 2017 Street Preventative Maintenance Program (SPMP).

This Resolution was recommended to the regular agenda.

26. Reimbursement Resolution for Certificates of Obligation

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds from the proceeds one or more series of tax-exempt or taxable obligations to be issued by the City in an aggregate amount not to exceed \$9,650,000 for authorized purposes relating to constructing various City improvements; authorizing matters incident and related thereto; and providing an effective date.

This Resolution was recommended to the consent agenda.

27. Resolution approving a Supply Agreement for Liquid Caustic Soda Solution

Resolution rejecting all initial bids submitted for the purchase of liquid caustic soda ("chemical"); finding that the purchase of the chemical is necessary to preserve and protect the public health and safety of the City's residents; obtaining pricing through competitive solicitation; and authorizing the City Manager or designee to execute a one-year supply contract for the chemical with Univar of Kent, Washington, in an amount not to exceed \$1,362,882.00, of which an estimated expenditure of \$908,588.00 in FY2016-2017 is funded by the Water Fund, and includes up to four one-year renewals.

This Resolution was recommended to the consent agenda.

28. Disbursement of Council Member Carolyn Vaughn's FY2016/2017 Salary & Car Allowance

Motion authorizing the City Manager or designee to distribute Council Member Carolyn Vaughn's FY2016/2017 budgeted salary and associated payroll taxes, which are not to be received by Council Member Vaughn, in the amount of \$6,459.00, to Animal Care Services to be used to transport canines to other cities for the purpose of adoption and Council Member Carolyn Vaughn's FY2016/2017 budgeted car allowance and associated payroll taxes, which are not to be received by Council Member Vaughn, in the amount of \$4,521.30, to Animal Care Services to be used for the provision of diagnostic testing and the treatment of cruelly treated canines housed at the City's Animal Care Services facility.

This Motion was recommended to the consent agenda.

29. Disbursement of Council Member Paulette M. Guajardo's FY2016/2017 Salary

Motion authorizing the City Manager or designee to execute an agreement with 911 Park Place d.b.a. Mission 911, a Texas non-profit corporation, of Corpus Christi Texas, in the amount of \$4,950.73, to be funded by Council Member Paulette M. Guajardo's FY2016/2017 budgeted city council salary and associated payroll taxes, which are not to be received by Council Member Guajardo, in support of programs provided by 911 Park Place d.b.a. Mission 911 in the City of Corpus Christi, Texas.

This Motion was recommended to the consent agenda.

O. BRIEFINGS: (ITEM 30)

30. Financing Options

Mayor Pro Tem Vaughn referred to Item 30. City Manager Margie C. Rose stated that staff is presenting this briefing to be proactive on the financial options that may be available for future big ticket items that are coming forward for council's consideration. Director of Financial Services Constance Sanchez stated that the purpose of this item is to discuss the financing options to address the City's needs to address capital needs including wastewater improvements and consolidation, water capital improvements and streets. Ms. Sanchez introduced the presentation team: Financial Advisor Mark Seal and Bond Counsel Jeff Kuhn and Clay Binford.

Ms. Sanchez presented the following information: the traditional financing options; the description and uses for general obligation bonds, revenue bonds, and certificates of obligation; alternate financing options including general obligation bonds for utilities and public/private partnership (P3); the pros and cons of funding utilities with general obligation bonds and P3; and a privatization decision tree.

Council members spoke regarding the following topics: a breakdown of the City's current total debt; the City of Chicago's and City of San Antonio's use of a P3; the City of Chicago's current bond rating; whether P3's are used in debt-stressed cities; the City's current rating and capacity; original issued premium (OPI); and the length of time M.E. Allison has been the City's financial advisor.

Q. EXECUTIVE SESSION: (ITEMS 31 - 34)

Mayor Pro Tem Vaughn referred to the day's executive sessions. The Council went into executive session at 6:44 p.m. The Council returned from executive session at 7:12 p.m.

31. 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 TxDOT Harbor Bridge Project and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, area of and related to TC Ayers Park and other City Property in vicinity of existing or proposed Harbor Bridge) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

This E-Session Item was discussed in executive session.

- 32. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning the legal issues related to classification and conversion of Fire Department employees and Chapter 143 of the Texas Local Government Code.

This E-Session Item was discussed in executive session.

- 33. 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 pending and potential employment law litigation against the City, the Health District, and/or the officers and employees of said entity(ies), including potential approval of settlement(s), authorization of employment of attorneys and experts, and other actions related to said litigation.

This E-Session Item was discussed in executive session.

- 34. 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 Railroad Commission Applications of Petro Waste Environmental, LP to operate a commercial disposal facility in McMullen County, Texas on a 1500 acre tract located approximately four miles north of Tilden, Texas.

Mayor Pro Tem Vaughn referred to Item 34 and the following motion was considered:

Motion to authorize the execution of the attached Agreement with Petro Waste Environmental LP to provide for the City's withdrawal of its protest in the Petro Waste Application currently pending consideration by the Texas Railroad Commission in Oil & Gas Docket No. 01-0300585, with changes thereto in a form to be approved by the City Attorney.

Council Member Garza made a motion to approve the motion, seconded by Council Member Rubio. This Motion was passed 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

Absent: 1 - Mayor McQueen

Abstained: 0

Enactment No: M2017-006

R. ADJOURNMENT

The meeting was adjourned at 7:13 p.m.