



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, May 22, 2018

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 Joe McComb to call the meeting to order.**

Mayor McComb called the meeting to order at 11:32 a.m.

- B. Invocation to be given by Reverend Gloria Lear, First United Methodist Church.**

Reverend Gloria Lear gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Alma Casas, Assistant Director of Financial Services.**

Assistant Director of Financial Services Alma Casas 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:

Interim City Manager Keith Selman, 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 Michael Hunter, Council Member Ben Molina, Council Member Everett Roy, Council Member Lucy Rubio, and Council Member Greg Smith
- Absent:** 1 - Council Member Debbie Lindsey-Opel

E. Proclamations / Commendations

1. Proclamation declaring May 20-26, 2018, "Emergency Medical Services Week".
Proclamation declaring May 20-26, 2018, "National Public Works Week".
Proclamation declaring May 26, 2018, "Parkinson's Day, A Day of Hope for Parkinson's! Rock Steady Boxing".
Proclamation declaring June 9-19, 2018, "153rd Anniversary of the Juneteenth Celebration, the Spirit of Emancipation Days".
Proclamation declaring June 2018, "Hurricane Awareness Month".
Mayor McComb 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 McComb deviated from the agenda and referred to comments from the public. Sherry Sells, 5014 Wingfoot Lane, spoke regarding an ADA parking incident that occurred at the Spohn Shoreline parking garage and the response from the Corpus Christi Police Department. Ron Woods, Corpus Christi Tennis Center; Christopher Medrano, 4813 Holmes; Terry Sweet, 330 Camellia; and Katy Rogers, 5206 Moultrie, asked the City Council to consider building a new tennis facility on the southside of the City at Bill Witt Regional Park. Philippe Tissot, 3560 Aransas, spoke regarding Agenda Item 25, an update on floodplain management and regarding taking caution when considering the flood maps. Brian Watson, 5813 Hugo, spoke regarding budget issues relating to collective bargaining agreements with first responders and pensions for City employees. Isabel Araiza, 326 Poenisch, presented a petition to the City Secretary regarding opposition to budget cuts to libraries. Sylvia Campos, 4410 Fir, spoke regarding the submission of a letter from the City of Corpus Christi requesting that entities in the City's industrial district pay their share of taxes and potential budget cuts to libraries. Brittany Garcia, 3214 Brawner Parkway, spoke regarding the following: the City investing in public

spaces, including parks and libraries; the City's aging infrastructure; potential budget cuts to parks and libraries; tax abatements; and disconnecting services to commercial customers that are delinquent on their utility bills. Ed Cantu, 7122 S. Staples, congratulated new Council Member Everett Roy; thanked the City Council for their leadership; and invited the City Council to the Leadership Corpus Christi Alumni Association's Annual Meeting and Graduation on Thursday, May 24, 2018 at the Omni Hotel at 5:30 p.m. where Council Member Ben Molina will be honored as "Alumnus of the Year". Susie Luna Saldana, 4710 Hakel, spoke regarding the following topics: potential budget cuts; the City Council policy requiring that remarks made by members of the public are not be addressed to council members as individuals nor be disrespectful; and supporting Red Nose Day. Joan Veith, 5701 Cain Drive, expressed appreciation to the City's first responders. Margareta Fratila, 3606 Tripoli, spoke regarding the Water Department and related legal issues. Julie Rogers, 710 Furman, spoke regarding the petition regarding opposition to budget cuts to libraries and planned social media campaign urging the City to submit a letter requesting that entities in the City's industrial districts pay their share of taxes. Chris Felan, 3806 Kingston, spoke regarding the following topics: posting evacuation information during Hurricane Harvey at public libraries; the appointment of council members by City Council; the budget related to first responders; and industrial district entities paying their fair share of taxes.

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

Mayor McComb referred to City Manager's Comments. Interim City Manager Keith Selman spoke regarding the following topics:

a. CITY PERFORMANCE REPORT - MUNICIPAL COURT

Interim City Manager Selman introduced Director of Municipal Court Administration Gilbert Hernandez who provided a briefing on the mission statement, operational profile, baseline information and performance indicators of Municipal Court.

Council members and staff discussed the following topics: the factors associated with the increase in the number of warrants issued in FY2016-2017; exploring options to make it easier for citizens to pay citations; and the number of citations issued.

b. HEALTH BENEFITS UPDATE

Director of Human Resources Steven Viera provided an update on the status of the Citicare, Police and Fire health plans including: plan performance; a graph displaying the claims cost, net of loss reimbursement per plan; recommendations for the plan design; and savings allocation.

c. STRATEGIC FUTURE ISSUES

2. Wastewater Rates Update

Assistant Director of Utilities Support Services Reba George stated that the purpose of this item is to provide a follow up regarding the implementation of the City's residential wastewater rate which took effect January 1, 2018. Ms.

George provided the following information: a comparison of wastewater charges for five customers, for January through April 2017 and 2018, which reflected the difference in winter quarter averaging versus the new wastewater rate structure; a comparison of the wastewater revenue posted through April 30, 2018 in FY 2017 and FY2018; and the Utility Business Office's call volume concerning wastewater charges related to bills in 2017 and 2018.

Council members and staff discussed the following topics: if customers have the option of a second meter for irrigation purposes, to reduce wastewater costs, and which department to contact to begin the process; that the cap of 25,000 gallons may be too high; winter quarter averaging; the number of residences exceeding 25,000 gallons in water usage per month; the comparison of wastewater revenue from FY2017 and FY2018; and a comparison of billing versus revenue for FY2017 and FY2018.

d. OTHER

1) Interim City Manager Selman presented a video related to the completion of the Bond 2014 Ennis Joslin Road Extension. 2) Texas A&M University - Corpus Christi (TAMU-CC) will begin a citizens survey on Tuesday, May 29, 2018. TAMU-CC will be sending out 10,000 postcards to citizens advising them how to access the citizen survey. 3) The Corpus Christi Libraries will begin the Summer Reading Program from June through August. 4) Interim City Manager Selman recognized Firefighter of the Year, Firefighter Josh Brunemeier and Fire Prevention Officer of the Year, Firefighter Inspector Juan Mora.

G. MINUTES:

3. Regular Meeting of May 15, 2018.

Mayor McComb referred to approval of the minutes. Council Member Guajardo made a motion to approve the minutes, seconded by Council Member Molina and passed unanimously (Council Member Lindsey-Opel - absent).

H. BOARD & COMMITTEE APPOINTMENTS: (NONE)

I. EXPLANATION OF COUNCIL ACTION:

R. EXECUTIVE SESSION: (ITEM 26)

Mayor McComb deviated from the agenda and referred to Executive Session Item 26. The Council went into executive session at 1:35 p.m. The Council returned from executive session at 2:18 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 the natural gas utility system.**

This E-Session Item was discussed in executive session.

L. RECESS FOR LUNCH

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

K. CONSENT AGENDA: (ITEMS 4 - 12)**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 Hunter, seconded by Council Member Garza, to approve the Consent Agenda. The consent agenda items were passed and approved by one vote as follows:

Aye: 5 - Mayor McComb, Council Member Garza, Council Member Hunter, Council Member Molina and Council Member Roy

Absent: 4 - Council Member Guajardo, Council Member Lindsey-Opel, Council Member Rubio and Council Member Smith

Abstained: 0

4. Resolution authorizing execution of developer participation agreement for the city's share of the cost for bridge removal and replacement at Yorktown Boulevard and Starry Road

Resolution authorizing execution of Developer Participation Agreement with MPM Development, LP in an amount not to exceed \$60,444.45 for bridge removal and replacement for Starlight Estates Unit 1.

This Resolution was approved on the consent agenda.

Enactment No: 031436

5. Resolution Authorizing a One-Year Service Agreement with Two One-Year Options for Custodial Services for Outlying Police Buildings

Resolution authorizing a one-year service agreement with Hilario O. Ortega, Jr., dba A Plus Janitorial and Mowing Services of Corpus Christi, Texas, to perform custodial services for outlying Police buildings for a total amount not to exceed \$85,878.34, with two one-year options for a total potential multi-year amount of \$257,635.02.

This Resolution was passed on the consent agenda.

Enactment No: 031437

6. Service Agreement to Audit Claims Processing of Self-Funded Medical and Pharmacy Plans

Motion authorizing a six-month service agreement, with Claim Technologies Incorporated, of Des Moines, Iowa to perform an audit of the claims processing associated with the self-funded medical and pharmacy plans for an amount not to exceed \$72,193.00.

This Motion was passed on the consent agenda.

Enactment No: M2018-087

7. Purchase and Installation of Playground Equipment at Lt. Alexander Park

Motion authorizing the purchase and installation of playground equipment at Lt. Alexander Park from GameTime by Total Recreation Products, Inc. of Cypress, Texas via BuyBoard for a total amount not to exceed \$76,273.62.

This Motion was passed on the consent agenda.

Enactment No: M2018-088

8. 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 in the amount of \$320,000 for the Type A Affordable Housing Program.

This Resolution was passed on the consent agenda.

Enactment No: 031438

9. Second Reading Ordinance - Rezoning for a Property located at or near 3902 Cimarron Boulevard (1st Reading 5/15/18)

Case No. 0318-01 Estate of Margaret J. Pasztor:

Ordinance rezoning property at or near 3902 Cimarron Boulevard from "FR" Farm Rural District to the "RM-2" Multifamily 2 District.

Planning Commission and Staff Recommendation (April 4, 2018):

Approval of the change of zoning from "FR" to "RM-2".

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

Enactment No: 031439

10. Second Reading Ordinance - Updating the Urban Transportation Plan deleting two proposed collector streets (1st Reading 5/15/18)

Ordinance updating the Urban Transportation Plan by deleting two proposed (C1) Collector streets located north of FM 624 between Calallen High School and County Road 69 and the existing River Canyon Drive (C1) Collector.

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

Enactment No: 031440

11. Second Reading Ordinance - Appropriating \$200,000 for Convention Center Content Development (1st Reading 5/15/18)

Ordinance appropriating \$200,000 capital contribution from SMG into the Visitor Facility Fund to fund Convention Center content development; and amending the FY18 operating budget.

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

Enactment No: 031441

12. Second Reading Ordinance - Amending Ordinance for the Regional Local Services System/Local Public Health System (RLSS/LPHS) to increase grant program and appropriating funds for the contract period September 1, 2017 through August 31, 2019 (1st Reading 5/15/18)

Ordinance amending Ordinance No. 031235 regarding the Regional Local Services System/Local Public Health System grant to increase related program income by \$140,000.00 for new estimated total program income of \$400,000.

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

Enactment No: 031442

M. PUBLIC HEARINGS: (NONE)

N. REGULAR AGENDA: (ITEMS 13 - 14)

13. One Reading Action Item - Construction Contract Change Order No. 3 for the CCIA Airport Operations Area Perimeter Fence Replacement Project

Motion authorizing the City Manager, or designee, to execute a Change Order No. 3 with B. E. Beecroft Co. Inc. of Corpus Christi, Texas in the amount of \$226,351.02 for the CCIA Airport Operations Area Perimeter Fence Replacement project (Capital Improvement Program).

Mayor McComb referred to Item 13. Director of Aviation Fred Segundo stated that the purpose of this item is to execute Change Order No. 3 in the amount of \$226,351.02 for the Corpus Christi International Airport Operations Area Perimeter Fence Replacement Project. There were no comments from the public.

In response to a council member, Mr. Segundo stated that the Federal Aviation Administration will fund 90% of the project with a City match of 10%.

Council Member Rubio made a motion to approve the motion, seconded by Council Member Hunter. This Motion was passed and approved with the following vote:

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

Absent: 1 - Council Member Lindsey-Opel

Abstained: 0

Enactment No: M2018-089

14.

Resolution Authorizing Negotiation and Execution of Service Agreements to Provide Third-Party Administration of the City's Self-Funded Employee Benefits

Resolution authorizing negotiation and execution of four, three-year service agreements to provide third-party administration of the City's self-funded employee benefits for a total estimated cost of \$127,400,000, with two one-year renewal options, as shown below:

Blue Cross and Blue Shield of Texas (BCBSTX), a Division of Health Care Service Corporation, of Richardson, Texas, for medical, dental and COBRA plans with an estimated cost of \$97,860,000.

CAREMARKPCS Health, L.L.C. (CVS), of Northbrook, Illinois, for pharmacy benefits with an estimated cost of \$26,800,000.

Dearborn National Life Insurance Company, of Lombard, Illinois, for life insurance including ADD, optional and supplemental plans with an estimated cost of \$2,060,000.

Ochs Inc., on behalf of Madison National Life Insurance Company, Inc. (Ochs), of Madison, Wisconsin, for long term disability with an estimated cost of \$680,000.

Mayor McComb referred to Item 14. Director of Human Resources Steven Viera stated that the purpose of this item is to authorize the negotiation and execution of four, three-year service agreements to provide third-party administration of the City's self-funded employee benefits with the following

companies: Blue Cross and Blue Shield of Texas, with an estimated cost of \$97,860,000; CAREMARKPCS HEALTH, L.L.C. (CVS), with an estimated cost of \$26,800,000; Dearborn National Life Insurance, with an estimated cost of \$2,060,000; and Ochs, Inc., on behalf of Madison National Life Insurance Company, Inc., with an estimated cost of \$680,000. There were no comments from the public. City Secretary Rebecca L. Huerta announced that Council Member Hunter was abstaining from the vote on this item.

Council members and staff discussed the following topics: the total cost of the agreements is based on utilization; the stop loss amount; a council member's request to amend the resolution to include that renewal options are subject to City Council approval; and the cost per year.

Council Member Smith made a motion to amend the resolution to require Council approval of renewal options, seconded by Council Member Guajardo and passed unanimously (Council Member Hunter - abstained; Council Member Lindsey-Opel - absent).

Council Member Garza made a motion to approve the resolution as amended, seconded by Council Member Molina. This Resolution was passed and approved as amended with the following vote:

Aye: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Absent: 1 - Council Member Lindsey-Opel

Abstained: 1 - Council Member Hunter

Enactment No: 031443

O. FIRST READING ORDINANCES: (ITEMS 15 - 17)

15. First Reading Ordinance - Refunding Acreage/Lot Fees Paid

Ordinance refunding \$13,006.92 from Wastewater Trunk System Trust Fund to John and Elizabeth Butler.

Mayor McComb referred to Item 15. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to authorize the refund of wastewater lot and acreage fees for Butler Addition, Lot 1, located at 6654 Yorktown Boulevard. Ms. Nixon-Mendez presented the following information: a location map of the subject property; an aerial overview of the subject property; the refunding requirements; and staff's assessment. There were no comments from the public.

Council members and staff discussed the following topics: the interest rate; the tracking system for wastewater lot and acreage fees; the proximity of the subject property to Del Mar College; and future extension of wastewater to the area as development occurs.

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

Absent: 1 - Council Member Lindsey-Opel

Abstained: 0

16. First Reading Ordinance - Request for exemption from Wastewater Lot or Acreage Fees for property located west of Manning Road, north of State Highway 44

Ordinance exempting Lot 1, Block 1, STEPS Terminal from payment of wastewater lot or acreage fees conditioned upon a Sanitary Sewer Connection Agreement

Mayor McComb referred to Item 16. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item to authorize a waiver of wastewater lot or acreage fee exemption and to execute a Sanitary Sewer Connection Agreement with Range Land Products Terminal, LLC. Ms. Nixon-Mendez presented the following information: an aerial view of the subject property; a preliminary wastewater main layout aerial view; the two options considered and associated costs; the exemption requirements; and staff's assessment. There were no comments from the Council or the public.

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

Absent: 1 - Council Member Lindsey-Opel

Abstained: 0

17. First Reading Ordinance - Closing of a utility easement located at 3801 Woodhouse

Ordinance abandoning and vacating 0.0090 acre (393 square feet) of an existing electrical easement out of Grange Park Subdivision Unit 1, Lot 1A Block 1, located at 3801 Woodhouse and requiring the owner, Grangefield Development, LLC., to comply with the specified conditions.

Mayor McComb referred to Item 17. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to abandon and vacate an existing electrical easement out of Grange Park Unit 1 Subdivision located at 3801 Woodhouse. There were no comments from the public.

In response to a council member, Ms. Nixon-Mendez stated that there are no City utilities in the easement and the easement is dedicated for electrical utilities.

Council Member Garza 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 Hunter, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Absent: 1 - Council Member Lindsey-Opel

Abstained: 0

BRIEFINGS: (ITEM 24)

24. Proposed Bond 2018 Update

Mayor McComb deviated from the agenda and referred to Item 24. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to provide an update regarding the proposed Bond 2018. Ms. Gray provided the City Council with a draft Proposed 2018 Bond Program Information Guide and a draft ordinance ordering the Special Election in November which includes the ballot language for the bond projects.

Ms. Gray presented the following information: an overview of the initial program as presented at the July 13, 2017 City Council workshop; a summary of the changes to the initial plan; the current propositions; the implementation approved by the City Council on August 15, 2017; the development summary for Street Propositions A & B; Proposition 1 as presented on July 13, 2017; Proposition A summary of changes; a map of the proposed changes in Proposition A for the following projects: Holly Road, Slough Road, Lipes Boulevard, and Strasbourg Drive; current proposed Proposition A summary; Proposition 2 as presented on July 13, 2017; Proposition B summary of changes; current proposed Proposition B summary; Proposition 3 expanded into four propositions (C, D, E, & F); the summary of changes for Propositions C, D, E, & F; the 2018 Bond Information Guide; the draft bond ordinance; next key steps; and the project implementation schedule.

Council members and staff discussed the following topics: projects in the downtown and island areas being funded by TIRZ funds instead of bonds; the draft ordinance; the utility increase for residential customers of \$2.82 per month; the total amount from utility costs; consideration of 100% engineering design for the Laguna Shores and Frio Street/Hacala Street/Dorado Street Corridor Projects; the projects identified for pre-design at 100% and 60%; the proposed 2018 Bond Program Information Guide; and how much the school districts contribute to streets.

P. FUTURE AGENDA ITEMS: (ITEMS 18 - 23)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff had a planned presentation on Item 19.

18. Agreement with United Corpus Christi Chamber of Commerce to support the South Texas Military Facilities Task Force

Motion to authorize execution of an agreement with the United Corpus Christi Chamber of Commerce to support the operations, activities, and tasks of the South Texas Military Facilities Task Force during Fiscal Year 2018 not to exceed \$75,000.

This Motion was recommended to the consent agenda.

19. Three Professional Service Contracts for Pre-design to 100% certain proposed Bond 2018 street projects

Resolution supporting the use and commitment of necessary funding of \$5 million in remaining Bond 2014, Proposition One Proceeds and authorization to execute Professional Services Contracts with Freese and Nichols of Corpus Christi, Texas in the amount of \$823,700 for Everhart Road from SPID to Holly Road; LNV, Inc. of Corpus Christi, Texas in the amount of \$792,940 for Holly Road from Paul Jones to Rodd Field Road; Munoz Engineering of Corpus Christi, Texas in the amount of \$449,172 for Slough Road from Rodd Field Road to Dead End.

This Resolution was recommended to the consent agenda.

20. Purchase of Seven Heavy-duty Freightliner Trucks for Utilities

Motion authorizing the purchase of seven heavy-duty Freightliner trucks from Houston Freightliners of Houston, Texas, via Houston Galveston Area Council cooperative, for a total amount of \$1,291,346.00.

This Motion was recommended to the consent agenda.

21. Two-year Service Agreement for Uniform Rental for the Utilities Department

Motion authorizing a two-year service agreement for uniform rental for utilities department with Cintas Corporation from Corpus Christi, Texas, via U.S. Communities cooperative, for a total amount not to exceed \$130,027.64.

This Motion was recommended to the consent agenda.

22. Three-year Supply Agreement for the purchase of hip and knee boots

Motion authorizing a three-year supply agreement with Northern Safety and Industrial, of Corpus Christi, Texas, for the purchase of hip and knee boots for a total amount not to exceed \$191,691.75.

This Motion was recommended to the consent agenda.

23. Three-year Service Agreement for Mary Rhodes Phase 2 Pumps and Motors with Two, One-year options

Motion authorizing a three-year service agreement with Smith Pump Company, Inc., of Austin, Texas, for maintenance services for Mary Rhodes Phase 2 pumps & motors for a total amount not to exceed \$636,717.00, with two one-year options for a total potential multi-year amount of \$1,061,195.00.

This Motion was recommended to the consent agenda.

Q. BRIEFINGS: (ITEM 24)

25. Floodplain Management Update

Mayor McComb referred to Item 25. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to provide an update on the City's floodplain management program, preliminary flood insurance rate map and higher standards.

Ms. Nixon-Mendez provided the following information: creation of a Flood Hazard Mitigation Committee; the Flood Hazard Mitigation Committee's development and maintenance of the Program for Public Information and Flood Insurance Coverage Improvement; an update to the preliminary flood insurance rate maps; the appeal of the Oso Creek area in 2016; the preliminary map versus the appeal map; the preliminary numbers from the Oso Creek Appeal; the anticipated adoption schedule for the preliminary maps; preliminary map adoption; the proposed higher standards; the Limit of Moderate Wave Action (LiMWA) zone; LiMWA impacts; the LiMWA map; the schedule of the preliminary map and higher standards; and an outline of the proposed higher standards.

Council members and staff discussed the following topics: if the City Council did not adopt the flood insurance rate maps, flood insurance would not be available to residents; the LiMWA zone follows the velocity zone standards; other communities adopting above the base flood elevation (BFE); if freeboarding was considered; the insurance impact of adopting above the BFE; the number of points received for establishing the public information plan, establishing the flood insurance coverage improvement plan and adopting the LiMWA; the number of properties in the wetland within the LiMWA; the impact and benefits of adopting the LiMWA; the number of credits needed for the city to move up to the next class; the schedule for adoption; the higher standards and consequences for adopting higher standards; the LiMWA map; the preliminary numbers of the Oso Creek appeal; seclusion of the downtown area and the Greenwood Wastewater Treatment Plant area from the plan; case studies of communities that have adopted and unadopted the plan; the revision process to include the secluded area to the plan; and opportunities for public input.

MOTION OF DIRECTION

Council Member Smith made a motion directing the Interim City Manager to bring back action items regarding the Flood Hazard Mitigation Committee and

the preliminary flood insurance rate maps, seconded by Council Member Guajardo and passed unanimously (Council Members Hunter and Lindsey-Opel - absent).

T. SUPPLEMENTAL AGENDA ITEM:

29. Emergency Ordinance - Amendment to Grant Contract for Laboratory Response Network - Public Health Emergency Preparedness

Ordinance authorizing the City Manager and/or Director of Public Health to accept an amendment to a grant contract for the Community Preparedness Section - Laboratory Response Network - Public Health Emergency Preparedness grant in the amount of \$201,123.00 with a City match of \$20,113.00 to provide continued emergency preparedness and response laboratory activities; and declaring an emergency.

Mayor McComb deviated from the agenda and referred to Item 29. Director of Public Health Annette Rodriguez stated that the purpose of this item is to accept an amendment to a grant from the Texas Department of Health Services for Laboratory Response in the amount of \$201,123 for the contract period July 1, 2017 to June 30, 2019. There were no comments from the Council or the public.

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

Aye: 6 - Mayor McComb, Council Member Garza, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Absent: 3 - Council Member Guajardo, Council Member Hunter and Council Member Lindsey-Opel

Abstained: 0

Enactment No: 031444

R. EXECUTIVE SESSION: (ITEMS 27 - 28)

Mayor McComb referred to Executive Session Items 27 and 28. The Council went into executive session at 4:04 p.m. The Council returned from executive session at 5:03 p.m.

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 the City's email system and computer network security, Texas Government Code 551.076 to deliberate security devices, personnel, and audit(s) related to the aforesaid matter(s), and Texas Government Code § 551.089 to deliberate the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices related to the

aforesaid matter(s).

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 water supplies for industrial and other development, desalination, potential interlocal agreements with water districts and other governmental entities involving water or other utility services, including potential grants for desalination facilities, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential agreements for the economic development agreement(s) with business prospects that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and/or wastewater services, and pursuant to Texas Government Code § 551.087 to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s), including, but not limited to, potential contracts for the provision of water to said prospects.**

Mayor McComb referred to Item 28 and the following motion was considered:

Motion to authorize the Interim City Manager or designee to execute Notices to Proceed for task orders issued pursuant to the City's Master Services Agreement with Freese and Nichols, Inc. for the Seawater Desalination Project, subject to the May 22, 2018 letter of clarification from said firm.

Council Member Smith made a motion to approve the motion, seconded by Council Member Rubio. This Motion was passed and approved with the following vote:

Aye: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Lindsey-Opel

Abstained: 0

Enactment No: M2018-090

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

None.

U. ADJOURNMENT

The meeting was adjourned at 5:06 p.m.