



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, February 12, 2019

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 11:31 a.m.

B. Invocation to be given by Deacon Jesse Hinojosa, Diocese of Corpus Christi.

Deacon Jesse Hinojosa gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by John Byrum, Assistant Director of Utilities for Wastewater.

Assistant Director of Utilities for Wastewater John Byrum 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: 9 - Mayor Joe McComb, Council Member Roland Barrera, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Gil Hernandez, Council Member Michael Hunter, Council Member Ben Molina, Council Member Everett Roy, and Council Member Greg Smith

E. Proclamations / Commendations

1. Proclamation declaring February 17-23, 2019, "National Engineers' Week".
Proclamation declaring March 10-16, 2019, "Girl Scout Week and 107th Anniversary of Girl Scouts of the USA".
Commendation for the 84th Annual Nueces County Junior Livestock Show Queen's Contest.
Check Presentation from Thunder Riders M/C Corpus Christi Chapter.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

Mayor McComb presented the proclamations and commendation. Fire Chief Robert Rocha received a check for the Corpus Christi Fire Department from the Thunder Riders M/C Corpus Christi Chapter. Mayor McComb conducted the swearing-in ceremony for newly appointed board and committee members.

- 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. All items on this agenda are considered public hearings.**

Mayor McComb deviated from the agenda and referred to comments from the public. City Manager Miles K. Risley read the Rules of Decorum for the Council Chambers. City Secretary Rebecca L. Huerta conducted the public comment period. Tracey Crown, 3226 Bimini, thanked the City Council for their service to the City and requested that the City Council reinstate the hours of operation and increase staffing at the Janet Harte Public Library. Brian Watson, 5813 Hugo, spoke in opposition to renaming Naval Air Station - Corpus Christi after late U.S. President George Herbert Walker Bush. Tabitha McGinnis, 5825 Hampshire, spoke in support of reinstating the hours of operation at the Janet Harte Public Library. John Vega, 325 Aberdeen, spoke regarding Agenda Item 27, rezoning of property located at or near 4130 South Alameda Street, and expressed concerns regarding increasing traffic in the neighborhood. James T.C. Chadden, 1718 Arlington, thanked Assistant City Secretary Paul Pierce for assisting him with submitting his application to serve on the Committee for

Persons with Disabilities; thanked Council Members Molina, Hernandez, and Guajardo for attending the Veterans Round Table meeting; invited the City Council to attend upcoming Veterans Round Table meetings; and credited Council Member Molina for inspiring him to attend computer classes. Tom Messner, 1002 Antelope, spoke in support of Agenda Item 42, SQH Sports & Entertainment, Inc., a regional sports complex for Corpus Christi.

R. BRIEFINGS: (ITEM 40)

40. Corpus Christi Regional Transportation Authority (CCRTA) 2018 Year in Review

Mayor McComb deviated from the agenda and referred to Item 40. Jorge Cruz-Aedo, Chief Executive Officer of the Corpus Christi Regional Transportation Authority (RTA), stated that the purpose of this item is to provide an update on the RTA and its accomplishments. Mr. Cruz-Aedo presented the following information: the RTA's Board of Directors; the RTA's four principles and objectives; that the RTA is committed to providing transparency; the 2018 financial snapshot; financial community impact; the RTA's service area map; a history of street allocations provided to Corpus Christi and other cities; service facts; fleet and maintenance upgrades; safety and security; emergency preparedness; improvements at the RTA; workforce accomplishments; community relations; contributions to the local economy through innovation; the five-year service improvement plan; rebranding and rider options; and the autonomous pilot program with Texas A&M University - Corpus Christi (TAMU-CC).

Council members discussed the following topics: the status of the natural gas program; fare recovery rates; if the RTA will be asking the City Council to increase fares, to which the RTA said they are looking into it; the average cost per ride; the process for raising rates; the RTA's retirement plan; how the City utilizes the funding provided by the RTA; the Street Preventative Maintenance Plan (SPMP); funding received from the RTA for concrete bus pads and ADA sidewalk improvements; the transition to small fleet vehicles; base failure on bus routes; the autonomous pilot program; Sunday service routes; the RTA's technology; the number of square miles covered by the RTA; the total amount of funding provided by the RTA to the City; ADA compliance at bus stops; future plans to establish special routes from TAMU-CC to the downtown area; and a recommendation for the RTA and Fire Department to discuss a program to assist the Fire Department with repeat non-emergency callers.

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

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

c. OTHER

1) Southwest Airlines has announced that they will begin non-stop, direct flights on Saturdays between Corpus Christi and Love Field Airport in Dallas, Texas. 2) The 2019 Great Texas Warrant Roundup will begin on Saturday, February 23, 2019. The amnesty period will be from February 18, 2019 through February 22, 2019 to allow individuals to voluntarily take care of their citations. 3) The City received a "Certificate of Distinction" for its Investment Policy from

the Government Treasurers' Organization of Texas. 4) The Housing and Community Development Department won a National Community Development Audrey Nelson Award for the Play for All Playground at Salinas Park. 5) Interim City Manager Keith Selman recognized Utilities Department Administrative Manager Blanca Villanueva for being chosen the 2019 Employee of the Quarter.

a. UTILITY BILLING UPDATE

Interim City Manager Selman introduced Interim IT Director Peter Collins who provided the following information regarding the City's Infor software and the utility billing system: the Development Services portal, including training staff on the utilization of Infor; an update regarding missed utility bills; the media plan to address missed utility bills; the audit process; and issues related to the Hanson and Lawson software systems.

Council members discussed the following topics: the utility billing exception reports; if training regarding the Development Services portal will improve performance at Development Services; the benefits of the Development Services portal; the status of the meter transmission units (MTU) and proactive maintenance; the placement of the data collection units (DCU); and the accuracy of the MTUs.

b. BOND STREET PROGRAM UPDATE

Executive Director of Public Works Valerie Gray presented an update on the status of the Bond Street Program including: a bond summary of street and non-street related propositions from Bond Programs 2004 through 2018; implementation of Bond 2012, 2014, and 2016; a summary of projects under construction from Bond 2012 and 2014; Bond 2012 and 2014 not under construction or completed; Bond 2016 projects under construction; Bond 2018 and Type A funded projects; and key actions needed to develop a proposal for Bond 2020.

Council members and staff discussed the following topics: an explanation of liquidated damages; advanced communication, coordination and planning with franchise utilities on bond projects; the start date for Old Robstown Road; delays with the Yorktown Boulevard project and the impact to businesses; incentivizing for early completion of projects; if 100% of the bond funding for previous bond projects has been utilized; a council member requested a report, on a regular basis, regarding the balance of bond funds; a future workshop regarding Bond 2020; Bond 2012 projects that are not completed; pre-engineering design of bond projects; prioritizing surplus bond project funds; if there are contractors that are repeat offenders regarding liquidated damages; the deferred Twigg Street project; the Leopard Street Project; if there is a database regarding streets scheduled for maintenance; and addressing the new Carroll High School.

EXECUTIVE SESSION: (ITEM 43)

Mayor McComb deviated from the agenda and referred to Executive Session Item 43. The Council went into executive session at 2:06 p.m. The Council returned from executive session at 3:09 p.m.

- 43. 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 (including, but not limited to proposed Gulf Coast Growth Ventures' chemical manufacturing facility in San Patricio County, Texas, proposed fractionator and related facilities in Nueces County, and existing and proposed industrial facilities in San Patricio County and Nueces County) that are and/or will be consumers of water and/or wastewater services and connections to the Mary Rhodes Pipeline for facilities to supply water thereto and provision of water and/or wastewater services related to the Harbor Bridge construction project 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.

N. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 43.

G. MINUTES:

- 2.** Regular Meeting of January 22, 2019.

Mayor McComb referred to approval of the minutes. Council Member Roy made a motion to approve the minutes, seconded by Council Member Barrera and passed unanimously (Council Member Hernandez - absent).

P. REGULAR AGENDA: (ITEM 27)

- 27. First Reading Ordinance - Rezoning for a Property located at or near 4130 South Alameda Street (Public Hearing held 1/22/19)**

Case No. 1218-01 Carmelite Sisters: Request for rezoning a property at or near 4130 South Alameda Street from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Planning Commission and Staff Recommendation (December 12, 2018):
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Ordinance rezoning property at or near 4130 South Alameda Street from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Mayor McComb deviated from the agenda and referred to Item 27. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for a future commercial use and reuse of the building. This item was tabled at the January 22, 2019 Council meeting to allow stakeholder discussions to occur between the broker and neighborhood residents. On Monday, January 28, 2019, Development Services staff met with the applicant and a group of neighborhood stakeholders. General consensus was reached that addressed the neighborhood's concerns regarding traffic, noise, lights, and potential uses that could harm property values or their quality of life. The proposal is as follows: Tract 1, "RM-1/SP" Multifamily District with a Special Permit; Tract 2, "RM-1 Multifamily District; Tract 3, "CN-1" Neighborhood Commercial District; and the remainder of the property remaining "RS-6". Ms. Nixon-Mendez provided an overview of the Special Permit conditions.

Mayor McComb referred to comments from the public. Darrin Aldrich, 426 Carmel, spoke regarding the alternate zoning option and stated that the neighborhood would still like to see concerns addressed regarding: traffic from Everhart Road to Aberdeen Street; multifamily uses, including group housing; minimum density; and traffic across the Carmel Parkway ditch. Jackie Hannebaum, 482 Carmel, thanked the City for working with the neighborhood and addressed concerns regarding group living limitations and traffic across the Carmel ditch. Mark Adame, 819 W. Upper Broadway, representative for the applicant, stated that the Carmelite Sisters are in support of the alternate zoning option and spoke regarding developing a mechanism regarding rezoning property that is non-conforming due to annexation.

Council members and staff discussed the following topics: allowable uses in the "RM-1" District; clarification of group living; appreciation to stakeholders for coming to a general consensus; issues regarding non-conforming properties due to annexation; and traffic calming devices from Everhart Road to Aberdeen Street.

The following alternate zoning proposal was considered:

Case No. 1218-01 Carmelite Sisters: Ordinance rezoning property at or near 4130 South Alameda Street from the "RS-6" Single-Family 6 District to the "RM-1/SP" Multifamily 1 District with a Special Permit (Tract 1), the "RM-1" Multifamily 1 District (Tract 2), and the "CN-1" Neighborhood Commercial District (Tract 3).

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

H. BOARD & COMMITTEE APPOINTMENTS:

- 3.** Citizens Advisory Health Board
Community Youth Development (78415) Program Steering Committee
Landmark Commission
Library Board
Retired and Senior Volunteer Program Advisory Committee

Mayor McComb referred to board and committee appointments. The following appointments were made:

Citizens Advisory Health Board

Council Member Smith made a motion to appoint Jonathan L. Garison and Krista C. Ramirez, seconded by Council Member Molina and passed unanimously.

Community Youth Development (78415) Program Steering Committee

Council Member Barrera made a motion to reappoint Ricardo Pimentel (78415 Resident) and Simone Sanders (78415 Resident) and appoint Velma Lozano (78415 Resident), Rene Gutierrez (78415 Resident), Christi Ortiz (Regular Member), Deborah Sherrill (78415 Resident) and Marlina L. Asocar Wilson (Regular Member), seconded by Council Member Smith and passed unanimously.

Landmark Commission

Council Member Garza made a motion to reappoint Randy J. Dees, Sr. (Regular Member) and Christine Reiser Robbins (Historian), seconded by Council Member Molina and passed unanimously.

Council Member Garza made a motion to appoint Monica Rawlings (Title Search), seconded by Council Member Molina and passed unanimously.

Library Board

Council Member Garza made a motion to reappoint Tom Krepel (Regular Member) and Alice Nixon (La Retama Club), seconded by Council Member Molina and passed unanimously.

Council Member Garza made a motion to appoint Ida A. Hobbs (Regular Member), seconded by Council Member Hernandez and passed unanimously.

Retired and Senior Volunteer Program Advisory Committee

Council Member Molina made a motion to reappoint Renee Hundley (At-Large) and Sylvia Portales (At-Large), seconded by Council Member Garza and passed unanimously.

Council Member Hernandez made a motion to appoint Patti Anderson (At-Large), Joann Arevalo (At-Large), Connie Aaron (At-Large) and Ruby C. Martinez (RSVP Volunteer), seconded by Council Member Guajardo and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 10)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. There were no comments from the public. In response to Mayor McComb regarding Agenda Item 9, Fire Chief Robert Rocha stated that the purpose of this item is to purchase an impel pumper and impel rescue truck that will be funded by reimbursement received from the Texas Ambulance Supplemental Payment Program (TASPP). A council member requested that Item 10 be pulled for individual consideration.

Council Member Molina made a motion to approve the consent agenda, seconded by Council Member Barrera. The consent agenda items were passed and approved by one vote as follows:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

4. Supply Agreement for Liquid Aluminum Sulfate for O.N. Stevens Water Treatment Plant

Motion authorizing a one-year supply agreement for liquid aluminum sulfate with Chemtrade Chemicals US, LLC, of Parsippany, New Jersey for the amount of \$2,573,982, with two additional one-year renewal options for a potential total amount of \$7,721,946.

This Motion was passed on the consent agenda.

Enactment No: M2019-019

5. Supply Agreement for Liquid Chlorine in Railcar for O.N. Stevens Water Treatment Plant

Motion authorizing a one-year supply agreement for liquid chlorine in

railcar with Brenntag Southwest Inc, of Lancaster, Texas for an amount not to exceed \$303,288.

This Motion was passed on the consent agenda.

Enactment No: M2019-020

6. Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)

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

This Resolution was passed on the consent agenda.

Enactment No: 031664

7. Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)

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

This Resolution was passed on the consent agenda.

Enactment No: 031665

8. Resolution identifying a development in the La Molina - Near West Existing Conditions Report which will contribute to revitalization efforts

Resolution identifying the project known as Casa de Manana Apartments as a development that will contribute most significantly to the concerted revitalization efforts of the City in the La Molina - Near West Area.

This Resolution was passed on the consent agenda.

Enactment No: 031666

9. Second Reading Ordinance - Purchase of Impel Pumper and Impel Rescue Truck for Fire Department (1st Reading 1/22/19)

Ordinance authorizing the purchase of an impel pumper and impel rescue truck from Siddons-Martin Emergency Group from Denton, Texas, via Buyboard for a total amount not to exceed \$1,580,000; appropriating \$1,580,000 from the unreserved fund balance of the General Fund; and

amending the budget.

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

Enactment No: 031667

10. Second Reading Ordinance - Professional Services Contract for Restoration of SEA District Water Features (Capital Improvement Project - Type A)

Ordinance amending the FY 2019 Capital Improvement Program budget to increase the year one budget for project #E16458 Restoration of SEA District Water Features in the amount of \$300,000; and authorizing execution of professional services contract with LNV, Inc., in the amount of \$364,100 for the Restoration of SEA District Water Features project.

Mayor McComb referred to Item 10, a contract with LNV Inc. for the restoration of SEA District water features project. The presentation team included Director of Engineering Services Jeff Edmonds, Interim Director of Parks and Recreation Becky Perrin and Dan Leyendecker, LNV Inc.

Council members and the presentation team discussed the following topics: a previous future agenda item presented at the February 12, 2019 Council meeting regarding a service agreement and repair of the Water Garden Pump; the issues raised at the February 12, 2019 Council meeting regarding if the maintenance pumps used to repair the Water Garden could be relocated to be used in the new design of the Water Garden and if Federal Emergency Management Agency (FEMA) funds awarded for repair could be used in the new design of the projects; engineering design provisions related to the repair of the Water Garden Pump; that the FEMA allocation can be rolled into the long-term project and construction costs; the timeline for repairing the Water Garden; maintenance issues regarding the Water Garden; that a new water pump was purchased in 2016 for the Water Garden and the Water Garden remained operational until Hurricane Harvey; that the Water Garden was opened in 1988, with the pumps running for 28 years; that Type A seawall funds will be used to fund the project; the legal opinion that the project can be funded by Type A seawall funds; the definition of the seawall; maintenance issues with the seawall; a future discussion to pay off the seawall debt and present a proposition to the voters to use the remaining funds for streets; that the current project scope does not include a phased approach to repair the Water Garden pumps and redesign the SEA Water features with the FEMA funding; the City's obligation to repair the Water Garden that was gifted to the City; costs associated with redesigning the Water Garden project; if there are funds, other than the Type A seawall funds, to fund the project.

Council Member Hernandez made a motion to table the item to allow staff to modify the scope of work to include repairs and upgrades to the water features, seconded by Council Member Guajardo. Council members discussed the phased implementation of the project and the Type A seawall funding source.

The motion to table failed with the following vote: Council Member Hernandez voting "Aye"; Mayor McComb and Council Members Molina, Roy, Smith, Barrera, Garza, and Guajardo voting "No" (Council Member Hunter - absent).

Council Member Molina made a motion to approve the ordinance, seconded by Council Member Barrera. This Ordinance failed with the following vote:

Aye: 1 - Council Member Barrera

Nay: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Hunter

Abstained: 0

L. FUTURE AGENDA ITEMS: (ITEMS 11 - 22)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff had planned presentations on Items 13 and 14. A council member requested information on Item 17.

11. Lease Purchase of Vehicles for Police Department

Motion authorizing the lease purchase of four Ford F-150 crew cab trucks from Silsbee Ford Inc. of Silsbee, Texas, plus two Nissan Rogue SUVs and three Altima sedans from Gunn Chevrolet Ltd of Selma, Texas for the Police Department for a total amount not to exceed \$219,991.30.

This Motion was recommended to the consent agenda.

12. Service Agreement for Battery Replacements for Corpus Christi Fire Department

Motion authorizing a one-year service agreement for battery replacements with Noyesmen, Inc., dba Interstate Batteries of South Texas, of Corpus Christi, Texas, for an amount not to exceed \$27,618.70, with two one-year options for a total potential multi-year amount of \$82,856.10.

This Motion was recommended to the consent agenda.

13. Service Agreement for HEB Tennis Center Management and Program Services for Parks and Recreation

Motion authorizing a five-year service agreement for HEB Tennis Center Management and Program Services with Sweet Spot Tennis, LLC of Corpus Christi, Texas for a management fee of \$4,250 per month for a not to exceed five-year total amount of \$255,000, plus the Contractor keeps 100% of all revenue earned in return for the management and operation of the tennis center.

This Motion was recommended to the consent agenda.

14. Service Agreement for Al Kruse Tennis Center Management Services for Parks and Recreation

Motion authorizing a five-year service agreement for Al Kruse Tennis Center Management and Program Services with Love Tennis & Education of Corpus Christi, Texas for a management fee of \$1,900 per month for a not to exceed five-year total amount of \$114,000, plus the Contractor keeps 100% of all revenue earned in return for the management and operation of the tennis center.

This Motion was recommended to the consent agenda.

15. Service Agreement Amendment for Subscription and Maintenance of Customer Engagement Software for Utilities Department

Motion authorizing an amendment for a one-year service agreement for subscription and maintenance of customer engagement software with WaterSmart Software, Inc of San Francisco, California for an amount not to exceed \$112,500.

This Motion was recommended to the consent agenda.

16. Service Agreement for Generator Preventive Maintenance and Repair Services

Motion authorizing a one-year service agreement for generator preventive maintenance and repair services, including rentals with Holt Texas Ltd, of San Antonio, TX for an amount not to exceed \$100,875, with two one-year options for a total potential multi-year amount not to exceed \$302,625.

This Motion was recommended to the consent agenda.

17. Supply Agreement for Emulsified Polymerized Asphalt (HFRS-2P) for Street Operations

Motion authorizing a three-year supply agreement for the purchase of emulsified polymerized asphalt with Ergon Asphalt & Emulsions, Inc. of Austin, Texas for the not to exceed amount of \$2,250,000.

This Motion was recommended to the consent agenda.

18. Service Agreement for Offsite Repairs of Ford Vehicles for Asset Management

Motion authorizing a one-year service agreement for offsite repairs of Ford vehicles with Crosstown Partners Inc., dba Sames Ford of Corpus Christi, Texas for an amount not to exceed \$478,500, with a one-year

option for a total potential multi-year amount of \$957,000.

This Motion was recommended to the consent agenda.

19. Resolution identifying Avanti at South Bluff as a development which will contribute to revitalization efforts

Resolution of the City Council of the City of Corpus Christi, Texas identifying the project known as Avanti at South Bluff as a development that will contribute most significantly to the concerted revitalization efforts of the City in the Downtown Area Development Plan; and providing for an effective date.

This Resolution was recommended to the consent agenda.

20. Appointing Board Members to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation

Motion appointing Council Members Joe McComb, Roland Barrera, Rudy Garza, Paulette Guajardo, Gil Hernandez, Michael Hunter, Ben Molina, Everett Roy and Greg Smith as Board Members to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation.

This Motion was recommended to the consent agenda.

21. Appointing Board Members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation

Motion appointing Council Members Joe McComb, Roland Barrera, Rudy Garza, Paulette Guajardo, Gil Hernandez, Michael Hunter, Ben Molina, Everett Roy and Greg Smith as Board Members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation.

This Motion was recommended to the consent agenda.

22. Service Agreement for InCode Software for Municipal Court

Resolution authorizing a five-year service agreement for InCode software maintenance and support with Tyler Technologies of Plano, Texas for an amount not to exceed \$864,818.

This Resolution was recommended to the consent agenda.

M. FUTURE CORPORATION MEETING: (ITEM 23)

23. Special Meeting of the North Padre Island Development Corporation

This Corporation Meeting was recommended to be held.

O. PUBLIC HEARINGS: (ITEMS 24 - 26)

24. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 6001 Crosstown Expressway (State Highway 286)

Case No. 1118-02 Charles L. Kosarek, Jr and Dane Casey Holdings, LLC: Request for rezoning a property at or near 6001 Crosstown Expressway (State Highway 286) from the "RS-6" Single-Family 6 District and "ON" Neighborhood Office District to the "ON" Neighborhood Office District, the "CN-1" Neighborhood Commercial District, and the "CC" Commercial Compatible District.

Planning Commission and Staff Recommendation (January 9, 2019): Approval of the change of zoning from the "RS-6" Single-Family 6 District and "ON" Neighborhood Office District to the "ON" Neighborhood Office District, the "CN-1" Neighborhood Commercial District, and the "CC" Commercial Compatible District.

Ordinance rezoning property at or near 6001 Crosstown Expressway (State Highway 286) from the "RS-6" Single-Family 6 District and "ON" Neighborhood Office District to the "ON" Neighborhood Office District, the "CN-1" Neighborhood Commercial District, and the "CC" Commercial Compatible District.

Mayor McComb referred to Item 24. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezoning the subject property to allow for the construction of a medical office building. Ms. Nixon-Mendez stated that the Planning Commission and staff are in favor of the zoning change.

Mayor McComb opened the public hearing. Bernard Seger, 601 Texan Trail, spoke in support of the zoning change. Mayor McComb closed the public hearing.

Council members spoke in support of the rezoning.

Council Member Barrera 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: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

25. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 0 Enterprize Parkway.

Case No. 0119-01 Devary Durrill Foundation: Request for rezoning a property at or near 0 Enterprize Parkway from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Planning Commission and Staff Recommendation (January 9, 2019): Approval of the change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Ordinance rezoning property at or near 0 Enterprize Parkway from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Mayor McComb referred to Item 25. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the construction of a hotel. Ms. Nixon-Mendez stated that the Planning Commission and staff are in favor of the zoning change.

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

In response to a council member, Ms. Nixon-Mendez stated that the rezoning would not make the surrounding warehouse operations non-conforming.

Council Member Barrera 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: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

26. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 1752 Rand Morgan Road

Case No. 0119-02 NP Homes, LLC: Request for rezoning a property at or near 1752 Rand Morgan Road from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Planning Commission Recommendation (January 9, 2019): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Staff Recommendation: Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance rezoning property at or near 1752 Rand Morgan Road from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Mayor McComb referred to Item 26. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for reduced setbacks and smaller single-family lots. Ms. Nixon-Mendez stated that Planning Commission recommends approval of the zoning change; staff recommends denial.

Mayor McComb opened the public hearing. Moses Mostaghasi, NP Homes, spoke in support of the zoning change. Mr. Mostaghasi stated that he intended to build 109 lots, between 6,500 and 10,000 square feet, and is requesting the zoning change to allow for a 20-foot setback.

Council members and Mr. Mostaghasi spoke regarding the following topics: the total number of lots; increased density; the distance from Sam Kane Beef to the subject property; and the preliminary plat.

Council Member Roy 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: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

P. REGULAR AGENDA: (ITEMS 27 - 29)

28. Resolution to Adopt the City Council Vision Elements for 2019-2020

Mayor McComb referred to Item 28. Assistant to the City Manager Esther Velazquez stated that the purpose of this item is to adopt the City Council's Vision Elements for 2019-2020. Ms. Velazquez provided a brief overview of the vision elements. There were no comments from the Council or the public.

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

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

Absent: 1 - Council Member Guajardo

Abstained: 0

Enactment No: 031668

29. Discussion with possible action regarding the process for City

Charter Review.

This Item was not considered.

Q. FIRST READING ORDINANCES: (ITEMS 30 - 39)**34. First Reading Ordinance - Partial Easement Closure located at 13982 Binnacle Street**

Ordinance abandoning and vacating 62.9 square feet of an existing utility easement on Lot 1, Block 712, Padre Island-Corpus Christi, Barataria Bay Unit 3, located at 13982 Binnacle Street.

Mayor McComb deviated from the agenda and referred to Item 34. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to abandon and vacate a portion of an existing utility easement due to encroachment of a residential home into the easement. In response to a council member, Ms. Nixon-Mendez stated that there are no utilities in the easement. There were no comments from the public.

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

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

Absent: 2 - Council Member Guajardo and Council Member Molina

Abstained: 0

30. First Reading Ordinance - Accepting and appropriating Victims of Crime Act (VOCA) Outreach Program Grant

Ordinance authorizing execution of all documents necessary to accept \$216,469.70 grant from State of Texas, Criminal Justice Division for Victims of Crime Act Outreach Program with City match of \$13,637.43 and in-kind match of \$40,480 from Police Grant Fund; appropriating the \$216,469.70 in Police Grants Fund for the VOCA Outreach program; and authorizing transfer of \$13,637.43 from the General Fund to the Police Grants Fund and appropriating the same for total project cost of \$270,587.13.

Mayor McComb referred to Item 30. Police Management Services Director Pat Eldridge stated that the purpose of this item is to accept and appropriate a grant in the amount of \$216,469.70 for the Victims of Crime Act Outreach Program with a City match of \$13,637.43 and in-kind match of \$40,480. There were no comments from the Council or the public.

Council Member Barrera made a motion to approve the ordinance, seconded by Council Member Smith. This Ordinance was passed on first reading and

approved with the following vote:

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

Absent: 2 - Council Member Guajardo and Council Member Molina

Abstained: 0

31. First Reading Ordinance - Accepting and appropriating funds from the Hurricane Public Health Crisis Response Cooperative Services grant

Ordinance accepting and appropriating grant from the Texas Department of State Health Services for the 2017 Hurricane Public Health Crisis Response Cooperative Agreement Grant in the amount of \$420,842.

Mayor McComb referred to Item 31. Director of Public Health Annette Rodriguez stated that the purpose of this item is to accept and appropriate a grant from the Texas Department of State Health Services for the Hurricane Public Health Crisis Response Services Grant. In response to Mayor McComb, Ms. Rodriguez provided information on the services provided through the grant. There were no comments from the public.

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

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

Absent: 1 - Council Member Molina

Abstained: 0

32. First Reading Ordinance - Type A Grant for the Del Mar College Small Business Development Center (SBDC)

Ordinance approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College to provide grant up to \$300,000 for their Small Business Development Center program over two years; appropriating \$300,000 from the unreserved fund balance in the Business/Job Development Fund; and amending the budget.

Mayor McComb referred to Item 32. Mike Culbertson, Corpus Christi Regional Economic Development Corporation (EDC), stated that the purpose of this item is to approve a Type A grant for Del Mar College for the Small Business Development Center program in the amount of \$150,000 annually for a total of two years. There were no comments from the public.

Council members discussed the following topics: that the State of Texas

reduced their funding to the Small Business Development Center; that Del Mar College increased their contribution to the Small Business Development Center; how the Small Business Development Center was previously funded; and the Small Business Development Center's assistance to minority and small business.

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

Absent: 1 - Council Member Hernandez

Abstained: 0

33. First Reading Ordinance - Type A Grant for the Del Mar College Contract Resource Center (CRC)

Ordinance approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College to provide grant up to \$133,000 for their Contractor Resource Center program; appropriating \$133,000 from the unreserved fund balance in the Business/Job Development Fund; and amending the budget.

Mayor McComb referred to Item 33. Mike Culbertson, Corpus Christi Regional Economic Development Corporation (EDC), stated that the purpose of this item is to approve a Type A grant for Del Mar College for the Contractor Resource Center program in the amount of \$133,000. A council member discussed local small businesses having opportunities to work with larger companies. There were no comments from the public.

Council Member Garza 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: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

35. First Reading Ordinance - Easement Closure for property located at 1649 Amber Drive

Ordinance abandoning and vacating a 0.02-acre (780 sq. ft.) existing utility easement on, Lot 3, Block 2, Perry's Estates, located at 1649 Amber Dr.

Mayor McComb referred to item 35. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to vacate and abandon an

existing utility easement for a future proposal of an accessory structure. There were no comments from the Council or the public.

Council Member Smith 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: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

36. First Reading Ordinance - Exempting Heines Substation from Wastewater Lot Acreage Fee

Ordinance exempting Heines Substation located at the Northwest corner of Holly Road and Ennis Joslin alignment from the payment of wastewater acreage fees under Section 8.5.2.G.1 of the Unified Development Code; requiring a sanitary sewer connection agreement.

Mayor McComb referred to Item 36. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to exempt the owner of Heines Substation from the payment of wastewater acreage fees in accordance with Section 8.5.2.G.1 of the Unified Development Code. There were no comments from the Council or the public.

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

Absent: 1 - Council Member Garza

Abstained: 0

37. First Reading Ordinance - Exempting Swan Village Unit 1 from Wastewater Lot Acreage Fee

Ordinance exempting Swan Village Unit 1 located on FM 2444, between CR 41 and CR 43, from the payment of wastewater acreage fees under Section 8.5.2.G.1 of the Unified Development Code; requiring a sanitary sewer connection agreement.

Mayor McComb referred to Item 37. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to exempt the owner of Swan Village Unit 1 from payment of wastewater acreage fees. There were no comments from the public.

Council members discussed the following topics: plans to extend wastewater services; that the homeowner will be required to connect once wastewater is

available to the area; and the required distance allowed for exemption of the wastewater acreage fees.

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

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

Nay: 1 - Council Member Hernandez

Abstained: 0

38. First Reading Ordinance - Approving Amendments to the Tax Increment Reinvestment Zone #2 amended Project & Financing Plans

Ordinance approving the amendment to the Tax Increment Reinvestment Zone #2 amended Project & Financing Plans approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas.

Mayor McComb referred to Item 38. Interim Business Liaison Grayson Meyer stated that the purpose of this item is to approve the amendment to the Tax Increment Reinvestment Zone #2 (TIRZ # 2) Project and Financing Plan. There were no comments from the Council or the public.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

39. First Reading Ordinance - Approving the Resale of 13 Foreclosed Properties

Ordinance authorizing the resale of 13 properties for \$183,553.00 which were foreclosed upon for failure to pay ad valorem taxes, of which the City shall receive \$32,475.02 plus \$38,933.42 for partial payment of City paving and demolition liens.

Mayor McComb referred to Item 39. Interim Director of Financial Services Alma Casas stated that the purpose of this item is to approve the resale of 13 properties for failure to pay ad valorem taxes from which the City will receive partial payment of City paving and demolition liens. Linebarger, Goggan, Blair, & Sampson, L.L.P. was contracted to pursue collection of delinquent ad valorem taxes. City Secretary Rebecca L. Huerta announced that Council Member Garza abstained from this item.

In response to Mayor McComb, Marvin Leary, Linebarger, Goggan, Blair, & Sampson, provided an overview of the resale process.

Council Member Smith 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 - Mayor McComb, Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 1 - Council Member Garza

R. BRIEFINGS: (ITEMS 40 - 42)

41. 2018 Year in Review - Art Museum of South Texas

Mayor McComb referred to Item 41. Interim Business Liaison Grayson Meyer stated that the purpose of this item is to report on the 2018 activities of the Art Museum of South Texas. Joe Schenk, Director of the Art Museum of South Texas, presented the following highlights: the Los Tejanos exhibition from Cheech Marin, including the member reception and media day; the Los Tejanos and Vilcek Teacher Development Training Workshops; The Dorothy and Herbert Vogel Collection exhibit; the Visionarios Award Ceremony and Family Day; the Tree of Life Project and various camps at the Garcia Center; The Art of Richard Stout Sense of Home and Target Texas exhibits and reception; the artRageous Cowboy Cosmonaut fundraiser; the "Fine Art of Summer" camps; the Texas A&M University - Corpus Christi performance partnership; Masterpieces of American Modernism from the Vilcek Collection; programming and art lessons at City Senior Centers; Vilcek Family Day; College Night at the Museum; the Art Ball Fundraiser; the Dorothy Hood exhibit; the Museum of Fine Arts Houston reception; the Dorothy Hood Interactives Technology awards; and the 9th Annual Christmas Tree Forest.

Council members spoke regarding the following topics: damage to the Art Museum of South Texas due to Hurricane Harvey and elevator issues.

Mayor McComb called for a brief recess at 6:50 p.m. Mayor McComb reconvened the Council meeting at 7:07 p.m.

42. SQH Sports & Entertainment, Inc. A Regional Sports Complex for Corpus Christi

Mayor McComb referred to Item 42. Mayor McComb announced that Council Member Garza abstained from this item. Interim Director of Parks and Recreation Becky Perrin stated that the purpose of this item is to address additional questions raised from the First Reading Agenda Item, SQH Sports & Entertainment (SQH) Lease on April 17, 2018, to cancel and replace the prior lease agreement, authorized by Ordinance 030993 on October 18, 2016 for approximately 68 acres of land for a regional youth sports complex with a 40-year lease agreement for 203 acres of land located near State Highway 286 and FM 43 for a regional sports complex and other improvements with up to four, five-year terms. After the First Reading, the Parks and Recreation Director and SQH renegotiated the cost per acre of land and included an increase

annually by the Consumer Price Index for the rental. The item was presented on Second Reading on August 14, 2018 and after discussion, the City Council voted to table the item.

Bert Quintanilla, SQH, introduced the presentation team including Derrick Hegmon and Gregg Deeb. Mr. Hegmon presented the following information: an overview of the proposed regional sports complex; key changes since the last presentation including: \$50,000 annual rent for additional acreage, construction of the public extension of Oso Parkway to be constructed by SQH, and construction of a public hike and bike trail by SQH; other Texas communities currently developing sports complexes; SQH's leadership team's experience; SQH's total investment; projected economic impact and job creation during construction and the first five years of operation; benefits to the City; and performance milestones in the proposed lease agreement.

Council members and the presentation team discussed the following topics: SQH's experience building this type and size complex; financing for the project; that the City would retain ownership of the land or any infrastructure improvements should the project fail; the timeline for the project; expected timeline to begin bringing in tournaments and how the complex will be marketed; wastewater infrastructure for the site; the appraised value of the property; what happens if performance milestones are not met; the Portland Texas Sports Complex; how long the process has taken regarding the project; how much SQH has invested in the project to date; SQH's development of the "Every Child Can Play Foundation"; the City's risks associated with the project; that SQH has a current lease for 68 acres; if the property is located in an air installation compatible use zone (AICUZ) area; how the \$50,000 annual rental fee was determined; that the original RFP's scope of work did not include 203 acres; and concern regarding SQH's lack of experience.

The Council went into executive session to discuss legal concerns and the valuation of the property.

S. EXECUTIVE SESSION: (ITEMS 43 - 47)

Mayor McComb referred to the day's executive sessions. The Council went into executive session at 8:20 p.m. The Council returned from executive session at 10:05 p.m.

- 43. 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 (including, but not limited to proposed Gulf Coast Growth Ventures' chemical manufacturing facility in San Patricio County, Texas, proposed fractionator and related facilities in Nueces County, and existing and proposed industrial facilities in San Patricio County and Nueces County) that are and/or will be**

consumers of water and/or wastewater services and connections to the Mary Rhodes Pipeline for facilities to supply water thereto and provision of water and/or wastewater services related to the Harbor Bridge construction project 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.

44. **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning litigation including, but not limited to, the cases of *City of Ingleside v. City of Corpus Christi*, including potential consideration of settlement offers and/or fees for attorneys, engineers, and other expert witnesses assisting in defense of action(s) and updates on litigation in other cases.

This E-Session Item was discussed in executive session.

45. **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 contractual obligations pursuant to the lease of property to SQH Sports & Entertainment, Inc. near the intersection of State Highway 286 and Weber Road and areas adjacent thereto and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the lease and value of the aforementioned real property owned by the City when deliberation in 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.

46. **Executive session pursuant to Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of judges of the Municipal Court.

Mayor McComb referred to Item 46 and the following ordinance was considered:

Ordinance appointing Mike James Alaniz, Young Min Burkett, Jacqueline Del Llano Chapa, Gail Loeb, and Patrick O'Hare as full-time Municipal Judges of the Municipal Court of Record in the City of Corpus Christi, Texas; appointing Gail Loeb as the presiding judge; appointing Jerry L. Batek, Christopher E. Matt, Michael McCaig, Todd A. Robinson, and David Walsh as part-time judges

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 Guajardo 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: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

- 47. **Executive Session pursuant to Texas Government Code § 551.071** to consult with attorneys concerning litigation including, but not limited to, the bankruptcy case of *In re Sam Kane Beef Processors, LLC*.

This E-Session Item was discussed in executive session.

S. **BRIEFINGS: (ITEM 42)**

- 42. **SQH Sports & Entertainment, Inc. A Regional Sports Complex for Corpus Christi**

Mayor McComb returned to the discussion regarding Item 42.

MOTION OF DIRECTION

Council Member Barrera made a motion directing the Interim City Manager to bring back the second reading ordinance and lease agreement for 203 acres of land for a regional youth sports complex with the presented changes, seconded by Council Member Hunter.

The Motion of Direction was passed and approved with the following vote: Council Members Molina, Roy, Barrera, Guajardo, Hernandez and Hunter voting "Aye"; Mayor McComb and Council Member Smith voting "No"; Council Member Garza abstained.

T. **IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

None.

U. **ADJOURNMENT**

The meeting was adjourned at 10:11 p.m.