



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, October 21, 2014

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.

A. Mayor Nelda Martinez to call the meeting to order.

Mayor Martinez called the meeting to order.

B. Invocation to be given by Reverend Jim Garcia, Primera Iglesia Bautista.

Reverend Jim Garcia gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Carlos Gonzalez, Director of Facilities.

Director of Facilities Carlos Gonzalez led the Pledge of Allegiance.

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

City Secretary Rebecca Huerta called the roll and stated that a quorum of the Council and the required Charter Officers were present to conduct the meeting. City Secretary Huerta announced that Council Member Leal has been granted a leave of absence.

Charter Officers:

City Manager Ron Olson, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

(Note: Council Member Scott arrived at 11:44 a.m.)

Present: 8 - Mayor Nelda Martinez, Council Member Kelley Allen, Council Member Rudy Garza, Council Member David Loeb, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Mark Scott

Absent: 1 - Council Member Priscilla Leal

E. Proclamations / Commendations (NONE)

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

Mayor Martinez referred to City Manager's Comments. City Manager Ron Olson stated that he did not have any comments for the Council.

a. Other

None.

H. **EXECUTIVE SESSION: (ITEM 1)**

1. Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding fire collective bargaining negotiations with possible discussion and action in open session.

Mayor Martinez referred to the day's executive session and stated there was no business to discuss. This E-Session Item was withdrawn.

I. **MINUTES:**

2. Regular Meeting of October 14, 2014

Mayor Martinez called for approval of the minutes. Council Member McIntyre made a motion to amend Item 7 to reflect that the motion made on that item was seconded by Council Member Loeb. Council Member Loeb seconded the motion to amend and the motion passed unanimously. Council Member McIntyre made a motion to approve the minutes as amended, seconded by Council Member Allen and passed unanimously.

J. **BOARD & COMMITTEE APPOINTMENTS: (NONE)**K. **EXPLANATION OF COUNCIL ACTION:**L. **CONSENT AGENDA: (ITEMS 3 - 13)**

Mayor Martinez referred to the Consent Agenda. There were no comments from the public. Council Member Riojas requested that Item 8 be pulled for individual consideration.

8. **Second Reading Ordinance - Approving the FY2014-2015 Crime Control and Prevention District Budget (Requires 2/3 vote)(1st Reading 10/14/14)**

Ordinance approving the FY 2014-2015 amended budget for the Corpus Christi Crime Control and Prevention District to appropriate expenditures of \$1,296,212 for the addition of eleven (11) officers, two (2) lieutenants, four (4) vehicles, and related equipment and supplies; and amending the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294, by increasing the number of authorized "Police Lieutenant" positions by two (2) and the number of authorized "Police Officer and Senior Police Officer" by forty eight (48).

Mayor Martinez referred to Item 8. Council Member Riojas asked for a status of

the Etico Manpower Study of the Police Department and when the plan will be presented to the Council. Police Chief Floyd Simpson stated that the original study of the entire department was commissioned four (4) years ago and was updated one year and a half years ago for the patrol division only. City Manager Ron Olson said that his intent is to come back in January with a discussion with the Council on what the requirements are for adequate and ideal staffing across the entire enterprise to achieve the City's core mission. He added that he is concerned with focusing on only one department, and he needs to make sure that the entire enterprise is balanced. Mayor Martinez stated that the Etico Study focused on community policing and best practices and she requested a report from Chief Simpson on the best practices that affect the budget. Council Member McIntyre spoke regarding the cost and results of the study regarding Metrocom and proactive policing. There were no comments from the public. This Ordinance was passed and approved on second reading with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030314

Approval of the Consent Agenda

Mayor Martinez referred to the remaining items on the Consent Agenda. Consent Agenda Items 3 - 13, with the exception of Item 8, were passed and approved by one vote as follows:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

3. Supply Agreement(s) for the purchase of supplies for the manufacturing and installation of traffic signs (Requires 2/3 vote)

Motion approving supply agreement(s) with the following companies in the following amounts for traffic sign blanks, sheeting/roll goods, and traffic sign posts/anchors in accordance with Bid Invitation No. BI-0240-14, based on lowest responsible bidder, for an estimated annual expenditure of \$201,523.65. The terms of the agreements shall be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the suppliers and the City Manager or designee. Funds have been budgeted by Streets Department in FY 2014- 2015.

Custom Products Corp. Vulcan Signs 3M Company

<u>Jackson, Mississippi</u>	<u>Foley, Alabama</u>	<u>St. Paul, Minnesota</u>
Group I	Group II	Group III
\$42,114.00	\$38,530.75	\$53,110.40

Centerline Supply LLC
San Antonio, Texas
 Group IV
 \$67,768.50

Total: \$201,523.65

This Motion was passed on the Consent Agenda.

Enactment No: M2014-143

4. Approving agreement for temporary tax abatement for the development located in the 900 block of North Water Street (Requires 2/3 vote)

Resolution authorizing the execution of an agreement with Prosperity Bank providing for temporary property tax abatement.

This Resolution was passed on the Consent Agenda.

Enactment No: 030310

5. Second Reading Ordinance - Appropriating Funds for and awarding the purchase and installation of two (2) 911 workstations (Requires 2/3 vote) (1st Reading 10/14/14)

Ordinance appropriating \$335,866.17 from the Unreserved Fund Balance into the No. 5210 Municipal Information System Fund for the purchase and installation of two (2) 911 workstations; changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing expenditures by \$335,866.17 in the No. 5210 Municipal Information System Fund; and approving the purchase and installation of two (2) workstations from Intrado System Corporation for \$335,866.17 based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments.

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

Enactment No: 030311

6. Second Reading Ordinance - Appropriating funds for and awarding the purchase of two (2) Peterbilt trucks (Requires 2/3 vote)(1st Reading 10/14/14)

Ordinance appropriating \$437,530 from the Unreserved Fund Balance into the No. 4200 Wastewater Fund for the purchase of two (2) trucks; changing the FY 2014-2015 Operating Budget adopted by Ordinance

No. 030294 by increasing expenditures by \$437,530 in the No. 4200 Wastewater Fund; and approving the purchase of two (2) trucks from Rush Truck Center of Texas for \$437,530 based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments.

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

Enactment No: 030312

7. Second Reading Ordinance - Appropriating funds for and awarding the purchase of twenty-three (23) round bottom containers (Requires 2/3 vote)(1st Reading 10/14/14)

Ordinance appropriating \$164,149 from the Unreserved Fund Balance into the No. 4200 Wastewater Fund for the purchase of 23 containers; changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing expenditures by \$164,149 in the No. 4200 Wastewater Fund; and approving the purchase of 23 containers from Wastequip, Beeville, Texas, for \$164,149 based on the cooperative purchasing agreement with the National Joint Powers Alliance.

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

Enactment No: 030313

9. Second Reading Ordinance - Accepting and appropriating State grant for Law Enforcement Terrorism Prevention Activities (LETPA) (Requires 2/3 vote)(1st Reading 10/14/14)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency in the amount of \$73,235.00 for FY 2014 Homeland Security Grant Program, State Homeland Security Program Law Enforcement Terrorism Prevention Activity; and appropriating \$73,235.00 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency, FY 2014 Homeland Security Grant Program, State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out law enforcement terrorism prevention and protection-oriented activities such as planning, organization, training, exercises, and purchase needed equipment

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

Enactment No: 030315

10. Second Reading Ordinance - Accepting and appropriating State grant for homeland security projects (Requires 2/3 vote)(1st Reading 10/14/14)

Ordinance authorizing the Mayor or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency in the amount of \$161,165.00 for FY 2014 Homeland Security Grant Program, State Homeland Security Program; and appropriating \$161,165.00 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency, FY 2014 Homeland Security Grant Program, State Homeland Security Program, into the No. 1062 Fire Grants Fund to carry out homeland security projects that will significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities

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

Enactment No: 030316

11. Second Reading Ordinance - Accepting and appropriating grant for Emergency Medical Services (EMS) supplies (Requires 2/3 vote)(1st Reading 10/14/14)

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$2,961.57 to be used for the purchase of supplies to support the delivery of emergency medical services for the Corpus Christi Fire Department; and appropriating \$2,961.57 from the Coastal Bend Regional Advisory Council into the No. 1056 Ambulance Grant Fund to purchase supplies to support the delivery of emergency medical services for the Corpus Christi Fire Department

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

Enactment No: 030317

12. Second Reading Ordinance - Approving and appropriating funds for an engineering design contract for Choke Canyon Dam Spillway Gate Rehabilitation (Requires 2/3 vote)(1st Reading 10/14/14)

Ordinance approving and appropriating a transfer of \$4,300,000 from the Unreserved Fund Balance in No. 4050 Choke Canyon Fund Account No. 251400 Reserve for Choke Canyon Maintenance into Water CIP Fund 4080 for Project No. E14043 Choke Canyon Dam Spillway Gate Rehabilitation; amending the FY2014-2015 Operating Budget adopted by Ordinance No. 030294 to increase expenditures in the amount of \$4,300,000; and authorizing the City Manager or designee to execute the engineering contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$381,220 for the Choke Canyon Dam Spillway Gate Rehabilitation for design, bid, and construction phase services.

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

Enactment No: 030318

**13. Second Reading Ordinance - Type A Grant for Conexia Inc
(Requires 2/3 vote)(1st Reading 10/14/14)**

Ordinance approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Conexia Inc ("Conexia") to provide a grant of up to \$160,000, for the creation of jobs and authorizing the City Manager, or designee, to execute a Business Incentive Project Service Agreement with the Type A Corporation regarding implementation and administration of the Conexia Business Incentive Agreement for the creation of jobs; and appropriating \$160,000 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for said business incentive grant from the Type A Corporation to Conexia; and changing the FY 2014-2015 operating budget, adopted by Ordinance No. 030294, by increasing proposed expenditures by \$160,000.

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

Enactment No: 030319

M. PUBLIC HEARINGS: (NONE)

N. REGULAR AGENDA: (ITEM 14)

14. Adopting the State Legislative Agenda for the 84th Texas Legislature

Resolution Adopting the City of Corpus Christi's State Legislative Agenda for the 84th Texas Legislature.

Mayor Martinez referred to Item 14. Director of Intergovernmental Relations Tom Tagliabue stated that last week, several items were presented for the upcoming 84th Regular Session of the Texas Legislature. Mr. Tagliabue provided a revised resolution incorporating the changes discussed. Mr. Tagliabue stated that if the Council approves the amended resolution today, the City's Priority Legislative Agenda will include nine (9) items, the Actively Support category will include 10 items, and the Endorse category will include 10 items. Mr. Tagliabue added that he expects that there will be additional items in the future. Council Member McIntyre made a motion to amend the resolution, seconded by Council Member Garza and passed unanimously. There was no comments from the public. This Resolution was passed as amended and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030320

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

15. First Reading Ordinance - Appropriating funds to refund wastewater lot/acreage fees paid for property located on the north side of Graham Road between Flour Bluff Road and Waldron Road (Requires 2/3 vote)

Ordinance appropriating \$3,956.06 from the No. 4220 Wastewater Trunk System Trust Fund to refund Pedro S. Bazan and Sarangelica Bazan the wastewater lot/acreage fee paid since wastewater services are not available nor will it be available within the next 5 years as related to Oak Terrace Unit 2, Block 4, Lot 9A.

Mayor Martinez referred to item 15. Director of Development Services Dan Grimsbo stated that the purpose of this item is to appropriate \$3,956.06 from the Wastewater Trunk System fund to refund Pedro S. Bazan and Sarangelica Bazan for wastewater lot/acreage fees paid since wastewater services are not available nor will be available within the next five (5) years. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030321

16. First Reading Ordinance - Approving a waterline reimbursement agreement and appropriating funds for property located along the south side of Saratoga Boulevard (SH 357), east of Airline Road, and west of Rodd Field Road (Requires 2/3 vote)

Ordinance authorizing execution of a distribution main extension construction and reimbursement agreement ("Agreement") with The Icon at Corpus Christi, Limited Partnership, ("Developer"), for the construction of a distribution waterline and appropriating \$60,193.60 from the No. 4030 Water Distribution Main Trust Fund to reimburse the developer in accordance with the agreement

Mayor Martinez referred to Item 16. Director of Development Services Dan Grimsbo stated that the purpose of this item is to authorize the execution of a distribution main extension construction and reimbursement agreement with The Icon at Corpus Christi, Limited Partnership, for the construction of a distribution waterline and appropriating \$60,193.60 to reimburse the developer.

There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030322

17. First Reading Ordinance - Approving a participation agreement for the City's share of the cost to extend North Oso Parkway (Requires 2/3 vote)

Ordinance authorizing the City Manager to execute a developer participation agreement with Palm Land Investment, Inc., ("Developer"), to reimburse the Developer up to \$277,894.42 for the City's share of the cost to extend North Oso Parkway, in accordance with the Unified Development Code.

Mayor Martinez referred to item 17. Director of Development Services Dan Grimsbo stated that the purpose of this item is to approve the execution of a developer participation agreement with Palm Land Investment, Inc. to reimburse \$277,894.42 for the City's share of the cost to extend North Oso Parkway. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030323

F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. 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 have a petition or other information pertaining to your subject, please present it to the City Secretary.

Mayor Martinez deviated from the agenda and called for comments from the public. John Kelley, on behalf of Neighborhoods First, read information regarding the government regulating windfarms and stated that the Council has not provided information to the contrary. Mr. Kelley said the resolution passed does not put any limits on the fund and he feels that the passage of that resolution was a violation of the Open Meetings Act because its content was not provided to the public. City Attorney Risley stated that the item was posted on the October 14th agenda as Item 11. (Note: City Attorney Risley provided a response after the discussion on Item 21.) Abel Alonzo said the City

Council's vote to support the southside annexation was based on the concern for the safety for the whole city and spoke in opposition to citizens making allegations. Gerald Sansing, on behalf of the Corpus Christi Taxpayers' Association and the Clean Economy Coalition, asked the Council not to support the annexation of another 40 square miles of property. Louise Chapman spoke in opposition to annexation and said the City is not going to grow within the lifespan of the proposed windfarm. Ms. Chapman asked why the City Council annexed the property and declared the intent to annex additional property. Jack Gordy spoke in opposition to the annexation and asked the Council to reconsider the annexation. David Owen spoke in opposition to the annexation and asked why the Council did not table the vote until further information could be gathered to make a more informed decision. James (Jimmy) F. Dodson stated that he believes the City's annexation, development and planning process needs to be predictable, fair and cautious about violating private property rights. Mr. Dodson expressed concern regarding the discharge of firearms, hunting, and drainage. Mr. Dodson also complimented the Development Services Department. John Gwen spoke regarding the annexation and said the windfarm will not affect the growth of Corpus Christi and raised concerns regarding the use of cellphones, discharge of firearms, drainage issues, and whether City Codes will affect building equipment shed. City Attorney Risley clarified since the property is annexed after 1981, the Texas Local Government Code states that a tract more than 10 acres cannot be regulated for shotguns, air rifles or pistols being discharged and on a tract of more than 50 acres, the City cannot regulate center fire or rim fire rifles. Diane Vandemark spoke regarding the annexation and the announcement that the Council plans to annex additional land in a second phase. Ms. Vandemark said the City did not notify the property owners prior to the annexation process. Carrie Robertson Meyer stated that the Council should have tabled the annexation discussion and asked the Council to reconsider the annexation and to not annex additional property.

FIRST READING ORDINANCES: (ITEMS 18 - 19)

18. First Reading Ordinance - Appropriating Federal grant to rehabilitate and construct taxiways at the airport (Requires 2/3 vote)

Ordinance appropriating \$5,000,000 from the Federal Aviation Administration Grant No. 3-48-0051-052-2014 in the No. 3020 Airport Capital Improvement Fund to rehabilitate Taxiways D, E, F, and G and construct Taxiways H and J at Corpus Christi International Airport; changing the FY 2014-2015 capital budget adopted by Ordinance No. 030303 by increasing revenues and expenditures by \$5,000,000 each.

Mayor Martinez referred to Item 18. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate funding for airport projects under Federal Aviation Administration Grant No. 52 in the amount of \$5,000,000 to rehabilitate the taxiway systems associated with Runway 13/31. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030324

19. First Reading Ordinance - Approving the Texas State Aquarium Lease-Purchase Agreement (Requires 2/3 vote)

Ordinance authorizing the City Manager, or his designee, to execute a Lease-Purchase and Operating agreement including option to purchase with Texas State Aquarium Association ("TSAA") covering lots A-1, A-3, B, C and D, of the Texas State Aquarium Subdivision, together with leasehold rights for the adjacent parking areas; in consideration of TSAA maintaining the premises and improvements, operating a public aquarium and related facilities, TSAA's payments on debt service on the 1996 \$4.4 million combination tax and revenue certificates of obligation, and TSA's \$45 million dollar expansion of the aquarium facility; providing for severance; and providing for publication.

Mayor Martinez referred to Item 19. Assistant City Manager Wes Pierson stated that the purpose of this item is to approve a lease-purchase agreement with the Texas State Aquarium Association. Mr. Pierson provided a brief overview of the Texas State Aquarium's investment, the expansion of the current building by 65,000 square feet; the lease purchase terms; the additional provisions; and the process and timeline. Mayor Martinez called for comments from the public. Abel Alonzo stated that the Texas State Aquarium has an enormous impact on the City and this item is a great example of private/public partnership. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Mayor Martinez, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

P. FUTURE AGENDA ITEMS: (NONE)

Q. BRIEFINGS TO CITY COUNCIL: (ITEMS 20 - 22)

20. Corpus Christi Regional Economic Development Corporation Update

Mayor Martinez referred to Item 20. Interim Director of the Corpus Christi Regional Economic Development Corporation (CCREDC) John LaRue presented the quarterly update for the CCREDC which included information on employment by sector; an activity update for business attraction and existing industry; information on agricultural workers. Mr. LaRue provided an update

on the search for the new CCREDC Director. Council members spoke regarding the following topics: the second phase of TPCO being larger than the first phase; the great team at the CCREDC; and whether falling oil prices are affecting new business leads in our economy.

21. Texas Department of Transportation (TxDOT) Projects

Mayor Martinez referred to Item 21. Interim Executive Director of Public Works Valerie Gray stated that the purpose of this item is to provide an update on the Texas Department of Transportation's (TxDOT) yearly projects. Lonnie J. Gregorcyk referred to a powerpoint presentation including an overview of the design-build and design projects under construction; resurfacing projects; and updates on the following projects: SH 44 grade separation, FM 2444 - Staples Street, FM 43 - Weber Road, SH 361, SH 286; I 69/US 77 projects; US 181 Harbor Bridge; and the SH 358 ramp reversal - Phase II.

Council members spoke regarding the following topics: the cost and anticipated completion dates for the Crosstown extension, the South Staples expansion and the Weber extension; the southside grid projects; lighting features on the new Harbor Bridge; the "Lights on for Safety" concept on SH 361; the design-build for the Harbor Bridge; the extension of the turn lanes on Park Road 22; the signal light on Oso Parkway at FM 2444; the impact of the ramp reversal on the northside of SH 361 and whether the land has been acquired for the southside; a citizen concern regarding a piece of rebar on Nueces Bay Boulevard; whether there is consideration for ramp reversals between Baldwin and 19th Streets, Baldwin and Port Streets, and Port and Horne Streets off SH 286; the next opportunity for funding; and the improved mowing on Crosstown.

(Note: There was a brief recess during this item for a fire alarm.)

Mayor Martinez asked City Attorney Risley to provide clarity on the concern brought up during public comment regarding the legality of the vote on Item 11 from the October 14th meeting regarding annexation. City Attorney Risley stated that the citizen's concern was that the funding resolution was not properly posted. City Attorney Risley reported that he has verified and reviewed Item 11 through Legistar, and it appears that Item 11 was properly posted and included in the agenda report and the resolution. Mr. Risley stated that there was not a Texas Open Meetings violation as was alleged.

The Council took a recess until 2:17 p.m.

22. Street Preventative Maintenance Plan Year 1 Update & Street Preventative Maintenance Plan Year 2 - Work Plan

Mayor Martinez referred to Item 22. Interim Executive Director of Public Works Valerie Gray stated that the purpose of this item is to provide an update on the street preventative maintenance program for Year 1 and a review of the work plan for Year 2. Ms. Gray referred to a powerpoint presentation including a status of the Year 1 overlays and seal coats; a map of the Year 1 locations; information learned from Year 1; a series of pictures reflecting the overlay and seal coat improvements for arterial, collector and residential/local streets; the street selection criteria presented for Year 1; the target requirements and comparison work plan distribution for Year 2; a map of the Year 2 locations; and the projected schedule for Year 2. Ms. Gray stated that the item also

included a list of the Year 2 work plan by Council district, alphabetical street listing and alternative streets.

Council Member Magill stated, for the record, that Swantner Street is in the work plan and is the first road for the Lindale area to have an overlay or seal coat.

R. LEGISLATIVE UPDATE

None.

S. ADJOURNMENT

The meeting was adjourned at 2:28 p.m.