



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, December 20, 2016

2:00 PM

Council Chambers

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

**MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 5:30 P.M. ON CITY-RELATED MATTERS THAT ARE NOT SCHEDULED ON THE AGENDA. PUBLIC COMMENT ON AGENDA ACTION ITEMS WILL BE HEARD AT THE TIME THE COUNCIL CONSIDERS THE AGENDA ITEM. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.**

- A. Mayor Dan McQueen to call the meeting to order.**

Mayor McQueen called the meeting to order.

- B. Invocation to be given by Elder Henry Williams, Corpus Christi Christian Fellowship.**

Elder Henry Williams gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Billy Delgado, Emergency Management Coordinator / Fire Department.**

Emergency Management Coordinator Billy Delgado led the Pledge of Allegiance.

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

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

Charter Officers:

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

Rebecca Huerta.

City Secretary Huerta made the public aware of the revised public comment policies for addressing the City Council.

**Present:** 9 - Mayor Dan McQueen, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Joe McComb, Council Member Ben Molina, Council Member Lucy Rubio, Council Member Greg Smith, and Council Member Carolyn Vaughn

**E. Proclamations / Commendations - (NONE)**

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

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

**a. OTHER**

1) City Manager Rose thanked the city departments and staff that played a role in helping the City through its recent water crisis. City Manager Rose stated that during the briefing on Agenda Item 37, she will take the opportunity to thank all of the volunteers and individuals that were involved. 2) City Manager Rose recognized Water Utilities Engineering Associate Federico "Fred" Pena for receiving an award from Toastmaster International reaching the level of Distinguished Toastmaster.

**G. MINUTES:**

**1. Special and Regular Meetings of December 13, 2016.**

Mayor McQueen referred to approval of the minutes. A motion was made by Council Member Garza, seconded by Council Member Rubio, that the Minutes be approved. The motion carried by a unanimous vote.

**H. BOARD & COMMITTEE APPOINTMENTS:**

**2. Coastal Bend Council of Governments  
North Padre Island Development Corporation  
Reinvestment Zone No.2 Board  
Reinvestment Zone No.3 Board**

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

Coastal Bend Council of Governments

Council Member Smith made a motion to appoint Rudy Garza, Greg Smith, and Ben Molina, seconded by Council Member Rubio and passed unanimously.

North Padre Island Development Corporation

Mayor McQueen made a motion to appoint Ben Molina, Joe McComb, Paulette Guajardo, Greg Smith, and Dan McQueen and to reappoint Lucy Rubio, seconded by Council Member Smith and passed unanimously.

#### Reinvestment Zone No. 2 Board

Mayor McQueen made a motion to appoint Greg Smith, Joe McComb, Ben Molina, and Paulette Guajardo, seconded by Council Member McComb and passed unanimously.

Council Member Hunter made a motion to appoint Dan McQueen, seconded by Council Member Smith and passed unanimously.

Council Member Rubio made a motion to appoint Council Member Vaughn as Chair for a one-year term beginning 1-1-17, seconded by Council Member Smith and passed unanimously. (Note: The appointment of Chair was reconsidered later in the meeting.)

#### Reinvestment Zone No. 3 Board

Mayor McQueen made a motion to appoint Greg Smith, Joe McComb, Dan McQueen, Ben Molina, and Paulette Guajardo, seconded by Council Member Hunter and passed unanimously.

Council Member McComb made a motion to appoint Paulette Guajardo as Chair for a one-year term beginning 1-1-17, seconded by Council Member Garza and passed unanimously. (Note: The appointment of Chair was reconsidered later in the meeting.)

### **I. EXPLANATION OF COUNCIL ACTION:**

Mayor McQueen referred to Item 1, Explanation of Council Action. City Secretary Huerta stated that one of the council members would like to make a motion to reconsider an item that took place on December 13, 2016, Item 17 related to the Residential Reconstruction Test Projects. Council Member McComb referred to the motion of direction to the City Manager to bid the test projects in both concrete and asphalt. Council Member McComb referred to today's Agenda Item 13, regarding Tulozo Road, and the cost differential between asphalt and concrete.

Council members and Director of Engineering Services Jeff Edmonds discussed the following topics: the higher cost for the use of concrete; the ordinance adopted regarding new street design standards for a 30-year life cycle; punitive damages on a 30-year life cycle; the one year warranty for materials and workmanship; a more competitive bidding process for bidding projects for both concrete and asphalt; the reconstruction test project already scoped to have a concrete alternative; whether repairs can be made with concrete on top of an asphalt section; whether the cost differential on the Tulozo Road project was due to the oversized storm water drain; bidding in concrete for the repair test project not be advantageous to the City; future planning on materials and what is cost-effective; and future consideration for the City to have a processing plant for road building materials.

**MOTION TO RECONSIDER**

Council Member McComb made a motion to reconsider the motion of direction for Item No. 17 on the December 13, 2016 agenda, seconded by Council Member Vaughn. This motion to reconsider was passed and approved with the following vote: McQueen, Guajardo, Hunter, McComb, Molina, Smith, Vaughn, and Garza, voting "Aye"; Rubio voting "No".

**MOTION OF DIRECTION**

Council Member McComb made a motion directing the City Manager to bid reconstruction projects in both concrete and asphalt, not repair projects, seconded by Council Member Smith and passed unanimously.

**J. CONSENT AGENDA: (ITEMS 3 - 26)****Approval of the Consent Agenda**

Mayor McQueen referred to the Consent Agenda. Council members requested that Items 8, 12, 13, 15, 16, 17, 18 be pulled for individual consideration. City Manager Rose requested that Item 26 be pulled for individual consideration.

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

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

Motion appointing Council Members Dan McQueen, Michael T. Hunter, Joe McComb, Paulette Guajardo, Carolyn Vaughn, Ben Molina, Lucy Rubio, Greg Smith, and Rudy Garza as Board Members to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2016-162

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

Motion appointing Council Members Dan McQueen, Michael T. Hunter, Joe McComb, Paulette Guajardo, Carolyn Vaughn, Ben Molina, Lucy Rubio, Greg Smith, and Rudy Garza as Board Members to the Coastal Bend Health Facilities Development Corporation and

the Coastal Bend Cultural Education Facilities Finance Corporation.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2016-163

**5. Approval of an antenna space Lease Agreement for rooftop space for Public Safety Radio Communications System**

Motion authorizing the City Manager or designee to renew a Lease Agreement with One Shoreline Plaza, LLC, for ten years with an optional extended term of ten years and approving monthly lease payments of \$13,040 per month with annual rent increase of 3% for rooftop space and equipment room necessary to support the Public Safety Communications System.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2016-164

**6. Resolution authorizing an Interlocal Agreement with Department of Health Services (DSHS) for analysis of bay water samples and ratifying acceptance of agreement to begin September 1, 2016**

Resolution authorizing the City Manager or designee to execute an Interlocal Cooperation Agreement with the Department of State Health Services (DSHS), in an amount not to exceed \$56,000.00, to provide laboratory services for the analysis of bay water samples for the contract period of September 1, 2016, through August 31, 2018; and to ratify acceptance of the agreement to begin as of September 1, 2016.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 031016

**7. Resolution approving Service Agreements for mowing and ground maintenance for various parks and all Wastewater plants across the City**

Resolution finding the lowest responsive, responsible bidder for ground maintenance services by group in response to Bid Nos. 138, 139, 140, 141, 142, 143, 144, 145, and 146; awarding a one-year service agreement, with two one-year renewals, to the lowest responsible bidder per bid number; and authorizing the City Manager or designee to execute the service agreements.

Cut Masters Lawn Service  
Corpus Christi, Texas  
Group 1, 11, 12, 13, 14, 16

Dorame General Repair  
Corpus Christi, Texas  
Group 9, 10, 15

\$167,349.66

\$66,172.04

Grand Total \$233,521.70

**This Resolution was passed on the Consent Agenda.**

Enactment No: 031017

**9. Resolution approving Type A Grant for Del Mar College Internship Program**

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide grant up to \$150,000 for their internship program to assist small businesses.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 031019

**10. Resolution approving Type A Grant for Del Mar Procurement Technical Assistance Center (PTAC) Program**

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide a grant up to \$48,490 for their Procurement Technical Assistance Center (PTAC) to assist small businesses.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 031020

**11. Resolution adopting Amended Type A Business Incentive Guidelines**

Resolution adopting Amended Corpus Christi Business and Job Development Corporation Guidelines and Criteria for Granting Business Incentives.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 031021

**14. Engineering Construction Contract for North Padre Island Beach Access Road 3A (Bond 2014, Proposition 2)**

Motion authorizing the City Manager, or designee, to execute a construction contract with JE Construction Services of Corpus Christi, Texas in the amount of \$340,389.04 for North Padre Island Beach Access Road 3A for total base bid and additive alternate No.1. (Bond

2014, Proposition 2)

**This Motion was passed on the Consent Agenda.**

Enactment No: M2016-167

**19. Appointment of Financial Advisor for Issuance of Utility System Revenue Refunding Bonds to be purchased by the Texas Water Development Board**

Motion authorizing the appointment of and approving the contract for M. E. Allison, & Co., as Financial Advisor for the issuance of the "City of Corpus Christi, Texas Utility System Junior Lien Revenue Refunding Bonds, Series 2017", in an amount not to exceed \$51,300,000.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2016-171

**20. Resolution to submit application for Financial Assistance from the Texas Water Development Board for refunding expenses incurred from improvements to the City's Utility System**

Resolution requesting financial assistance from the Texas Water Development Board for the refunding of City obligations previously issued to pay certain costs of designing and constructing improvements to the City's Utility System; authorizing City staff and consultants to coordinate the submission of the application to the Texas Water Development Board for funding from its Drinking Water State Revolving Fund; and other matters in connection therewith.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 031023

**21. Second Reading Ordinance - Substantial Amendment to the FY2015-2016 Consolidated Annual Action Plan (1st Reading 12/13/16)**

Ordinance amending the fiscal year (FY) 2015-2016 Consolidated Annual Action Plan (CAAP), previously adopted by Ordinance Number 030544, for the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs; to authorize the City Manager or designee to execute and submit all necessary documents with the U.S. Department of Housing and Urban Development (HUD) for the following Substantial Amendment to the FY2015-2016 CAAP: 1. Cancellation of a Fy 15 Community Development Block Grant (CDBG) project; 2. Addition of a CDBG project; and 3. Addition of an Emergency Solutions Grant (ESG) project; and further to authorize the City Manager or designee to execute funding agreements and all other

documents necessary to implement the Substantial Amendment to the FY2015-2016 CAAP with organizations for approved projects.

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

Enactment No: 031024

**22. Second Reading Ordinance - Rezoning for property located at 2310, 2314, 2316, 2318 Dempsey Street (1st Reading 12/13/16)**

Case No. 1116-01 Scott Electric Co.: A change of zoning from the "RS-6" Single-Family 6 District and "RS-6/SP" Single-Family 6 District with a Special Permit to the "IL" Light Industrial District. The property to be rezoned is described as four lots composed of Shoreline Park, Block 8, consisting of Southeast 40' of Lot 9; Northwest 10' of Lot 9, all of Lot 10, and Southeast 20' of Lot 11; West 30' of Lot 11 and East 10' of Lot 12; West 43.75' of Lot 12; located on Dempsey Street between Lexington Avenue and North Port Avenue.

Planning Commission and Staff Recommendation (November 2, 2016):

Denial of the change of zoning from the "RS-6" Single-Family 6 District and "RS-6/SP" Single-Family 6 District with a Special Permit to the "IL" Light Industrial District, and in lieu thereof, staff recommends extending the "RS-6/SP" Single-Family 6 District with a Special Permit to all four lots subject to special conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Scott Electric Co. ("Owner"), by changing the UDC Zoning Map in reference to a 0.5847 acre tract of land composed of four lots in Shoreline Park, Block 8, Southeast 40' of Lot 9; Northwest 10' of Lot 9, all of Lot 10, and Southeast 20' of Lot 11; West 30' of Lot 11 and East 10' of Lot 12; West 43.75' of Lot 12; from the "RS-6" Single-Family 6 District and "RS-6/SP" Single-Family 6 District with a Special Permit to the "RS-6/SP" Single-Family 6 District with a Special Permit for all four lots; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Note: City Secretary Huerta announced that Council Member Molina was abstaining from the vote on this item during the reconsideration of Item 2.**

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

**Aye:** 8 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 1 - Council Member Molina

Enactment No: 031025

**23. Second Reading Ordinance - Accepting and appropriating the Nutrition Services Section/Women, Infants and Children (WIC) grant and ratifying acceptance to begin October 1, 2016 (1st Reading 12/13/16)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Women, Infant and Children's Nutrition Program (WIC) grant in the amount of \$1,012,631.00, from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to provide funds for the WIC program for the contract period October 1, 2016, through September 30, 2017; and ratifying acceptance of the grant agreement to begin October 1, 2016.

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

Enactment No: 031026

**24. Second Reading Ordinance - Lease Agreement for hangar, office and parking space at Corpus Christi International Airport (CCIA) (1st Reading 12/13/16)**

Ordinance authorizing the City Manager or designee to execute a lease agreement with Driscoll Children's Hospital for hangar, office and parking space at the Corpus Christi International Airport for a lease term of three years, with an option to renew for two additional one-year periods.

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

Enactment No: 031027

**25. Second Reading Ordinance - Adjusting Water rates for Public Agency Customers (1st Reading 12/13/16)**

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, Utilities, Section 55-50 (a)(2)e regarding Resale Treated Water Rates and Section 55-50 (b) regarding debt service component of raw water cost adjustment; providing for publication and effective date of January 1, 2017.

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

Enactment No: 031028

**8. Resolution approving Type A Grant for Texas A&M University - Corpus Christi (TAMU-CC) Internship Program**

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and

Texas A&M University - Corpus Christi (TAMU-CC) to provide grant up to \$150,000 for their internship program to assist small businesses.

**Mayor McQueen referred to Item 8. Iain Vasey, Corpus Christi Regional Economic Development Corporation, stated that the purpose of this item is to award a Type A grant for Texas A&M University's internship program. In response to a council member, Mr. Vasey clarified that the term of the agreement is twelve months.**

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: 031018

## 12.

### **Approval of a Supply Agreement for purchasing Water Meters**

Motion approving a supply agreement with Neptune Technology Group, Inc., of Houston, Texas for water meters for a total amount of \$743,691.19, of which \$557,769 has been budgeted in the Water Fund for FY2016-17, and which award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council for a term of one year with an option to extend for up to one additional eight-month period.

**Mayor McQueen referred to Item 12. Interim Director of Utilities Dan Grimsbo stated that the purpose of this item is to approve the purchase of Neptune Water Meters.**

**Council members and staff spoke regarding the following topics: whether staff solicited the best company for this project; the purchase and installation of the meters; the life of the meters; savings to the City; tracking and monitoring of the meters; the meter's components; the number of meters to be installed and purchased with approval of this item; exploring the option of using alternate private companies for the purchase of meters; the use of sole source; replenishment of the current meters; the annual cost of meters; comparison of the cost from the different private sector companies; the bidding process and award based on the cooperative purchasing agreement with the Houston-Galveston Area Council; the master plan for the entire water system; the cost to replace the entire meter system; looking forward to newer technology; the types of meters; providing a memo to City Council to show the amount of money saved by using the automated meter reader (AMR) system in comparison to the previous manual practice; and whether the savings is a pass through to the customers and a future presentation on the cost variables.**

**Mayor McQueen called for comments from the public. Chad Magill, 641 Texas Avenue, spoke in support of the purchase and looking ahead to newer technology and equipment.**

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: M2016-165

**13. Engineering Construction Contract for Tuloso Road from Leopard Street to IH 37 (Rebid) (Bond 2012, Proposition 1)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Bay, LTD. of Corpus Christi, Texas in the amount of \$2,181,527.42 for Tuloso Road from Leopard Street to IH 37 Re-bid for the total base bid. (Bond 2012, Proposition 1)

**Mayor McQueen referred to Item 13, a construction contract for Tuloso Road from Leopard Street to IH 37. Council members spoke regarding the following topics: consideration of signs indicating a load weight limit or no heavy trucks in the neighborhood; construction of the road using asphalt; and a plan to evaluate the City's ordinances regarding vehicle weight restrictions throughout the City.**

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: M2016-166

**15. Engineering Construction and Design Amendment Contracts for O.N. Stevens Water Treatment Plant Intermediate Sludge Removal Phase 1 (Capital Improvement Program)**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the engineering design contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$91,480 for a total restated fee of \$186,947 for the O.N. Stevens Water Treatment Plant Intermediate Sludge Removal Phase I for design, bid and construction phase services. The motion also authorizes execution of a construction contract with American Process Group, Inc. of Tacoma, Washington in the amount of \$3,750,000 for the Base Year with an additional

\$3,750,000 Option Year for a total not to exceed amount of \$7,500,000 for the O.N. Stevens Water Treatment Plant Intermediate Sludge Removal Phase I. (Capital Improvement Program)

Mayor McQueen referred to Item 15. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to execute an engineering contract amendment for the O.N. Stevens Water Treatment Plant Intermediate Sludge Removal Phase 1.

Mayor McQueen called for comments from the public. Andy McNeil, Denali Water Solutions, recommended an alternate solution for sludge removal and presented the following information: an introduction to the company; the City's current situation regarding water treatment plant sludge; Option One: dewatering; Option Two: land application; sludge disposal options; and pricing for land application. Dr. James Mobly, Health Authority for San Patricio County, stated that the City is 100% responsible in perpetuity for generated waste and could be liable if an issue arises with land application. Sharon Ray spoke regarding the water problems in the City.

Council members discussed the following topics: utilization of the material by Solid Waste as alternate daily cover; whether there are additional costs associated with land application versus use of the landfill; the benefits of land application; the options considered as part of the original request for proposal (RFP); the specifications in the RFP; whether Denali would be able to mobilize in the same amount of time as stipulated in the original RFP; water treatment residual; the last time the City dug the sludge from the O.N. Stevens Water Treatment Plant; the total number of yards that can be removed; the cost comparison between the recommended contractor, American Process Group, Inc. and Denali Water Solutions, LLC on the dewatering bid; concerns that the alternate solution would increase costs because it does not meet the bid requirements; the shortage of soil at the Cefe Valenzuela Landfill; the timeframe for the bidding process; the risks associated with delaying the project; moving forward with an RFP in January for the alternate solution; the integrity of the bidding process; the storage capacity at the Cefe Valenzuela Landfill; whether there is a value option in the contract; whether the bid represents an unbalanced bid; the number of lagoons that need sludge removal; the cost associated with rebidding the project; permitting with the Texas Commission on Environmental Quality (TCEQ);

Council Member Rubio made a motion to approve Item 15 and come back with a new RFP in January to include dewatering and land applications, seconded by Council Member Vaughn. This Motion was passed and approved with the following vote:

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: M2016-168

Mayor McQueen called for a brief recess at 4:27 p.m. The Council returned

from the recess at 4:45 p.m.

**16. Change order for additional Professional Services in support of Infor Public Sector (IPS) - Utility Billing Project**

Motion authorizing the City Manager, or designee, to execute a change order to the original scope of work in support of the implementation of the Infor Public Sector (IPS) for Utility Billing in the amount of \$275,000.

**Mayor McQueen referred to Item 16. Director of Information Technology Belinda Mercado stated that the purpose of this item is to execute a change order for the Infor Public Sector (IPS) Utility Billing Project. Council members spoke regarding the following topics: implementation not being included in the original scope of work; the utility billing component; the services included in the original scope; the change order including consulting services; concern with the project costing \$8 million and not including training; the requirements and responsibility related to software design; and future mitigation of program changes.**

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: M2016-169

**17. Service Agreement for the Comprehensive Annual Financial Report (CAFR) and Budget Book Software and Implementation**

Motion authorizing the City Manager or designee to execute a five-year service agreement with Gray CPA Consulting, PC, of Magnolia, Texas, for the purchase and implementation of Comprehensive Annual Financial Report (CAFR) and Budget Book software licenses for a total amount of up to \$337,310, of which \$182,650 will be paid in Fiscal Year 2017, and providing for a contingency amount of up to \$10,000 each for the Finance Department and Budget Office related to this software procurement.

**Mayor McQueen referred to Item 17. Director of Financial Services Constance Sanchez stated that the purpose of this item is to execute a five-year service agreement with Gray CPA Consulting, PC for the purchase and implementation of the Comprehensive Annual Financial Report (CAFR) and Budget Book software licenses. Council members spoke regarding the following topics: the achievements expected in time and labor savings; the projected time savings costs; assurances that the proprietary software will not require future change orders for implementation; and whether the new Infor software offers a module for the CAFR.**

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: M2016-170

**18. Resolution approving the City's Investment Policy and Investment Strategies**

Resolution reaffirming the City of Corpus Christi's Investment Policy and Investment Strategies for Fiscal Year 2016-2017.

**Mayor McQueen referred to Item 18. Director of Financial Services Constance Sanchez stated that the purpose of this item is to approve the City's Investment Policy and Investment Strategies. There were no comments from the Council or the public.**

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: 031022

**26. Second Reading Ordinance - Approving Agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located east of Ennis Joslin Road, south of Holly Road, and north of Wooldridge Road (1st Reading 12/13/16)**

Ordinance authorizing City Manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, L.P. ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$7,324.00 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

**Mayor McQueen referred to Item 26. Interim Director of Development Services Julio Dimas stated that this item was pulled for individual consideration to**

inform the City Council of a typographical error in the contract which has been revised to read "Unit No. 2", not "Unit No. 5". There were no comments from the public.

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: 031029

**K. PUBLIC HEARINGS: (NONE)**

**L. REGULAR AGENDA: (ITEMS 27 - 29)**

**27. One-Reading Action Item - Resolution of support for 2019 Texas Recreation and Park Society (TRAPS) Annual Institute Bid with event to be held February 26, 2019 through March 1, 2019**

Resolution of the City of Corpus Christi, Texas dedicating resources to support the bid for the 2019 Texas Recreation and Park Society Institute and Expo.

**Mayor McQueen referred to Item 27. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to approve a resolution of support for City's bid for the 2019 Texas Recreation and Park Society (TRAPS) Institute and Expo proposed to be held February 26, 2019 through March 1, 2019. There were no comments from the Council or the public.**

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

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

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

Enactment No: 031030

**28. Emergency Ordinance - Approving the Intergovernmental Transfer (IGT) and appropriation of subsequent award for the Texas Medicaid Managed Care Initiative 1115 Waiver-Childhood Obesity Project**

Ordinance authorizing the advance of up to \$482,992.80 from the No. 1046 Health Medicaid Waiver Fund to the Texas Health and Human Services Commission (TXHHSC) and in turn the Centers for Medicare and Medicaid Services (CMS) for the City's local match for City projects under the Corpus Christi - Nueces County Public Health District's (CCNCPHD) 1115 Transformation Waiver; funds to be repaid from the CMS by January 31, 2017; Additionally, authorizing the City Manager, or designee, to execute all documents necessary to accept and appropriate the award fund upon receipt in the amount of approximately \$1,102,220.00 from CMS and the TXHHSC to implement a program to reduce and prevent obesity in children and adolescents for the period of October 1, 2015 through September 30, 2016; to ratify acceptance of the award fund to begin as of October 1, 2015; and declaring an emergency.

**Mayor McQueen referred to Item 28. Director of Public Health Annette Rodriguez stated that the purpose of this item is to approve the intergovernmental transfer (IGT) and appropriate funds for the Texas Medicaid Managed Care Initiative 1115 Waiver - Childhood Healthy Weight Obesity Project. There were no comments from the Council or the public.**

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: 031031

**29. Second Reading Ordinance - Street Closure for a portion of Airline Road, located south of Lipes Boulevard and north of President's Drive and west of Rodd Field Road (1st Reading 12/13/16)**

Ordinance closing, vacating, and abandoning a previously developed and surfaced 67,693-square foot (1.55 acres) portion of a public right-of-way, as shown on the recorded plat of Manhattan Estates Unit 6, a map of which is recorded in Volume 68, Pages 392 and 393, Map Records of Nueces County, Texas, and requiring the abutting owners to comply with specified conditions; and providing an effective date.

**Mayor McQueen referred to Item 29. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to abandon and vacate a portion of Airline Road. During the December 13, 2016 City Council meeting, the City Council asked questions regarding the value of the property on which the right-of-way is to be abandoned and whether the property could be sold. In**

researching the property, it was determined that the land was transferred and dedicated to the City as an easement. Since the City is choosing to abandon the property, it would have to be returned to the abutting owners and the City could not sell the property. The estimated value of the property is approximately \$500,000 and would be retained as an easement. There were no comments from the Council or the public.

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

**Aye:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: 031032

**M. FIRST READING ORDINANCES: (ITEMS 30 - 31)**

**30. First Reading Ordinance - Accepting and appropriating Regional Grant to support delivery of emergency medical services**

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$2,831; and appropriating \$2,831 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.

Mayor McQueen referred to Item 30. Deputy Fire Chief Richie Quintero stated that the purpose of this item is to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$2,831 to purchase supplies to support the delivery of emergency medical services.

Mayor McQueen called for comments from the public. Sharon Ray, 4130 Up River Road, spoke in support of the funding for the Fire Department.

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

**Abstained:** 0

**31. First Reading Ordinance - Accepting and appropriating a Helping Heroes grant for the Fire Department**

Ordinance authorizing the City Manager or designee to accept a grant from Koch Companies Public Sector, LLC 2016 Helping Heroes Grant Program in the amount of \$10,000.00 to be used to purchase a hydrofluoric acid monitor, a hazmat training simulator and a MagPatch system; and appropriating \$10,000.00 from Koch Companies Public Sector; LLC into the Fire Grant Fund No. 1062.

**Mayor McQueen referred to Item 31. Deputy Fire Chief Richie Quintero stated that the purpose of this item is to accept a grant from Flint Hills Resources and Koch Pipeline Company in the amount of \$10,000 from their 2016 Helping Heroes Grant Program to support the hazardous materials response unit with equipment and training. There were no comments from the Council or the public.**

**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:** 9 - Mayor McQueen, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

**N. FUTURE AGENDA ITEMS: (ITEMS 32 - 36)**

**Mayor McQueen referred to Future Agenda Items. City Manager Margie C. Rose stated that staff has planned presentations on Items 32 and 34.**

**32. Resolution Adopting the City of Corpus Christi's State Legislative Agenda for the 85th Texas Legislature and the Federal Legislative Agenda for the 115th U.S. Congress**

Resolution adopting the City of Corpus Christi's State Legislative Priorities for the 85th Texas Legislature and Federal Legislative Priorities for the 115th U.S. Congress.

**This Resolution was recommended to the regular agenda.**

**P. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 5:30 P.M A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. This Public Comment period is for items that are NOT on the Agenda. Your presentation will be limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak MUST be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.**

**Mayor McQueen deviated from the agenda and referred to comments from the public. Margareta Fratila, 3606 Tripoli, thanked the City Council for the team**

effort during the recent water issues. Ms. Fratila requested that the City Council place an ordinance on the agenda to remove the civil penalty for red light camera violations. Jack Gordy, 4118 Bray, spoke regarding the cost associated with the red light cameras and City Council Member's reporting their car allowance to the Nueces County Appraisal District. Ingrid Jordan, 4141 Mountain View, spoke regarding damages to her property and the water bills she has incurred. Mariah Boone, 710 Ponder, spoke regarding concerns due to the recent water issues and notification to citizens through the ReverseAlert system. Andrea Montalvo-Hamen, 7030 Wakeforest Drive, spoke regarding the impact the recent water issues had on businesses and families. Chris Phelan, 3806 Kingston, thanked the City Council for their work during the water crisis and distribution of water to the public. Mr. Phelan stated that the organization For the Greater Good would like the City to include community members in the investigation of the recent water issue. James Klein, 3501 Monterey, spoke on behalf of the Clean Economy Coalition of Corpus Christi and addressed transparency regarding the recent water crisis. Tamara Valdez, 2722 Sarita, spoke regarding the recent water crisis and the City's aging infrastructure. Gerald Sansing, 5426 Chevy Chase Drive, spoke regarding the recent water issues and banning the red light cameras. Sharon Ray, 4130 Up River Road, spoke regarding Valero not providing timely information to the City regarding the recent water issue; testing of the water supply; and water distribution. Joan Veith, 5701 Cain Drive, congratulated the City Council for their work during the recent water situation and thanked the City for supplying water. David Schweigert, 3617 Tanzanite Drive, thanked the City for the notification of the water issue and spoke regarding the closure of Airline Road from Lipes to Roddfield Road. Carolyn Moon, 4902 Calvin, thanked the City Council for their work during the recent water issue and requiring industry to place backflow preventers to prevent industrial water from entering the water system. Paul Hill, 8033 SPID, spoke regarding the City regulating industries and making sure that water is drinkable for citizens. Jennifer Espino, 1805 Amazon, spoke regarding the recent water issue and holding industry accountable. Dorothy Pena, 5906 Cinnamon Oaks, spoke on behalf of For the Greater Good and expressed concerns about organizations who wanted to volunteer to work with the City during the water crisis and the City developing a plan of action on arranging volunteer efforts. Julie Rogers, 1324 North Mesquite, spoke regarding the recent water issue and holding industry accountable.

**N. FUTURE AGENDA ITEMS: (ITEMS 32 - 36)**

Mayor McQueen returned to the Future Agenda Items. Staff provided a presentation on Item 34. Council members requested information on Items 35 and 36.

**33. Resolution authorizing the City Manager or designee to enter into an Outside City Limit Water Contract for property located at 6917 Jurica Road**

Resolution authorizing the City Manager or designee to enter into an outside city limits water contract with John C. Avila to provide public water to property located outside the city limits described as Robertson William J. Farm Tracts, 1 Acre out of Lot 5-A Tract 20; also commonly known by its street address as 6917 Jurica Road under Section

55-111, Code of Ordinances.

This Resolution was recommended to the consent agenda.

--34.

**Engineering Construction Contract for O.N. Stevens Water Treatment Plant Fluoride Feed System Improvements (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a construction contract with J.S. Haren Company of Athens, Tennessee in the amount of \$1,073,000 for the O.N. Stevens Water Treatment Plant Fluoride Feed System Improvements for the Total Base Bid, Additive Alternate No.1, and Allowance. (Capital Improvement Program)

This Motion was recommended to the regular agenda.

35.

**Engineering Construction Contract for Staples Street Pump Station Improvements (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Associated Construction Partners, Ltd. of Boerne, Texas in the amount of \$1,923,430 for the Staples Street Pump Station Improvements for the Total Base Bid. (Capital Improvement Program)

This Motion was recommended to the consent agenda.

36.

**Engineering Design Contract for Lift Station Repairs Citywide 2017-2018 (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute an engineering design contract with Urban Engineering of Corpus Christi, Texas in the amount of \$145,500 for the Lift Station Repairs Citywide 2017-2018 for design, bid and construction phase services. (Capital Improvement Program)

This Motion was recommended to the consent agenda.

**O. BRIEFINGS: (ITEM 37)**

37.

**Water Service Interruption Issues**

Mayor McQueen referred to Item 37, water service interruption issues. City Manager Margie C. Rose stated that this item was placed on the agenda in the event there were any questions or comments the City Council wanted to make. City Manager Rose thanked the numerous volunteers that stepped forward and participated in the process during the water situation. City Manager Rose stated that she will be addressing the following issues: internal after-action reports; review of industrial district agreements; Emergency Operations Center's after-action report that addresses the role of City Council; and an

agenda item on the January 10, 2017 City Council agenda regarding the backflow prevention ordinance.

City Manager Rose assured the City Council that staff is cooperating fully with state and federal officials since the water interruption. City Manager Rose stated that the City's number one goal is the public's safety and the City sincerely appreciates all of the efforts of the businesses and residents.

Council members spoke regarding the following topics: the backflow prevention ordinance; a strategy and action plan to expedite the ordinance and validate residents that are connected to the water system; the number of backflow preventers that are not regulated or not in compliance; communication with the community; an updated list from the industrial district indicating the number of water meters and backflow devices; annual inspection of backflow devices; a policy regarding chemicals in the area; a plan of action for volunteer groups to assist during emergencies; and appreciation for the work performed by City staff.

#### **H. BOARD & COMMITTEE APPOINTMENTS:**

Mayor McQueen returned to Item 2. Council Member Molina made a motion to reconsider the appointments of Chair for the Reinvestment Zone No. 2 and Reinvestment Zone No. 3 boards, seconded by Council Member Hunter and passed unanimously.

##### **Reinvestment Zone No. 2 Board**

Council Member Vaughn made a motion to appoint Greg Smith as Chair for a term of one-year beginning 1-1-17, seconded by Council Member Garza and passed unanimously.

##### **Reinvestment Zone No. 3 Board**

Council Member Garza made a motion to appoint Carolyn Vaughn as Chair for a term of one-year beginning 1-1-17, seconded by Council Member Rubio and passed unanimously.

City Secretary Huerta announced for the record that Council Member Molina abstained from the vote on Item 22.

#### **Q. EXECUTIVE SESSION: (ITEMS 38 - 40)**

Mayor McQueen referred to the day's executive sessions. The Council went into executive session at 6:54 p.m. The Council returned from executive session at 9:27 p.m.

- 38. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to annexation, disannexation, apportionment of extra-territorial jurisdiction between municipalities, interlocal agreements with water districts and neighboring municipalities, contracts for the potential economic**

development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and wastewater services and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).

**This E-Session Item was discussed in executive session.**

- 39. 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 annexation, the provision of utility services in newly annexed areas, municipal authority in the City's extraterritorial jurisdiction, and wind farms, and other legal matters related to the annexation and provision of municipal services in areas annexed by the City in 2014.

**This E-Session Item was discussed in executive session.**

- 40. 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 confidential legal issues related to the interruption of water service, Rules of the Texas Commission on Environmental Quality and U.S. Environmental Protection Agency, the U.S. Clean Water Act, federal, state and local regulations and laws related to the interruption of water service, and potential claims against third parties related to the aforementioned interruption.

**This E-Session Item was discussed in executive session.**

**R. ADJOURNMENT**

**The meeting was adjourned at 9:28 p.m.**