



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
forward.cctexas.com

Meeting Agenda - Final

City Council

Tuesday, September 19, 2017

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.

Si Usted desea dirigirse al Concilio y cree que su inglés es limitado, habrá un intérprete inglés-español en todas las juntas del Concilio para ayudarle.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (at 361-826-3105) at least 48 hours in advance so that appropriate arrangements can be made.

- A. Mayor Joe McComb to call the meeting to order.**
- B. Invocation to be given by Pastor Brian Hill, First Baptist Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Peter Davidson, Marina Superintendent.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-1188](#) Proclamation declaring September 23, 2017, "Girls in Aviation Day".
Proclamation declaring September 2017, "Pediatric Cancer Awareness Month".
Proclamation declaring September 2017, "Texas Strong Month".
Swearing-In ceremony for newly appointed board, commission and committee members.

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**a. OTHER****G. MINUTES:**

2. [17-1189](#) Regular Meeting of September 12, 2017 and Special Meeting of September 8, 2017.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [17-1190](#) Corpus Christi Convention and Visitors Bureau
Corpus Christi Regional Transportation Authority
Transportation Advisory Commission
Tree Advisory Committee

I. EXPLANATION OF COUNCIL ACTION:

For administrative convenience, certain of the agenda items are listed as motions, resolutions, or ordinances. If deemed appropriate, the City Council will use a different method of adoption from the one listed; may finally pass an ordinance by adopting it as an emergency measure rather than a two reading ordinance; or may modify the action specified. A motion to reconsider may be made at this meeting of a vote at the last regular, or a subsequent special meeting; such agendas are incorporated herein for reconsideration and action on any reconsidered item.

- 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.**

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

1. MAKE A STATEMENT OF FACTUAL INFORMATION.
2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.
3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

K. CONSENT AGENDA: (4 - 12)

NOTICE TO THE PUBLIC: The following items are consent motions, resolutions, and ordinances of a routine or administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

4. [17-1087](#) Service Agreement for Tire Repair and Replacement Services for the Corpus Christi Fire Department

Motion authorizing City Manager, or designee, to execute an agreement with Beasley Tire Services, Inc. of Houston, Texas for the repair and replacement services of tires for the Corpus Christi Fire Department in response to Request for Bid No. 978 based on the lowest responsive, responsible bid for a total amount not to exceed \$116,510.00, and budgeted in FY2017-18. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

Sponsors: Fire Department and Purchasing Division

5. [17-0975](#) Resolution to Execute an Advance Funding Agreement (AFA) for the Sports, Entertainment, and Arts (SEA) District Pedestrian Improvements project (Bond 2012, Proposition 8)

Resolution authorizing the City Manager, or designee, to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the Sports, Entertainment, and Arts (SEA) District Pedestrian Improvements project with City's required payment to TxDOT in the amount of \$21,000 for reimbursement of direct state costs.

(Bond 2012, Proposition 8)

Sponsors: Engineering Services

6. [17-1083](#) **Construction Contract for Citywide Collection System Pipe Bursting Indefinite Delivery/Indefinite Quantity (IDIQ) Part C (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a multi-year ID/IQ construction contract with PM Construction & Rehab, LLC dba IPR South Central, LLC, of Pasadena, Texas in the amount of \$2,000,000 for Citywide Collection System Pipe Bursting ID/IQ Part C. This is a one (1) year base contract with four (4) optional one (1) year renewals to be approved administratively subject to availability of funding and satisfactory contractor performance. (Capital Improvement Program) (CIP)

Sponsors: Engineering Services and Office of Public Utilities

7. [17-1063](#) **Service Agreement for Preventative and Emergency Maintenance for Various Lift Stations for Wastewater**

Motion authorizing City Manager, or designee, to execute a service agreement with ADK Environmental, Inc., of Odem, Texas for preventative and emergency maintenance for various lift stations for Wastewater Division in response to Request for Bid No. 1247 based on the lowest responsive, responsible bid for a total amount not to exceed \$158,362.50, and budgeted in FY2017-18. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

Sponsors: Office of Public Utilities and Purchasing Division

8. [17-1158](#) **Annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS)**

Motion authorizing the City Manager or designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of stream flows for rivers associated with the City's reservoirs, with the City's cost to be \$157,060. This Contract runs from October 1, 2017 to September 30, 2018.

Sponsors: Office of Public Utilities

9. [17-1163](#) **Approving funds subject to reimbursement for services provided by Texas A&M Health Science Center (Coastal Bend Health Education Center) [CBHEC] utilizing Diabetes Care Team for the Corpus Christi-Nueces County Public Health District (CCNCPHD)**

Motion approving up to but not to exceed \$250,000.00 to pay for services provided by Texas A&M Health Science Center (Coastal Bend Health Education Center) [CBHEC] utilizing Diabetes Care Team for the Corpus Christi-Nueces County Public Health District (CCNCPHD) for the City contract period that ended May 2, 2017 and invoices between the City contract and the County contract that begins in August 1, 2017. Nueces County to reimburse full amount of paid funds per interlocal agreement.

Sponsors: Health Department

10. [17-1092](#) **Second Reading Ordinance - Rezoning property located at 325 North Staples Street (1st Reading 9/12/17)**

Case No. 0717-04 J R Electric Company: A change of zoning from the "IL" Light Industrial District to "CI" Intensive Commercial District. The property is described as Bluff, Block B, Lot 6, located at the intersection of North Staples Street and Comanche Street on the southwest corner, south of Lipan Street, and north of Caldwell Street.

Planning Commission and Staff Recommendation (August 9, 2017):
Approval of the change of zoning from the "IL" Light Industrial District to the "CI" Intensive Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by J R Electric Company ("Owner"), by changing the UDC Zoning Map in reference to the property described as Bluff, Block B, Lot 6, from the "IL" Light Industrial District to "CI" Intensive Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

11. [17-1128](#) **Second Reading Ordinance - Adopting the 2017 National Electrical Code (1st Reading 9/12/17)**

Ordinance amending Corpus Christi Code of Ordinance, Chapter 14, Sections 14-201 & 14-241 to adopt the National Electrical Code, 2017 Edition, with local amendments, amending sections 14-1306, 14-1316, 14-1311, & 14-1313 to remove electrician licensing, registration, and special fee and clarifying building permit fees; providing for penalties, severance, effective date and publication.

Sponsors: Development Services

12. [17-1069](#) **Second Reading Ordinance - Accepting and appropriating funds for the 2018 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department (1st Reading 9/12/17)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Transportation (TXDOT) in the amount of \$155,000.09 for the 2018 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for Driving While Intoxicated (DWI), speed enforcement, and distracted driving overtime, with a city match of \$47,166.67, for a total project cost of \$202,166.76 and appropriating \$155,000.09 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

L. RECESS FOR LUNCH

The City Council will take a lunch break at approximately 1:30 p.m.

M. PUBLIC HEARINGS: (ITEMS 13 - 14)

13. 17-1020 Public Hearing and First Reading Ordinance - Rezoning property located at 1840 Saratoga Boulevard

Case No. 0717-02 Bradley W. Shirley and Valerie V. Shirley: A change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District. The property is described as being Bohemian Colony Lands 6.379 acres out of Section 7, Lot 5, located north of Saratoga Boulevard and east of Greenwood Drive.

Planning Commission and Staff Recommendation (July 26, 2017): Approval of the change of zoning from the "RS-6" Single-Family District to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Bradley W. Shirley and Valerie V. Shirley Cox ("Owner"), by changing the UDC Zoning Map in reference to Bohemian Colony Lands 6.379 acres out of Sec. 7, Lot 5, from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

14. 17-1024 Public Hearing and First Reading Ordinance - Rezoning property located at 6802 Weber Road

Case No. 0617-03 CC Ventures Equities IV, LP: A change of zoning from the "CN-1" Neighborhood Commercial District to "CG-2" General Commercial District. The property is described as being 0.839 acres out of the west 170 feet of Foxwood Estates Phase III, Block 11, Lot 2, located along the east side of Weber Road, north of Bratton Road, and south of

Saratoga Boulevard.

Planning Commission and Staff Recommendation (July 26, 2017):

Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by CC Ventures Equities ("Owner"), by changing the UDC Zoning Map in reference to the west 170 feet of Foxwood Estates Phase III, Block 11, Lot 2, from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 15 - 18)

The following items are motions, resolutions and ordinances that will be considered and voted on individually.

15. [17-1234](#) Action Setting the City Council Meeting Date to Adopt the Property Tax Rate

Motion setting October 17, 2017 as the date of the adoption of the ad valorem tax rate of \$0.626264 per \$100 valuation.

Sponsors: Legal Department

16. [17-1233](#) Action to Schedule Two Public Hearings Related to Fiscal Year 2017-2018 Property Tax

Motion to consider a tax increase and setting public hearings on the ad valorem tax rate for October 6, 2017 and a second public hearing for October 10, 2017 during the City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

Sponsors: Legal Department

17. [17-1132](#) Second Reading Ordinance - Approving the Fiscal Year 2017-2018 Capital Budget and Capital Improvement Planning Guide (1st Reading 9/12/17)

Ordinance approving the Fiscal Year 2017 - 2018 Capital Budget and Capital Improvement Planning Guide in the amount of \$142,224,600.

Sponsors: Assistant City Manager, Office of Management and Budget, Office of Public Works and Engineering Services

18. [17-0952](#) Professional Services Contract for Tourist Area Amenities - Wayfinding Initiative Project

Motion authorizing the City Manager or designee to execute a professional services contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$251,860 for the Tourist Area Amenities - Wayfinding Initiative project.

Sponsors: Business Liaison and Engineering Services

Q. FIRST READING ORDINANCES: (ITEMS 19 - 22)

19. [17-1203](#) First Reading Ordinance - Adopting the City of Corpus Christi Operating Budget for Fiscal Year 2017-2018

Ordinance adopting the City of Corpus Christi operating budget for the fiscal year 2017-2018 beginning October 1, 2017; to be filed with the County Clerk; appropriating monies as provided in the budget; and providing for severance.

Sponsors: Office of Management and Budget

20. [17-1175](#) First Reading Ordinance - Accepting and appropriating State grant for Violence Against Women Act (VAWA) Program within the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$51,920.42 for the Violence Against Women Act (VAWA) Program within the Police Department with a cash match of \$12,926.93 and an in-kind match of \$8,280.00 for a total project cost of \$73,127.34; appropriating the \$51,920.42 in the No. 1061 Police Grants Fund for the VAWA grant in the Police Department; and authorizing the transfer of \$12,926.93 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$73,127.34.

Sponsors: Police Department

21. [17-1176](#) First Reading Ordinance - Accepting and appropriating State grant funds for the FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program within the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Office of the Governor, Criminal Justice Division through the U. S. Department of Justice, Bureau of Justice Assistance, in the amount of \$11,241.00 for the State FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and appropriating the \$11,241.00 in the No. 1061 Police Grants Fund to fund the enhancement of law enforcement efforts by the Police Department.

Sponsors: Police Department

22. [17-1169](#) **First Reading Ordinance - Appropriating Fund Proceeds for Fiscal Year 2016-2017**

Ordinance appropriating amounts of: (a) \$29,800.19; (b) \$1,328,756.52; (c) \$1,822,527.28; (d) \$112,416.90; and (e) \$172,471.79; into the Airport CIP, Bond Proceeds, Utility Revenue Bond, Specialty Bond Proceeds and other Unappropriated Funds, respectively, for the following purposes: City's match for future FAA Grant Projects, Bayfront, Public Facilities, Fire, Police, Public Health and Safety, Sanitary Landfill, Library, Convention Center, Parks, and Streets, and as further detailed in Attachment 1; changing the FY 2017 Capital Improvement Budget adopted by Ordinance No. 030936 to increase expenditures accordingly.

Sponsors: Financial Services Department and Engineering Services

R. **FUTURE AGENDA ITEMS: (ITEMS 23 - 33)**

The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.

23. [17-1094](#) **Service Agreement for Document Scanning Services for Development Services**

Motion authorizing City Manager, or designee, to execute a service agreement with MCCi, LLC of Tallahassee, Florida for document scanning services based on the Local Government Purchasing Cooperative dba Buyboard for a total amount not to exceed \$135,000. The term of this services agreement is for six months. Funds are budgeted in the Development Services Fund for FY 2016-2017.

Sponsors: Development Services and Purchasing Division

24. [17-1204](#) **Lease-Purchase of Two Motor Graders for Beach Operations and Ratifying Payments for Additional Monthly Rental of Existing Equipment**

Resolution authorizing City Manager, or designee, to authorize all documents necessary for the lease-purchase of three loaders and two motor graders from Doggett Heavy Machinery Services, LLC of Corpus Christi, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative dba BuyBoard, with the total amount not to exceed is \$1,201,629.50; and ratifying the monthly rental of beach operations equipment for the months of November 2015 through January 2016, and November 2016 through January 2017 from Doggett Heavy Machinery Services, LLC and authorizing extension of the current rental agreement through December 2017.

Sponsors: Parks and Recreation Department and Purchasing Division

**25. [17-1133](#) **Construction Contract for North Padre Island Beach Access Road 2
(Bond 2014, Proposition 2)****

Motion authorizing the City Manager, or designee, to execute a construction contract with Mo-Con Services, Inc. of Corpus Christi, Texas in the amount of \$446,996.46 for North Padre Island Beach Access Road 2 for Total Base bid plus Additive Alternate No.1 and Additive Alternate No. 2. (Bond 2014, Proposition 2)

Sponsors: Street Department and Engineering Services

**26. [17-1090](#) **Construction Contract for Staples Street from Alameda Drive to
Morgan Avenue (Bond 2014, Proposition 1)****

Motion authorizing the City Manager, or designee, to execute a construction contract with MAX Underground Construction, LLC of Corpus Christi, Texas in the amount of \$3,844,135.12 for Staples Street from Alameda Drive to Morgan Avenue for a total Base Bid 2 (flexible pavement). (Bond 2014 Proposition 1)

Sponsors: Street Department and Engineering Services

**27. [17-1159](#) **Master Service Agreement for Indefinite Delivery/Indefinite
Quantity (IDIQ) Major Ditch Improvements (Capital Improvement
Program)****

Motion authorizing the City Manager, or designee, to execute a Master Service Agreement (MSA) with Lockwood, Andrews and Newnam, Inc. (LAN) of Corpus Christi, Texas in the amount of \$300,000 for IDIQ (Indefinite Delivery/Indefinite Quantity) Major Ditch Improvements. (Capital Improvement Program)

Sponsors: Water Utilities and Engineering Services

**28. [17-1160](#) **Engineering Testing Agreement for Cefé Valenzuela Landfill
Groundwater Monitoring FY 2017-2018****

Motion authorizing the City Manager, or designee, to execute an engineering testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$138,900 for the Cefé Valenzuela Landfill Groundwater Monitoring FY 2017-2018.

Sponsors: Solid Waste Operations and Engineering Services

**29. [17-1164](#) **Engineering Testing Agreement for J.C. Elliott Landfill Groundwater
Monitoring FY 2017-2018****

Motion authorizing the City Manager, or designee, to execute an engineering testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$131,500 for the J.C. Elliott Landfill

Groundwater Monitoring FY 2017-2018.

Sponsors: Solid Waste Operations and Engineering Services

30. [17-1149](#) **Service Agreement for Software and Equipment Upgrades for Solid Waste Scale Systems at Landfills**

Resolution finding that the purchase and upgrade of software and equipment for the Solid Waste Department's scale systems is a sole source procurement; and authorizing the City Manager, or designee, to execute a service agreement with A-1 Scale Service, Inc., of San Antonio, Texas, for upgrades of the scale system software and equipment for a total amount not to exceed \$85,600.00, with funding available in the FY2016-2017 General Fund.

Sponsors: Solid Waste Operations and Purchasing Division

31. [17-1179](#) **Contract Amendment for Employee Assistance Program Services**

Motion authorizing the City Manager or designee to execute an amendment to the contract with Family Counseling Services of Corpus Christi, Texas, not to exceed \$20,000. The value of the service agreement for the full contract period of September 26, 2013 through September 30, 2017 is a not-to-exceed amount of \$69,958.

Sponsors: Human Resources

32. [17-1177](#) **Service Agreement for Employee Assistance Program**

Motion authorizing City Manager, or designee, to execute an agreement with Family Counseling Service of Corpus Christi, Texas to provide employee assistance program services for the Corpus Christi City employees and their families in response to Request for Bid No. 1244 based on the lowest responsive, responsible bid for a total amount not to exceed \$15,840.00, and is being budgeted in FY2017-18 through the annual budget appropriations. The term of the agreement is for one year with an option to extend for up to four additional one-year periods, subject to the sole discretion of the City.

Sponsors: Human Resources and Purchasing Division

33. [17-1147](#) **Service Agreement for Workers' Compensation Third-Party Administrator Services**

Motion authorizing the City Manager or designee to execute a service agreement with York Risk Services Group, Inc. of Parsippany, New Jersey for workers' compensation third-party administrator services in accordance with Request for Proposal (RFP) No. 1133, based on best value for a total amount not to exceed \$132,000, budgeted in FY2017-18. The term of this agreement is for one year with option to extend for up to four additional

one-year periods, subject to the sole discretion of the City.

Sponsors: Legal Department and Purchasing Division

S. BRIEFINGS: (ITEMS 34 - 37)

Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.

- 34. [17-1219](#) **Nueces County Appraisal District (NCAD) Update by Ronnie Canales, Chief Appraiser**
- 35. [17-0961](#) **Texas State Aquarium by Tom Schmid, President and CEO**
- 36. [17-1225](#) **Update - Port of Corpus Christi Authority by City Council Appointees**
- 37. [17-1201](#) **Funding for Old Bayview Cemetery**

T. EXECUTIVE SESSION: (ITEMS 38 - 40)

PUBLIC NOTICE is given that the City Council may elect to go into executive session at any time during the meeting in order to discuss any matters listed on the agenda, when authorized by the provisions of the Open Meeting Act, Chapter 551 of the Texas Government Code, and that the City Council specifically expects to go into executive session on the following matters. If the Council elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding officer. The City Council may deliberate and take action in open session on any issue that may be discussed in executive session. The description of an item in "Executive Sessions" constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and his determination that said item may be legally discussed in Closed Meeting in compliance with Chapter 551 the Texas Government Code.

- 38. [17-1039](#) **Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to water supplies for industrial and other development, desalination, potential interlocal agreements with water districts and other governmental entities involving water or other utility services, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential agreements for the economic development agreement(s) with business prospects that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and/or wastewater services, potential creation of entities that could provide or assist in the provision of the aforementioned services, including, but not limited to local government corporation(s), and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic**

development negotiations and/or deliberate possible economic development issues concerning said business prospect(s), including, but not limited to, potential contracts for the provision of water to said business prospect(s).

39. [17-1187](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the provision of incentives pursuant to any previously executed or proposed economic development / business incentive agreement(s) between the City and/or related entities and Upper Padre Partners, LP, Gulf Shores Ventures, and/or North Padre Waterpark Holdings, Ltd. and possible development agreements or other funding mechanisms related to the construction of Park Road 22 bridge and related infrastructure, including, but not limited to, bridges, culverts, canals, sewers, lift stations, pump stations, revetments, pilings, and ditches, **and pursuant to Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to 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).

40. [17-1218](#) **Executive session pursuant to Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Auditor.

U. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Per Council Policies, an item may be added to the agenda by four members of the City Council. Council may give direction to the City Manager to add an item to a future agenda, but no other action will be taken, and no public comment solicited.

V. ADJOURNMENT