



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, February 19, 2019

11:30 AM

Council Chambers

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

MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

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 Rick Barerra, Believe Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Tracey Cantu, Assistant Director of Communication.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-0275](#) Commendation for Con Mims, Executive Director, Nueces River Authority. Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.**
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. UTILITY BILLING UPDATE**

b. OTHER**G. MINUTES:**

2. [19-0281](#) Regular Meeting of February 12, 2019.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [19-0277](#) Committee for Persons with Disabilities
Electrical Advisory Board
Leadership Committee for Senior Services
Mechanical/Plumbing Advisory Board
Pipeline Review Panel
Regional Health Awareness Board
Sister City 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. All items on this agenda are considered public hearings.**

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: (ITEMS 4 - 29)

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. [19-0080](#) Lease Purchase of Vehicles for Police Department

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

Sponsors: Asset Management Department, Police Department and Purchasing Division

5. [19-0180](#) Service Agreement for Battery Replacements for Corpus Christi Fire Department

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

Sponsors: Fire Department and Purchasing Division

6. [19-0058](#) Service Agreement for HEB Tennis Center Management and Program Services for Parks and Recreation

Motion authorizing a five-year service agreement for HEB Tennis Center

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

Sponsors: Parks and Recreation Department and Purchasing Division

7. [19-0059](#) **Service Agreement for Al Kruse Tennis Center Management Services for Parks and Recreation**

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

Sponsors: Parks and Recreation Department and Purchasing Division

8. [19-0260](#) **Service Agreement Amendment for Subscription and Maintenance of Customer Engagement Software for Utilities Department**

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

Sponsors: Water Utilities and Purchasing Division

9. [19-0177](#) **Service Agreement for Generator Preventive Maintenance and Repair Services**

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

Sponsors: Water Utilities and Purchasing Division

10. [19-0116](#) **Supply Agreement for Emulsified Polymerized Asphalt (HFRS-2P) for Street Operations**

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

Sponsors: Street Department and Purchasing Division

11. [19-0160](#) **Service Agreement for Offsite Repairs of Ford Vehicles for Asset Management**

Motion authorizing a one-year service agreement for offsite repairs of Ford vehicles with Crosstown Partners Inc., dba Sames Ford of Corpus Christi, Texas for an amount not to exceed \$478,500, with a one-year option for a total potential multi-year amount of \$957,000.

Sponsors: Asset Management Department and Purchasing Division

12. [19-0214](#) **Resolution identifying Avanti at South Bluff as a development which will contribute to revitalization efforts**

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

Sponsors: Housing and Community Development and Planning and Environmental/Strategic Initiatives

13. [19-0247](#) **Appointing Board Members to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation**

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

Sponsors: City Secretary's Office

14. [19-0245](#) **Appointing Board Members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation**

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

Sponsors: City Secretary's Office

15. [19-0185](#) **Service Agreement for InCode Software for Municipal Court**

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

Sponsors: Municipal Court Administration and Purchasing Division

16. [19-0161](#) **Second Reading Ordinance - Rezoning for a Property located at or**

near 6001 Crosstown Expressway (State Highway 286) (1st Reading 2/12/19)

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

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

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

Sponsors: Development Services

17. [19-0162](#) **Second Reading Ordinance - Rezoning for a Property located at or near 0 Enterprize Parkway (1st Reading 2/12/19)**

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

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

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

Sponsors: Development Services

18. [19-0163](#) **Second Reading Ordinance - Rezoning for a Property located at or near 1752 Rand Morgan Road (1st Reading 2/12/19)**

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

Planning Commission Recommendation (January 9, 2019): Approval of

the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

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

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

Sponsors: Development Services

19. [19-0208](#) **Second Reading Ordinance - Accepting and appropriating Victims of Crime Act (VOCA) Outreach Program Grant (1st Reading 2/12/19)**

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

Sponsors: Police Department

20. [19-0174](#) **Second Reading Ordinance - Accepting and appropriating funds from the Hurricane Public Health Crisis Response Cooperative Services grant (1st Reading 2/12/19)**

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

Sponsors: Health Department

21. [18-1350](#) **Second Reading Ordinance - Type A Grant for the Del Mar College Small Business Development Center (SBDC) (1st Reading 2/12/19)**

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

Sponsors: Economic Development

22. [18-1351](#) **Second Reading Ordinance - Type A Grant for the Del Mar College Contract Resource Center (CRC) (1st Reading 2/12/19)**

Ordinance approving a Small Business Incentives Agreement between the

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

Sponsors: Economic Development

23. [19-0167](#) **Second Reading Ordinance - Partial Easement Closure located at 13982 Binnacle Street (1st Reading 2/12/19)**

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

Sponsors: Development Services

24. [19-0127](#) **Second Reading Ordinance - Easement Closure for property located at 1649 Amber Drive (1st Reading 2/12/19)**

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

Sponsors: Development Services

25. [19-0168](#) **Second Reading Ordinance - Exempting Heines Substation from Wastewater Lot Acreage Fee (1st Reading 2/12/19)**

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

Sponsors: Development Services

26. [19-0169](#) **Second Reading Ordinance - Exempting Swan Village Unit 1 from Wastewater Lot Acreage Fee (1st Reading 2/12/19)**

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

Sponsors: Development Services

27. [19-0227](#) **Second Reading Ordinance - Approving Amendments to the Tax Increment Reinvestment Zone #2 amended Project & Financing Plans (1st Reading 2/12/19)**

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

Sponsors: Business Liaison

28. [19-0149](#) **Second Reading Ordinance - Approving the Resale of 13 Foreclosed Properties (1st Reading 2/12/19)**

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

Sponsors: Financial Services Department

29. [19-0306](#) **Second Reading Ordinance - Appointments of Municipal Court Judges (First Reading - 02/12/19)**

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

Sponsors: City Secretary's Office and Municipal Court Committee

L. **FUTURE AGENDA ITEMS: (ITEMS 30 - 34)**

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

30. [19-0209](#) **Service Agreement for Psychological Services for Police, Fire, Airport and Municipal Court**

Motion authorizing a three-year service agreement for psychological services with Kathryn W. Soward, Ph.D., of Corpus Christi, Texas, for an amount not to exceed \$78,750.00, with two one-year options for a potential total amount not to exceed \$131,250.00.

Sponsors: Police Department, Fire Department, Aviation Department, Municipal Court Administration and Purchasing Division

31. [19-0189](#) **Approval of Five (5) Master Agreements for Facilities Multiple Award Contract (FMAC) Program**

Motion authorizing the City Manager or designee to execute a Master Agreement for the Facilities Multiple Award Contract (FMAC) program for a two-year term with the option to administratively renew annually for not more than three additional years, with no guaranteed minimum and a maximum aggregate of \$2,500,000 per agreement in any one year with the following:

Barcom Construction, Inc. of Corpus Christi, Texas
Davila Construction, Inc. of Corpus Christi, Texas
Gourley Contracting, LLC of Corpus Christi, Texas
Teal Construction Company, Inc. of Corpus Christi, Texas
Abba Construction, LLC of Laredo, Texas (Alternate Contractor)

Sponsors: Engineering Services

32. [19-0186](#) Supply Agreement for Asphalt Patch Bags for Street Operations

Motion authorizing a three-year supply agreement with Asphalt Patch Enterprises, Inc. of New Braunfels, Texas, for the purchase of asphalt patch bags for a total amount not to exceed \$371,347.20.

Sponsors: Street Department and Purchasing Division

33. [19-0231](#) Resolution for an Interlocal Agreement with Texas A&M Agrilife Extension Service for soil analysis

Resolution authorizing an Interlocal Agreement with Texas A&M AgriLife Extension Service for a soil testing program.

Sponsors: Water Utilities Department

34. [19-0215](#) Supply Agreement for Sludge Dewatering Polymer for Wastewater Plants

Motion authorizing a one-year supply agreement for sludge dewatering polymer with Polydyne, Inc. from Riceboro, Georgia for a total amount not to exceed \$308,992.00.

Sponsors: Water Utilities and Purchasing Division

M. RECESS FOR LUNCH

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

N. PUBLIC HEARINGS: (NONE)

O. REGULAR AGENDA: (ITEMS 35 - 37)

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

35. [19-0210](#) Resolution for approval to submit a grant application for funding available under the Violence against Women Act (VAWA) Fund

Resolution authorizing submission of grant application for \$54,338.83 to the State of Texas under the Violence Against Women Act with city cash match of \$14,000 and \$8,280 in-kind services.

Sponsors: Police Department

36. [19-0212](#) Resolution for approval to submit a grant application for funding

available under the Victims of Crime Act Fund

Resolution authorizing submission of grant application in the amount of \$282,848.10 to the State of Texas under the Victims of Crime Act with city cash match of \$61,112.02 and \$9,600 in-kind services.

Sponsors: Police Department

37. [19-0307](#) **Resolution of the Corpus Christi City Council to express opposition to legislation that would expand the statutory membership of the Port Commission of the Port of Corpus Christi Authority**

Sponsors: Intergovernmental Relations

P. FIRST READING ORDINANCES: (ITEMS 38 - 42)

38. [19-0237](#) **First Reading Ordinance - Appropriating funds from the Recovery on damage claim**

Ordinance appropriating \$5,682.32 from damage claim into General Fund to pay damage claim on a leased vehicle; and changing Operating Budget by increasing revenue and expenditures in the General Fund by \$5,682.32.

Sponsors: Police Department

39. [19-0213](#) **First Reading Ordinance - Amending Chapter 23 of the City Code prohibiting operating of retail tobacco stores, hookah lounges, vaping lounges and cigar bars from 2:00 am to 7:00 am**

Ordinance amending Chapter 23 of the Corpus Christi Code to prohibit operating and using retail tobacco stores, hookah lounges, vaping lounges and cigar bars from 2:00 am to 7:00 am; and providing for penalty.

Sponsors: Police Department

40. [19-0250](#) **First Reading Ordinance - Easement closure for property located at 16001 El Socorro Loop**

Ordinance abandoning and vacating a 7.5-foot wide by approximately 60-feet in length (449.73 sq. ft.) portion of an existing utility easement out of Lot 7, Block 26, Padre Island-Corpus Christi, Coquina Bay Subdivision, located at 16001 El Socorro Loop.

Sponsors: Development Services

41. [19-0230](#) **First Reading Ordinance - Appropriating reimbursement funds for the Coastal Bend Fertilizer and Pesticides Monitoring Program**

Ordinance to appropriate \$37,048 in reimbursement funds received through the Reimbursement Contract with Coastal Bend Bays and

Estuaries Program, Inc. for the Coastal Bend Fertilizer and Pesticides Monitoring Program in the No. 4300 Stormwater Treatment Fund.

Sponsors: Water Utilities Department

42. [19-0261](#) **First Reading Ordinance - Amending the Capital Improvement Budget for replacement of the current gas-powered chillers**

Ordinance amending the FY 2019 Capital Improvement Budget to add project E15135 Gas Department Chiller Replacement in the amount of \$410,000 for replacement of the current gas powered-chillers.

Sponsors: Office of Management and Budget

Q. **RECESS FOR CORPORATION MEETING: (ITEM 43)**

43. [19-0226](#) **Special Meeting of the North Padre Island Development Corporation**

Sponsors: Business Liaison

R. **RECONVENE COUNCIL MEETING**

S. **BRIEFINGS: (ITEMS 44 - 45)**

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. The City Manager or City Council Liaison for any city board, commission, committee or corporation (including Type A or B Corporation) may report on the action(s) or discussion(s) of any such body's public meeting that occurred within one month prior to this City Council meeting.

44. [19-0220](#) **Corpus Christi Museum of Science and History Update**

Sponsors: City Manager's Office

45. [19-0193](#) **Port of Corpus Christi Ship Channel 16" Waterline Removal and Replacement**

Sponsors: Water Utilities Department

T. **LEGISLATIVE UPDATE**

U. **EXECUTIVE SESSION: (ITEMS 46 - 48)**

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.

46. [19-0182](#) **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 purchase, exchange, lease, or value of real property rights at or in the vicinity of the Frost Bank Building and/or 2400 Block of Leopard Street, and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property rights at or in the vicinity of the aforementioned locations) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
47. [19-0302](#) **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 negotiations and potential litigation with the U.S. Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Attorney General, and/or U.S. Department of Justice concerning the City's sanitary sewer system and/or water system, dissolved oxygen standards in Oso Bay, sanitary sewer overflows, and other regulatory matters related to the City's wastewater treatment plants
48. [19-0301](#) **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 Manager

V. 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.

W. ADJOURNMENT