



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, December 12, 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.

- A. Mayor Joe McComb to call the meeting to order.**

Mayor McComb called the meeting to order at 11:32 a.m.

- B. Invocation to be given by Pastor Rick Barrera, Cornerstone Church.**

Pastor Rick Barrera gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Sylvia Carrillo-Treviño, CPM - Assistant City Manager.**

Assistant City Manager Rick Barrera led the Pledge of Allegiance.

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

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

(Council Member Guajardo arrived at 11:34 a.m.)

Charter Officers:

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

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

E. Proclamations / Commendations

1. Presentation from W. B. Ray "Men" Class of '65.
Swearing-In Ceremony for Newly Appointed, Board, Commission, Committee and Corporation Members.
- Mayor McComb wished Council Member Rubio a happy birthday. Mayor McComb announced that the City Council has been in office for one year and, on behalf of the City Council, thanked the public for allowing them to serve.**
- Mayor McComb accepted a donation to the Mayor's Hurricane Harvey Fund, presented by the W. B. Ray "Men" Class of '65, and conducted the swearing-in ceremony for newly appointed board and committee members.**

G. MINUTES:

3. Regular Meeting of November 14, 2017 and Special Meetings of November 14, 2017 and December 1, 2017.
- Mayor McComb deviated from the agenda and referred to approval of the minutes. Council Member Rubio made a motion to approve the minutes, seconded by Council Member Guajardo and passed unanimously.**

H. BOARD & COMMITTEE APPOINTMENTS:

4. Citizens Advisory Health Board
Corpus Christi Aquifer Storage and Recovery Conservation District
Corpus Christi B Corporation
Corpus Christi Convention and Visitors Bureau
Corpus Christi Regional Economic Development Corporation
Marina Advisory Committee
North Padre Island Development Corporation
Port of Corpus Christi Authority of Nueces County, TX
- Mayor McComb referred to board and committee appointments. The following appointments were made:**
- Citizens Advisory Health Board**
- Council Member Molina made a motion to appoint Micah DeBenedetto, seconded by Council Member Hunter and passed unanimously.**

Corpus Christi Aquifer Storage and Recovery Conservation District

Council Member Hunter made a motion to reappoint Fred Segundo, Director of Aviation; Tom Tagliabue, Director of Intergovernmental Relations; and Jay Ellington, Director of Parks and Recreation, seconded by Council Member Rubio and passed unanimously.

Corpus Christi B Corporation

Council Member Smith nominated John Valls. Council Member Lindsey-Opel nominated Tomas Duran. Council Member Guajardo nominated Mary Jane Garza.

Mayor McComb and Council Members Smith and Rubio voted for John Valls; Council Members Lindsey-Opel and Vaughn voted for Tomas Duran; Council Members Garza, Guajardo, Molina, and Hunter voted for Mary Jane Garza.

A run-off was conducted between the two individuals with the highest number of votes, John Valls and Mary Jane Garza. John Valls was appointed with Mayor McComb and Council Members Rubio, Vaughn, Smith, and Lindsey-Opel voting for John Valls and Council Members Hunter, Molina, Guajardo, and Garza voting for Mary Jane Garza.

Corpus Christi Convention and Visitors Bureau

Council Member Smith made a motion to appoint Raju G. Bhagat (Hotel Industry), seconded by Council Member Lindsey-Opel and passed unanimously.

Corpus Christi Regional Economic Development Corporation

Council Member Smith made a motion to reappoint Gabriele Hilpold, seconded by Council Member Lindsey-Opel and passed unanimously.

Marina Advisory Committee

Council Member Rubio made a motion to reappoint Mona Baen (Community At-Large), William McDowell (Engineer), Ronald S. Smith (Community At-Large), and Hal Suter (Environmentalism), seconded by Council Member Garza and passed unanimously.

Council Member Lindsey-Opel nominated Gerry C. Morrow (Community At-Large). Council Member Smith nominated Gordon R. Robinson (Community At-Large). Gerry C. Morrow (Community At-Large) was appointed with Mayor McComb and Council Members Lindsey-Opel, Garza, Vaughn, Rubio, Molina and Hunter voting for Gerry C. Morrow and Council Members Smith and Guajardo voting for Gordon R. Robinson.

North Padre Island Development Corporation

Council Member Lindsey-Opel made a motion to reappoint Rudy Garza, Michael T. Hunter, Ben Molina, Greg Smith, and Carolyn Vaughn, seconded by Council Member Hunter and passed unanimously.

Port of Corpus Christi Authority of Nueces County, Texas

Council Member Vaughn made a motion to reappoint Wayne Squires, seconded by Council Member Rubio and passed unanimously.

- 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.

Mayor McComb deviated from the agenda and referred to comments from the public. Jack Gordy, 4118 Bray, spoke regarding the amount of funds the City has paid to outside attorneys. Twila Stevens, 13926 Windjammer; Larry Beaver, 13937 Jibstay; Charlene Beaver, 13937 Jibstay; and Jim Stevens, 13926 Wind Jammer, spoke in opposition to a proposed dog park being located in Aquarius Park, which is in a residential neighborhood, and proposed an alternate location which is being offered by Nueces County located at Padre Balli Park. Nicole Matthews, 3027 Marina Bay Dr., spoke regarding the implementation of a disaster recovery program through the Homeowner Rehabilitation Assistance (HRA) program which is funded by the Texas Department of Housing and Community Affairs (TDHCA). Bobby Petty, U.S. Small Business Administration, provided an update on the number of loans approved to assist small businesses, homeowners, and renters in the area impacted by Hurricane Harvey and presented information on the Economic Injury Disaster Loan, which assists small businesses that are affected while the region is recovering from Hurricane Harvey. Susie Saldana, 4710 Hakel, expressed disappointment regarding the challenges new businesses face in becoming established in Corpus Christi. Karen Howden, 5637 Lexington, expressed appreciation to the City Council and City staff for their support of Old Bayview Cemetery and to those who visited Old Bayview Cemetery during the "Voices of South Texas" event held on November 4, 2017. Ed Prado, 1901 Tawakoni, spoke in opposition to Agenda Item 25, rezoning property located at 8154 and 8128 Leopard Street, and discussed issues related to noise and dust coming from the property. Brad Lomax, 309 N. Water and on behalf of the Downtown Management District, spoke in support of the following: Agenda Item 23, proposed adoption of the Downtown Area Development Plan; Agenda Item 28, creating restrictions for Barge Dock parking; Agenda Item 31, removing a portion of the one-way

designation along Lawrence Street; and Agenda Item 42, a resolution to adopt the Downtown Parking Action Plan. Carolyn Moon, 4902 Calvin, spoke regarding the Downtown Traffic Plan and the removal from the plan of seating areas in Artesian Park. John Kelley, 3621 Austin, spoke regarding reimbursement from the Federal Emergency Management Agency (FEMA) for damages to Packery Channel related to Hurricane Harvey and recommended that the City Council delay any action to fund the Park Road 22 Bridge until receiving a final settlement from FEMA. Michael Bellipanni spoke regarding conditions at his apartment complex and requested assistance related to apartment complexes not recognizing vouchers from the U.S. Department of Housing and Urban Development (HUD) as income. Dorella Elizondo requested to be placed on a future agenda to provide a presentation regarding the establishment of a Trap, Neuter and Release ordinance in the City. Nancy Cunningham, 409 Indiana, spoke regarding state laws prohibiting the unlawful restraint of dogs that are not being enforced in the City. Tammy Luz Romero, 15038 Santa Gertrudis, spoke regarding problems with stray animals in the City and recommended the following changes: community service at Animal Control; stopping the euthanization of animals in the morning to prevent errors; improving spaying/neutering; and adopting a do-not-adopt list.

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

Mayor McComb deviated from the agenda and referred to City Manager's Comments. City Manager Margie C. Rose reported on the following topics:

b. OTHER

1) Collection of debris resulting from Hurricane Harvey began in Area 6 on Monday, December 11, 2017. The City is requesting that residents living in Area 7-A begin setting out debris for collection by 7:00 a.m. beginning on Monday, December 18, 2017. 2) The City's Utility Business Office software transition is currently underway. Until further notice, utility payments can be made at HEB locations in Corpus Christi, through online banking, and standard mail services. This transition will streamline the billing process and continue the commitment of delivering excellent customer service. The City will provide updates and notify customers once the transition is complete.

a. HURRICANE HARVEY AFTER ACTION REPORT

2. Hurricane Harvey After Action Report

City Manager Rose stated that the City Council received the complete Hurricane Harvey After Action Report in the agenda packet. The purpose of this item is to provide highlights from the report and discuss the facilities impacted by Hurricane Harvey.

Fire Chief Robert Rocha highlighted the following information: the monitoring timeline of Hurricane Harvey; the Emergency Operations Center's (EOC) organizational chart; execution of the emergency operations plan; the evacuation zones; and the evaluation from the damage assessment team.

Emergency Management Coordinator Billy Delgado credited City staff on their preparedness and response to Hurricane Harvey; reported on the EOC's

communication with other governmental and non-profit entities before, during and post-storm; and addressed the damage assessment results. Mr. Delgado stated that staff will continue to work on areas that need improvement, discuss lessons learned and modify plans to prepare for the next emergency.

Council members and staff discussed the following topics: after-action communication with council members and include council member feedback in the plan; a request by a council member to be included in briefing calls to receive the best updated information; a report on the communication strategy and its effectiveness; improvements to the communication structure related to press conferences; the list of City facilities needing repairs; and the ability of the City Manager to bring items appropriating funding to begin the repair of facilities.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 5 - 22)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. There were no comments from the public. Council members requested that Items 7, 9, and 14 be pulled for individual consideration. Council Member Lindsey-Opel announced that she was abstaining from Item 14. Council Member Garza announced that he was abstaining from Item 18. Mayor McComb announced that Item 22 was being pulled by staff.

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

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

Abstained: 0

- 5. Motion ratifying a notice to proceed issued to CrowderGulf, LLC, for services related to Hurricane Harvey, pursuant to a contingency service agreement; authorizing payment to CrowderGulf for an amount not to exceed \$5,946,096.07 for debris removal; authorizing the City Manager to execute Amendment No. 1 to the agreement to include a price for mulched debris and issuance and payment of a task order for an amount not to exceed \$236,875 for transportation of mulched debris for a restated fee not to exceed \$6,182,971.07**

Motion ratifying a notice to proceed issued to CrowderGulf, LLC ("CrowderGulf"), of Theodore, Alabama, for services related to Hurricane Harvey, pursuant to a contingency service agreement; authorizing

payment by the City Manager or designee ("City Manager") to CrowderGulf for an amount not to exceed \$5,946,096.07 for debris removal; authorizing the City Manager to execute Amendment No. 1 to the agreement to include a price for mulched debris and issuance and payment of a task order for an amount not to exceed \$236,875 for transportation of mulched debris for a restated fee not to exceed \$6,182,971.07.

This Motion was passed on the consent agenda.

Enactment No: M2017-186

6. **Motion ratifying a notice to proceed issued to Tetra Tech, Inc. for services related to Hurricane Harvey for Task Order No. 1 in an amount not to exceed \$1,570,041 and Task Order No. 2 in an amount not to exceed \$90,427 issued pursuant to the contingency service agreement for disaster monitoring and recovery services for a total amount not to exceed \$1,660,468**

Motion ratifying a notice to proceed issued to Tetra Tech, Inc. (formerly, Science Applications International Corporation), of Maitland, Florida, for services related to Hurricane Harvey; authorizing payment by the City Manager, or designee, for Task Order No. 1 in an amount not to exceed \$1,570,041 and for Task Order No. 2 in an amount not to exceed \$90,427 issued pursuant to the contingency service agreement for disaster debris monitoring and recovery services for a total amount not to exceed \$1,660,468; and to execute all necessary documents with Tetra Tech.

This Motion was passed on the consent agenda.

Enactment No: M2017-187

8. **Resolution authorizing an Interlocal Agreement with Corpus Christi Independent School District (CCISD) for use of CCISD facilities for City Latchkey and use of City Facilities for CCISD programs and Amendment No. 2 to the Interlocal Agreement with CCISD to amend provisions pertaining to capital improvements for the Natatorium**

Resolution authorizing the City Manager to execute an Interlocal Agreement with Corpus Christi Independent School District (CCISD) regarding use of CCISD facilities for City Latchkey and other City programs and regarding use of City facilities for CCISD programs; and authorizing the City Manager to execute Amendment No. 2 to the Interlocal Agreement with CCISD regarding the Natatorium to amend provisions pertaining to capital improvements for the Natatorium.

This Resolution was passed on the consent agenda.

Enactment No: 031300

10. Second Reading Ordinance - Street Closure at 3601 Saratoga Boulevard (1st Reading 11/14/17)

Ordinance closing, abandoning and vacating an undeveloped and unsurfaced 479.16-square foot (0.011 acre) parcel of public right-of-way, portion out of Bohemian Colony Lands, Section 12, Lot 1, a map of which is recorded in Volume A, Page 48, Map Records of Nueces County, Texas and requiring the owner, VMB Equity Properties, LLC., to comply with specified conditions.

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

Enactment No: 031301

11. Second Reading Ordinance - Rezoning for a Property located at 3006 Niagara Street (1st Reading 11/14/17)

Case No. 1017-03 Trevino Mortuary Services, Inc. A change of zoning from the "CN-1" Neighborhood Commercial District to the "IL" Light Industrial District. The property is described as Broadmoor Park, Block 5, Lots 19 thru 24 less portion to right-of-way, located on the east side of Niagara Street, north of Tarlton Street, and east of South Port Avenue.

Planning Commission and Staff Recommendation (October 18, 2017):

Denial of the change of zoning from the "CN-1" Neighborhood Commercial District to the "IL" Light Industrial District, in lieu thereof approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit (SP) with conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Trevino Mortuary Services, Inc. ("Owner"), by changing the UDC Zoning Map in reference to the property described as Broadmoor Park, Block 5, Lots 19 thru 24 less portion to right-of-way, from the "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 031302

12. Second Reading Ordinance - Rezoning property located at 3046 Holly Road (1st Reading 11/14/17)

Case No. 1017-02 Rogerio & Maria Lopez: A change of zoning from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District. The property is described as being a two acre tract of land out of Lot 4, Section 3, Bohemian Colony Lands, located on the northeast corner of Holly Road and Santa Olivia Street, west of Kostoryz Road and east of Ayers Street.

Planning Commission and Staff Recommendation (October 18, 2017):
Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Rogerio and Maria Lopez (“Owners”), by changing the UDC Zoning Map in reference to a two-acre tract of land out of Lot 4, Section 3, Bohemian Colony Lands, from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 031303

13.

Second Reading Ordinance - Rezoning for property located at 1902 Rodd Field Road (1st Reading 11/14/17)

Case No. 1017-05 Hunt Enterprises, Ltd.: A change of zoning from the “RM-3” Multifamily 3 District to the “CG-2” General Commercial District for Tract 1 and “CG-2” General Commercial District to “RM-3” Multifamily 3 District for Tract 2. The property is described as being 2.25 acres out of Lot 32, Section 28, Flour Bluff and Encinal Farm and Garden Tracts, located on the north side of Corsair Drive, east of Rodd Field Road, and west of Blue Angel Street.

Planning Commission and Staff Recommendation (October 18, 2017):
Approval of the change of zoning from the “RM-3” Multifamily 3 District to the “CG-2” General Commercial District for Tract 1 and “CG-2” General Commercial District to “RM-3” Multifamily 3 District for Tract 2.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Hunt Enterprises, Ltd. (“Owner”), by changing the UDC Zoning Map in reference to 2.25 acres out of Lot 32, Section 28, Flour Bluff and Encinal Farm and Garden Tracts, from the “RM-3” Multifamily 3 District to the “CG-2” General Commercial District for Tract 1 and “CG-2” General Commercial District to “RM-3” Multifamily 3 District for Tract 2;

amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 031304

15. Second Reading Ordinance - Appropriating Funds for Purchase and Installation of Playground Equipment at Southfork and Thebeau Parks (1st Reading 11/14/17)

Ordinance appropriating \$79,376.31 from the unreserved fund balance in the No. 1020 General Fund for the purchase and installation of playground equipment at Southfork and Thebeau Parks; amending the FY2017-18 Operating Budget adopted by Ordinance No. 031255 by increasing expenditures by \$79,376.31; authorizing the City Manager or designee to execute all documents necessary with GameTime by Total Recreation Products, Inc., of Cypress, Texas, to approve the purchase and installation of the equipment for up to \$135,933.85, based on the cooperative purchasing agreement with Local Government Purchasing Cooperative dba Buyboard, and to include payment of an additional contingency amount of up to \$1,000 for unforeseen expenses, for a total amount not to exceed \$136,933.85, of which \$57,557.54 is being provided from the Community Enrichment Fund.

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

Enactment No: 031306

16. Second Reading Ordinance - Repeal of the City's Joint Airport Zoning Board and establishment of an Airport Zoning Commission (1st Reading 11/14/17)

Ordinance amending Chapter 2, Division 11 (Joint Airport Zoning Board), of the Code of Ordinances by repealing all provisions related to the Joint Airport Zoning Board; designating the City's Planning Commission as the Airport Zoning Commission for all purposes under the Airport Zoning Act ("Act"), Texas Local Government Code §241.001 et seq.; and investing such Airport Zoning Commission with the powers and duties authorized to be exercised under the provisions of the Act; providing for severability; and providing for publication.

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

Enactment No: 031307

17. Second Reading Ordinance - Closing of a utility easement located at 7522 Everhart Road (1st Reading 11/14/17)

Ordinance abandoning and vacating 0.127 acre of an existing utility easement out of a part of St. John the Baptist Tract, Block 1, Lot 1R, located at 7522 Everhart Road and requiring the owner, Most Reverend Wm. Michael Mulvey, S.T.L., D.D., Bishop of the Diocese of Corpus Christi, a Corporate Sole and His Successors in Office, to comply with the specified conditions.

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

Enactment No: 031308

19. Second Reading Ordinance - Appropriating Funds and accepting a grant from FEMA for hurricane disaster assistance (1st Reading 11/14/17)

Ordinance appropriating \$5,000,000 from the fund balance for major contingencies in the No. 1020 General Fund for Hurricane Harvey debris removal and related activities; authorizing the City Manager, or designee, to execute all documents necessary to accept a partial grant from the Federal Emergency Management Agency for hurricane disaster assistance in the amount of \$4,069,836.99 and appropriating in the No. 1020 General Fund; and amending the FY2017-2018 Operating Budget adopted by Ordinance No. 031255 to increase revenues by \$4,069,836.99 and appropriations by \$9,069,836.99.

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

Enactment No: 031310

20. Second Reading Ordinance - Approving the 2018 Annual Audit Plan (1st Reading 11/7/17)

Ordinance to approve the 2018 Annual Audit Plan.

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

Enactment No: 031311

21. Second Reading Ordinance - Amendment to Lease with Padre Island Yacht Club (28-Day Delay Required) (1st Reading 11/7/17)

Ordinance authorizing the City Manager to execute an amendment to the Lease Agreement with Padre Island Yacht Club for expanded leased area near the Wastewater Treatment Plant on Whitecap Blvd to include additional area of 50 feet by 300 feet and amendment of renewal term provisions.

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

Enactment No: 031312

- 7. Supply Agreement for Street Operations for Traffic Signs, three-year agreement for a total amount not to exceed \$226,141.86, with an option to extend for up to two additional one-year periods, and a total potential multi-year amount of \$376,903.10**

Motion authorizing City Manager, or designee, to execute a supply agreement with Custom Products Corporation, of Jackson, Mississippi for the purchase of traffic signs for Street Operations in response to Request for Bid (RFB) No. 1061, based on the lowest responsive, responsible bid for a total amount not to exceed \$226,141.86, of which \$75,380.62 is funded in FY2017-18 in the Street Fund. The term of the agreement is for three years with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of \$376,903.10.

Mayor McComb referred to Item 7, execution of a supply agreement for the purchase of traffic signs for Street Operations. A council member expressed appreciation for having the opportunity to tour the new Traffic Management Center. There were no comments from the public.

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

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

Abstained: 0

Enactment No: M2017-188

- 9. Type A Agreement - CCREDC Program Management and Funding**

Motion authorizing and approving an Agreement between the Corpus Christi Regional Economic Development Corporation and the Corpus Christi Business and Job Development Corporation for management of the Business and Job Development Incentive Program. The Agreement runs from October 1, 2017 to September 30, 2018 and includes an annual payment of \$125,000.00.

Mayor McComb referred to Item 9, an agreement between the Corpus Christi Regional Economic Development Corporation (EDC) and the Corpus Christi Business and Job Development Corporation (Type A Board) for program management and funding. Assistant City Manager Keith Selman and council members discussed the following topics: the reason the Type A Board is paying the EDC directly instead of reimbursing the City's General Fund and why the agreement does not stay aligned with the City Council; concern that a separate agreement between the Type A Board and the EDC will impact the City Council's relationship with the EDC should the Type A Board and the City Council differ on projects; Type A Board's decisions are ratified by the City

Council; the EDC would lose funding if the City Council does not approve this action; and consideration to table this item so that the agreement is between the City and the EDC and that funding will be reimbursed from Type A funds to the City.

Council Member Garza made a motion to table the item, seconded by Council Member Rubio. The motion to table this item was approved with the following vote:

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

Abstained: 0

14.

First Reading Ordinance - Authorizing the continuation of Texas Municipal Retirement System (TMRS) Updated Service Credits for Current Participants and Increases for Prior and Current Annuities

Ordinance authorizing and allowing, under the Act governing the Texas Municipal Retirement System, "Updated Service Credits" in said system for service performed by qualifying members of such system who presently are members of the City of Corpus Christi; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; establishing an effective date for such actions; and providing for severance.

Mayor McComb referred to Item 14. Director of Human Resources Steven Viera stated that the purpose of this item is to authorize the continuation of Texas Municipal Retirement System (TMRS) "Updated Service Credits" for current participants and increases for prior and current annuities and to meet the provisions of the collective bargaining agreement with the Corpus Christi Police Officers' Association. The City is currently in an ad hoc status requiring approval by the City Council on an annual basis. City Secretary Rebecca L. Huerta announced that Council Member Lindsey-Opel abstained from this item. There were no comments from the public.

Mr. Viera and council members discussed the following topics: current commitments and obligations under the collective bargaining agreement and how bond ratings are affected; and the City increasing its contribution to 22.46% to address the liabilities.

(Note: This ordinance was inadvertently listed as a second reading action. Second reading will be held on December 19, 2017.)

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

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

Abstained: 1 - Council Member Lindsey-Opel

18. Second Reading Ordinance - Approval for the resale of 6 foreclosed properties (1st Reading 11/14/17)

Ordinance authorizing the resale of 6 properties for \$55,999.00 which were foreclosed upon for failure to pay ad valorem taxes, of which the City shall receive \$8,623.22 plus \$4,457.60 for partial payment of City paving and demolition liens.

Mayor McComb referred to Item 18. City Secretary Rebecca L. Huerta announced that Council Member Garza abstained from this item.

Council Member Rubio 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: 8 - Mayor McComb, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 1 - Council Member Garza

Enactment No: 031309

22. Second Reading Ordinance - Nueces Electric Cooperative Electric Franchise (28-Day Delay Required) (1st Reading 11/7/17)

Ordinance Granting To Nueces Electric Cooperative, Its Successors And Assigns, A Non-Exclusive Franchise To Construct, Maintain And Operate Lines And Appurtenances And Appliances For Conducting Electricity In, Over, Under And Through The Streets, Avenues, Alleys And Public Rights-Of-Way Of The City Of Corpus Christi, Texas.

Mayor McComb referred to Item 22. City Secretary Huerta stated that the City Charter requires that a 28-day delay between the two readings for franchise agreements, with a notice published in the local newspaper upon each reading. The notice upon first reading was overlooked, and the Legal department is recommending the delay of the second reading of the ordinance to allow for the publication to occur.

This Ordinance was withdrawn.

S. EXECUTIVE SESSION: (ITEMS 48 - 49)

Mayor McComb deviated from the agenda and referred to Executive Session Items 48 and 49. The Council went into executive session at 1:45 p.m. The Council returned from executive session at 3:08 p.m.

48. 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 emergency

service districts, the provision of fire and ambulance services, dispatching, 911 services, and Chapter 143 of the Texas Local Government Code.

This E-Session Item was discussed in executive session.

49.

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).

This E-Session Item was discussed in executive session.

L. RECESS FOR LUNCH

The recess for lunch was held during the executive session regarding Items 48 and 49.

M. PUBLIC HEARINGS: (ITEM 23)

23.

Public Hearing and First Reading Ordinance - Proposed Adoption of the Downtown Area Development Plan

Ordinance adopting a new Area Development Plan for the City of Corpus Christi titled "The Downtown Area Development Plan; Rescinding the Central Business Development Plan adopted by City Council Ordinance #025658; providing for severance; and providing for publication.

Mayor McComb referred to Item 23, the public hearing and first reading ordinance on the proposed adoption of the Downtown Area Development Plan. Council Member Vaughn made a motion to table Item 23 until receiving the North Beach Area Development Plan, seconded by Council Member Rubio. A brief discussion ensued regarding the Downtown Area Development Plan and the Downtown Parking Action Plan. This item was tabled with the following vote:

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

Abstained: 0

R. BRIEFINGS: (ITEMS 45 - 46)

45. User Fee Study

Mayor McComb deviated from the agenda and referred to Item 45. City Manager Margie C. Rose explained that City Council allowed staff to work with MGT of America Consulting Group to review the user fees and provide an in-depth cost analysis for the following departments: Fire and EMS, Parks and Recreation, Library, and Police, including Code Enforcement and Animal Care. The City last conducted a comprehensive fee analysis in the late 1980s. City Manager Rose stated that the goal of the analysis was to review the fees and charges internally to periodically update every three to five years.

Assistant Director of Management and Budget Sandra K. Thaxton introduced J. Mark Carpenter, Director of Financial Services with MGT of America Consulting Group and department leaders Fire Chief Robert Rocha, Police Chief Mike Markle, Director of Libraries Laura Garcia, and Director of Parks and Recreation Jay Ellington.

Ms. Thaxton provided a brief overview of the presentation; the difference between a tax and a use fee; fees cannot exceed the cost of service and the legal implications; best practices to validate fees every three to five years; and the departments and fees included in the study. Mr. Carpenter presented the following information: the scope of work; an overview of the methodology; the cost components; study findings; a summary of current user fees by department and how the recommendations will impact revenue; Libraries user fee changes; Police user fee changes; Parks and Recreation fee study recommendations projected over a five-year period; Parks and Recreation user fee changes; Fire Inspection user fee changes; and EMS user fee changes. Ms. Thaxton discussed the implementation options and next steps for departments to prepare for fee adjustments and move forward with a mid-year adjustment for City Council approval.

Council members and the presentation team discussed the following topics: fees that would directly impact citizens and fees that would impact businesses; ambulance fees being paid by Medicaid, Medicare, private insurance or individuals; consideration to develop a policy or ordinance to review fees every three to five years; the City has adjusted fees, but has not had a detailed cost of service review over the last 30 years; the study identifying how much the City is subsidizing services; determining how increasing fees will impact programs; departments identifying areas for improvement to bring costs down; full cost recovery for ambulance services; the fee study was paid for by participating departments; and using the data to benchmark against other communities.

46. Fire Department Staffing

Mayor McComb referred to Item 46. City Manager Margie C. Rose stated that the purpose of this item is to continue conversations during the budget process regarding Fire Department staffing. The presentation team included: Fire Chief Robert Rocha, Deputy Fire Chief Richie Quintero, and Assistant Fire Chief Kenneth Erben. City Manager Rose presented the following information: the Fire Department's current staffing level is at 414; discussions during the FY 2018 budget process regarding the addition of 15 firefighters to staff newly constructed Fire Station 18; background information on Fire Station 18; total calls for service by type with average response times for 2012-2017; current Fire Department revenues; proposed revenues including from the Texas Ambulance Supplemental Payment Program (TASPP) and increased user fees; FY 2017-2018 Fire Department Budget; existing obligations in the collective bargaining agreement; the budgetary impact of 15 additional firefighters beginning in FY 2018-2019; and the budgetary impact of 5 additional firefighters on a two-year cycle. City Manager Rose stated that Fire Department Administration did a tremendous job searching for additional revenue, however, her position is that some of the additional revenues received should be used for one-time expenditures for the Fire Department and to help relieve the General Fund.

After City Manager Rose's presentation, the following topics were discussed: the unfunded pension liability and amortization schedule; an increase in contributions to the Fire pension fund; the service level slide reflecting a decrease in response times; the impact of utilizing existing staff from Fire Station 1 to staff Fire Station 18; concern for the safety of citizens and firefighters; how the Fire Department currently addresses large incident responses; the budgetary impact of hiring 15 firefighters; consideration to place future TASPP revenue and user fee revenue into a savings account to fund additional firefighters; development of a policy on the hiring process for Police and Fire; the City not having had a staffing plan for Fire Station 18; the equipment moved from Fire Station 1 to Fire Station 18; when TASPP funding will be available; the number of times Fire Station 18 has been out of service; identifying a plan to hire an minimum of 9 firefighters; a council member's statement that the City can fund 15 additional firefighters; and whether the budgetary impact of attrition has been addressed.

MOTION OF DIRECTION

Council Member Guajardo made a motion directing the City Manager to come back with a four-year and six-year plan, beginning FY 2019 to fund 5/5/5 firefighters, seconded by Council Member Vaughn.

Discussion on the motion of direction included: the decrease in response times; the number of calls for fires; a majority of the calls being related to EMS; a study reflecting that at no time has all Fire equipment been totally utilized; a council member's statement that her decision to increase firefighter personnel is not based on emotion; and waiting to address Fire staffing as part of the budget process.

Council Member Guajardo amended her motion directing the City Manager to bring back a revised plan on January 9, 2018 for a four-year plan for 15 firefighters and a six-year plan for 5/5/5 firefighters beginning FY 2019.

AMENDED MOTION OF DIRECTION

Council Member Hunter made a motion to amend the motion of direction to

bring back a revised plan with three options: 1) a four-year plan for 5/5/5 firefighters, 2) hiring 9 firefighters, then 3/3; and 3) hiring 5/5/5 firefighters consecutively, seconded by Council Member Rubio.

This Amended Motion of Direction was passed and approved with the following vote: Council Members Guajardo, Hunter, Molina, Rubio, and Vaughn, voting "Aye"; Mayor McComb and Council Members Garza, Lindsey-Opel and Smith, voting "No".

M. PUBLIC HEARINGS: (ITEMS 23 - 25)

24. Public Hearing and First Reading Ordinance - Street Right-of Way Closure at South San Juan Street and Bluntzer Street

Ordinance closing, abandoning and vacating a 0.014 acre parcel of public right-of-way, portion out of Los Angeles Hills, Block 1, Lots 38, 39, 40, 41, 42, 43, 44, and 45, a map of which is recorded in Volume 4, Page 26, Map Records of Nueces County, Texas and requiring the owner, Corpus Christi Produce Company, Inc., to comply with specified conditions.

Mayor McComb referred to Item 24, the public hearing on the street right-of-way closure at South San Juan and Bluntzer Streets. Interim Director of Development Services Bill Green stated that the purpose of this item is to close and abandon a .014-acre parcel of public right-of-way at the request of Corpus Christi Produce Company, Inc. as their facility, built in the 1940s, encroaches into the public right-of-way.

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

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Absent: 1 - Council Member Hunter

Abstained: 0

25. Public Hearing and First Reading Ordinance - Rezoning property located at 8154 Leopard Street and 8128 Leopard Street

Case No. 0917-02 Ardoin Inc.: A change of zoning from the "CG-2/SP" General Commercial District with Special Permit to the "IL" Light Industrial District. The property is described as being Suntide Industrial Park, Block 2, Lots 1 and 2, located along the north side of Leopard Street, east of Tuloso Road, and west of Suntide Road.

Planning Commission and Staff Recommendation (November 1, 2017):

Approval of the change of zoning from the "CG-2/SP" General Commercial District with Special Permit to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Ardoin Inc. ("Owner"), by changing the UDC Zoning Map in reference to Suntide Industrial Park, Block 2, Lots 1 and 2, from the "CG-2/SP" General Commercial District with Special Permit to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 25, the public hearing on rezoning property located at 8154 Leopard Street and 8128 Leopard Street. Interim Director of Development Services Bill Green stated that this rezoning request is as a result of a code violation regarding the existing special permit relating to container stacking within fifty feet of the property to the north and complaints about noise and dust being a nuisance to the residential neighborhood to the north of the subject property. The applicant is seeking to rezone the property in order to sell or lease storage space for materials, containers and office trailers. The existing special permit is related to the storage of oil field-related products. Mr. Green stated that the Planning Commission and staff recommend approval of the zoning change.

Mayor McComb opened the public hearing. Martin Flores, 1909 Tawakoni Street, spoke regarding noise and dust concerns. Mayor McComb closed the public hearing.

Council members, staff and the applicant's representative Jacob Glaze discussed the following topics: container stacking; protecting the residential interest of the neighborhoods to the north of the subject property; noise from the back up warning devices on forklifts; certificates of occupancy and building permits; what type of operations/uses can occur in the present zoning; special permitting considerations; code violations regarding container stacking; the zoning designations and uses of surrounding properties; safety concerns regarding the height containers are stacked; the number of containers onsite; the applicant's communication with residential neighbors; the applicant utilizing a buffer zone, relating to the proximity of stacked containers to the property line; council members and the applicant having additional conversations with residential neighbors; and the various methods used to notify neighbors of the requested change in zoning.

Council Member Vaughn made a motion to table this item, seconded by Council Member Hunter. This Ordinance was tabled with the following vote:

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio and Council Member Vaughn

Abstained: 1 - Council Member Smith

Mayor McComb called for a recess at 6:02 p.m. Mayor McComb reconvened the Council meeting at 6:20 p.m.

P. FUTURE AGENDA ITEMS: (ITEMS 40-41)

Mayor McComb deviated from the agenda and referred to Future Agenda Items 40 and 41. City Secretary Rebecca L. Huerta announced that Council Member Hunter recused himself from Items 40 and 41. City Attorney Miles K. Risley presented these items.

40. Authorizing payment for existing insurance coverage package with TML Intergovernmental Risk Pool up to \$398,589 annually, and authorizing future coverage renewals after competitive quotes

Motion authorizing the annual payment for an existing insurance coverage package with the TML Intergovernmental Risk Pool (TML Risk Pool) for the following insurance-type coverages for which the private markets have not provided a cost-effective alternative to the TML Risk Pool (Excess Aviation, Airport Liability, TB Clinic Automobile Liability, TB Clinic General Premises Liability, Animal Mortality for Police Dogs, Auto Physical Damage for High Value Vehicles, Auto Catastrophe, Crime Public Employee Dishonesty, Crime Forgery, Crime Theft, Crime Computer Fraud, Gas Utilities, and High Value Mobile Equipment) in a total amount not to exceed \$398,589, authorizing the City Manager or designee to execute the latest form TML Risk Pool agreements, authorizing the addition of FEMA-mandated coverages available from TML that are a condition of federal disaster reimbursement, and authorizing payments in future years to the extent they are (1) budgeted and (2) for which City staff and/or the City's broker of record have obtained competing quotes for the aforesaid coverages from the private market and determined that privately-obtained coverages are not cost-competitive to the TML Risk Pool quote for that year.

This Motion was recommended to the consent agenda.

41. Broker Services for Insurance Coverages including Excess Workers Compensation and Excess Liability

Motion authorizing the City Manager to execute an amendment to the Broker of Record Services Agreement with Carlisle Insurance Agency in an added amount of \$60,000 per year providing for added broker services for insurance coverages including Excess Workers Compensation and Excess Liability and providing for the obtaining of competitive quotes for any insurance line of coverage placed through the TML Intergovernmental Risk Pool and providing for renewal of said services agreement for the two years that will be remaining on the services agreement issued pursuant to Request for Proposal Event No. 71 in 2015.

This Motion was recommended to the consent agenda.

N. REGULAR AGENDA: (ITEM 26)

26. Financial Advisor Services for a One-Year Not-to-Exceed Amount of \$196,000.00, with Four One-year Options and a Total Potential Multi-Year Not-to-Exceed Amount of \$980,000.00

Motion authorizing the City Manager or designee to execute a one-year service agreement with Estrada Hinojosa & Company, Inc., of Dallas, Texas, for financial advisor services for the Finance Department, in accordance with RFP No. 1306, based on the best value proposal for a not-to-exceed amount of \$196,000.00 to be funded in FY2017-18 primarily from bond proceeds, with up to four one-year options to renew subject to the sole discretion of the City and a total potential multi-year amount not-to-exceed \$980,000.00.

Mayor McComb referred to Item 26. Assistant Director of Financial Services Kim Baker stated that the purpose of this item is to execute a one-year service agreement with Estrada Hinojosa & Company, Inc., of Dallas, Texas for financial advisor services.

In response to a council member's question, Ms. Baker stated that a decrease in the service provider's original price was negotiated and is reflected in this agreement. There were no comments from the public.

Council Member Rubio made a motion to approve the motion, seconded by Council Member Molina.

A council member, City Manager Margie C. Rose and City Attorney Miles K. Risley discussed the following topics: whether the City's financial advisor works for the City Council or the City Manager; the contract's termination provision, including, terminating for convenience; the City Council having the right to terminate the contract, instead of that authority residing with the City Manager; the purpose of the contract and to whom the City's financial advisor will provide advice; concerns that city staff could terminate the agreement, for convenience, to retaliate against the Council for having gone against staff's recommendation of financial advisor; staff's professional responsibility to follow Council's direction; that staff "getting back" at Council would be unprofessional; the requirements regarding and the process of terminating a contract; the Council's desire for more information and involvement; Council's future connectivity with this agreement; how the amount paid to the City's financial advisor is determined; ensuring the City Manager has sufficient leeway to terminate the agreement when needed; the length of the initial term of the contract and extensions; the rarity with which the city has terminated contracts for convenience; and the cost of terminating this agreement for convenience.

This Motion was passed and approved with the following vote:

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

Abstained: 0

Enactment No: M2017-189

O. FIRST READING ORDINANCES: (ITEM 28)

28. First Reading Ordinance - Creating Restrictions for Barge Dock Parking

Ordinance adding Chapter 53, Section 178 "Barge Dock Parking" to the Corpus Christi Code of Ordinances to prohibit parking at barge dock from 6:00 p.m. to 6:00 a.m.; and providing an effective date, for severance, for penalty and for publication.

Mayor McComb deviated from the agenda and referred to Item 28. Assistant City Manager Keith Selman stated that the purpose of this item is to prohibit parking at the barge dock from 6:00 p.m. to 6:00 a.m. in order to manage after-hour access. There were no comments from the public.

In response to a council member's questions, Mr. Selman stated that gates are also to be installed as an additional restriction.

Director of the Art Museum of South Texas Joe Schenk spoke in favor of the recommended restrictions on the barge dock.

Council members, Mr. Selman and Chief of Police Mike Markle discussed the following topics: that with this change, individuals would be prohibited from parking for the purpose of fishing; that this change does allow for controlled event-parking; and steps taken to-date at the barge dock to curb mischief and damage to City property.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Hunter.

Council members, Chief Markle and Business Liaison Alyssa Barrera discussed the following additional topics: the consequences on downtown parking of eliminating this as a general parking area; the frequency and type of mischief that is occurring; resources utilized to police the barge dock; that parking on Shoreline will remain available; and the newly-created loading zone in front of the American Bank Center.

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

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

Abstained: 0

N. REGULAR AGENDA: (ITEMS 27)

27. Resolution approving submission of City projects for the Corpus Christi MPO 2018 Transportation Alternatives Set-Aside Program

Resolution supporting and approving the submission nominations with Corpus Christi Metropolitan Planning Organization for the Fiscal Year 2019 and Fiscal Year 2020 Transportation Alternatives Set - Aside Program (TASAP) for Schanen Hike & Bike Trail extension, Phase 4 and Dr. Hector P. Garcia Hike and Bike Trail, Phase 2.

Mayor McComb deviated from the agenda and referred to Item 27. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to provide for City Council approval of nominations for the Transportation Alternatives Set-Aside Program (TASAP) for the purpose of securing federal/state funds, with local matching funds, for the following non-motorized transportation alternative programs: Schanen Hike & Bike Trail extension, Phase 4 and the Dr. Hector P. Garcia Hike and Bike Trail, Phase 2. There were no comments from the public.

In response to a council member's question, Mr. Ellington discussed current and future connectivity of these two trails with others in the city; the City's match; the total cost of each trail extension; and how these bike trail extensions fit into the City's overall priorities.

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

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Nay: 1 - Mayor McComb

Abstained: 0

Enactment No: 031313

O. FIRST READING ORDINANCES: (ITEMS 29 - 35)

29. First Reading Ordinance - Lease Agreement for hangar, office and parking space at Corpus Christi International Airport for operation of flight school facility

Ordinance authorizing the City Manager, or designee, to execute a 36-month lease agreement, with two 12-month options to extend, with Sterling Air Service, LLC, for the use and development of aeronautical

facilities and property at the Corpus Christi International Airport upon payment of the monthly lease amount.

Mayor McComb referred to Item 29. Director of Aviation Fred Segundo stated that the purpose of this item is a flight school and installation of self-fueling tanks, for use by Sterling Air Service aircraft, for a fair market annual rate of \$31,650. The flight school will be operated in collaboration with Del Mar College. The Airport Board unanimously recommends approval of this item. There were no comments from the public.

Council Member Lindsey-Opel made a motion to approve the ordinance, seconded by Council Member Rubio.

A Council Member stated that the price at which the City is leasing the space is 15 cents per square foot.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio and Council Member Vaughn

Nay: 1 - Council Member Smith

Abstained: 0

30.

First Reading Ordinance - Appropriating Funds from FAA Grant 56 and from Airport Operating Reserve to fund East General Aviation and Terminal Apron Improvements; Amending the FY 2018 CIP Budget For Corpus Christi International Airport (CCIA)

Ordinance appropriating \$676,651.90 from Federal Aviation Administration Grant No. 3-48-0051-056-2017 in the No. 3020 Airport Capital Improvement Fund; appropriating \$75,183.54 from the No. 4612 Airport Operating Reserve Fund and transferring to the No. 3018 Airport Capital Reserve Fund for the Corpus Christi International Airport's East General Aviation and Terminal Apron Projects; amending the FY2017-18 Capital Improvement Program Budget adopted by Ordinance No. 031249 by increasing revenues and expenditures by \$751,835.44 each.

Mayor McComb referred to Item 30. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate \$676,651.90 from the Federal Aviation Administration (FAA) Grant 56 and \$75,183.54 from the Airport Operating Reserve to provide engineering services related to the east terminal apron projects and to amend the FY 2016 capital improvement budget by increasing revenues and expenditures by \$751,835.44. Mr. Segundo stated that the FAA will provide 90% of the project's funding, with the remaining 10% to be funded through the Airport's Operating Reserve. The Airport Board unanimously recommends approval of this item. There were no comments from the public.

This Ordinance was passed on first reading and approved with the following

vote:

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

Abstained: 0

31.

First Reading Ordinance - Removing a Portion of the One-Way Designation Along Lawrence Street (Between Shoreline Boulevard and Water Street)

Ordinance amending Section 53-250(a) of the Code of Ordinances that in accordance with Section 53-104 and when properly signposted, traffic shall move only in one direction upon designated sections of Lawrence Street and both directions in undesignated section; providing for severance; and providing for publication.

Mayor McComb referred to Item 31. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to change the traffic flow along Lawrence Street between Shoreline Boulevard and Water Street from one-way to two-way to allow motorists easier access to downtown. Ms. Gray stated that this proposed ordinance amendment was approved by the Traffic Advisory Commission. There were no comments from the public.

Council members and Ms. Gray discussed the following topics: changes to parking configuration, striping, signage and traffic signals; coordination among various plans that affect downtown; the traffic configuration of surrounding streets; analysis of downtown traffic; and downtown street direction/traffic flow versus parking plans.

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

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

Abstained: 0

32.

First Reading Ordinance - Closing of a utility easement at 2129 Meandering Oaks Drive

Ordinance abandoning and vacating a 0.040-Acre portion of an existing utility easement out of a portion of Flour Bluff and Encinal Farm and Garden Tracts, Section 40, Lot 8 and Shoreline Vista, Block 10, Lot 1 and requiring the owner, Mary J. Cole, to comply with the specified conditions.

Mayor McComb referred to Item 32. Interim Director of Development Services

Bill Green stated that the purpose of this item is to vacate and abandon a 1,762 square foot portion of an existing utility easement located at 2129 Meadering Oaks Drive, as requested by Mary J. Cole, as a house was built over a property line and the subject utility easements. There were no comments from the public.

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

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

Abstained: 0

33. First Reading Ordinance - Exemption from the Wastewater Lot or Acreage Fees for Holly Industrial Subdivision, Lot 1-B is located east of Ayers Street and north of Holly Road

Ordinance exempting Holly Industrial Subdivision, Lot 1-B located north of Holly Road and east of Ayers Street from the payment of wastewater lot or acreage fees under Section 8.5.2.G.1 of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Mayor McComb referred to Item 33. Interim Director of Development Services Bill Green stated that the purpose of this item is to exempt a wastewater lot or acreage fee for the Holly Industrial Subdivision property owned by Mr. Arnold Leal who is platting the 1.47-acre parcel to install a billboard. Staff and the Planning Commission recommend approval of the wastewater lot or acreage fee exemption. There were no comments from the public.

Council members and Mr. Green discussed the following topics: structures on the property; that a billboard is to be placed on the property; and future wastewater plans for the area.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio and Council Member Vaughn

Nay: 1 - Council Member Smith

Abstained: 0

34. First Reading Ordinance - Exemption from the Wastewater Lot or Acreage Fees for Harris Acres, Lot 1, Block 1 located west of Flour Bluff Drive and north of Glenoak Drive

Ordinance exempting Harris Acres, block 1 lot 1, north of Glenoak Drive and west of Flour Bluff Drive, from the payment of the wastewater lot or acreage fees under section 8.5.2.g.1 of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Mayor McComb referred to Item 34. Interim Director of Development Services Bill Green stated that the purpose of this item is to exempt a wastewater lot or acreage fee for a property in Harris Acres owned by David and Christina Harris who plan to build a single-family home on a 4.07-acre tract. Staff recommends approval of the wastewater lot or acreage fee exemption. There were no comments from the public.

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

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

Abstained: 0

35.

First Reading Ordinance - Authorizing the Issuance of Revenue Refunding Bonds

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Utility System Subordinate Lien Revenue Refunding Bonds, Series 2018" in an amount not to exceed \$34,835,000; making provisions for the payment and security thereof by a subordinate and inferior lien on and pledge of the net revenues of the City's Utility System; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the bonds; including the approval of an application to the Texas Water Development Board; authorizing the execution of a paying agent/registrar agreement, a financing agreement, and an escrow agreement; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; complying with the regulations promulgated by the Texas Water Development Board; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the bonds; enacting other provisions incident and related to the subject and purpose of the ordinance; and providing an effective date.

Mayor McComb referred to Item 35. Director of Finance Constance Sanchez stated that the purpose of this item is to authorize the issuance of utility system revenue bonds in an amount not to exceed \$34,835,000 to refund debt associated with Choke Canyon Dam and it includes approval of a financing agreement with the Texas Water Development Board. Ms. Sanchez stated that the outstanding balance that the Bureau of Reclamation shows for this debt is

\$42.2 million; that the City used \$8 million in cash in a reserve, specifically for Choke Canyon, to pay down the balance, thus reducing the amount to be borrowed to \$34.8 million; the debt is made up of two components, the debt for the Choke Canyon Reservoir, scheduled to be paid off in 2029, and the fish and wildlife recreation, scheduled to be paid off in 2024; the structure of this refunding is that both pieces were rolled up into one issuance, due in 2029, shaving off 15 years of debt payment; and, by this refunding, the interest rate on the debt will be decreased from the current rate of 5.116% to a projected rate of 2.45%; the shorter life of the bond and the reduced interest rate will result in a combined savings of more than \$22 million in debt payments; the Texas Water Development Board is willing to accept a subordinate third lien on net revenues for the repayment of these bond proceeds, thus, not impacting the City's debt service covenants; additional savings will be realized since no bond ratings will be required and no underwriter's discount will be paid because the bonds will be purchased by the Texas Water Development Board; and that City staff was advised that a federal legislative solution, without substantiation for loan forgiveness, would not be successful. There were no comments from the public.

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

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

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 36 - 39 AND 42)

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 37, 38 and 39. Mayor McComb requested information on Item 36.

36. Resolution reaffirming the City of Corpus Christi's Investment Policy and Investment Strategies for fiscal year 2017-2018.

This Resolution was recommended to the consent agenda.

37. Software hosting and support Service Agreement for the City Performance Report in the amount of \$39,600.00 with option to extend for four additional years for a potential multi-year not-to-exceed amount of \$212,000.00

Motion to reinstate and extend Service Agreement No.946 with Brio Consulting, LLC, and authorize the City Manager or designee to execute Amendment No. 2 for one year of software hosting and support services for \$39,600.00 with options to extend for up to four additional one-year-periods and subject to a possible annual increase not-to-exceed the U.S. rate of inflation, with a total potential multi-year amount not-to-exceed

approximately \$212,000.00.

This Motion was recommended to the consent agenda.

**38. Resolution Approving Street Preventative Maintenance Program
2018 SPMP Work Plan (Year - 5) (Council Priority - Streets)**

Resolution approving the concepts, direction, and general work plan for the fifth year of the Street Preventative Maintenance Program (SPMP) - "2018 SPMP Work Plan (Year - 5)."

This Resolution was recommended to the consent agenda.

**39. Professional Services Contract for Street Preventative
Maintenance Program (SPMP) 2018 (Council Priority - Streets)**

Motion authorizing the City Manager, or designee, to execute a professional services contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$698,457 for continued implementation of the 2018 *Citywide Street Preventative Maintenance Program* (SPMP).

This Motion was recommended to the consent agenda.

42. Resolution to adopt the Downtown Parking Action Plan

Resolution of the City Council of the City of Corpus Christi, Texas adopting and approving the Downtown Parking Action Plan for the City's TIRZ #3 Area.

This Resolution was recommended to the consent agenda.

Q. FUTURE CORPORATION MEETINGS: (ITEMS 43 - 44)

43. Special North Padre Island Development Corporation Meeting

This Corporation Meeting was recommended to be held.

**44. Special Board Meeting of the Corpus Christi Housing Finance
Corporation**

This Corporation Meeting was recommended to be held.

R. BRIEFINGS: (ITEM 47)

47. Homeless Recommendations Update

Mayor McComb referred to Item 47. Director of Housing and Community Development Rudy Bentancourt provided a an update on homeless recommendations covering the following topics: Status Update #1 - Recommendation #1 Coordinated Entry and next steps; Status Update #2 -

Recommendation #4 Family Reunification Program and next steps; Strategy Update #2 - Recommendation #2 Homeless Work Program and next steps; Strategy Update #3 - Recommendation #3 Tiny Homes and next steps; and that in February 2018, City staff will return to the City Council with a status update on #1 and #4 and a strategy update on #2 and #3.

Council Members discussed the following topics: reservations regarding Recommendation #3 Tiny Homes; and moving up in the order of the agenda any future item dealing with homelessness.

S. EXECUTIVE SESSION: (ITEMS 50 - 51)

Mayor McComb referred to Executive Session Items 50 and 51. The Council went into executive session at 7:54 p.m. The Council returned from executive session at 8:35 p.m.

- 50. 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 construction bids for the Oso Water Reclamation Plant Headworks and Lift Station Project, Chapter 252 of the Texas Local Government Code, and related case law.**
- This E-Session Item was discussed in executive session.**

- 51. 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, and potential creation of entities that could provide or assist in the provision of the aforementioned 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), including, but not limited to, potential contracts for the provision of water to said business prospect(s).**

This E-Session Item was discussed in executive session.

T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Council Members asked for the following items to be placed on a future

agenda: a Tax Increment Reinvestment Zone for North Beach; exploring a City Christmas festival; and a discussion regarding ordinances relating to animal control, specifically the trap-neuter-release option.

U. ADJOURNMENT

The meeting was adjourned at 8:37 p.m.