



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, June 12, 2018

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 11:34 a.m.

- B. Invocation to be given by Pastor Steve Sorenson, Bridgeway Church.**

Pastor Steve Sorenson gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Belinda Mercado, Director of Information Technology.**

Director of Information Technology Belinda Mercado 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.

Charter Officers:

Interim City Manager Keith Selman, 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 Everett Roy, Council Member Lucy Rubio, and Council Member Greg Smith

E. Proclamations / Commendations

1. Proclamation declaring June 9-19, 2018, "153rd Anniversary of the Juneteenth Celebration, the Spirit of Emancipation Days".
Proclamation declaring June 12, 2018, "Women Veterans Day".
Proclamation declaring June 17, 2018 "National Garbage Worker Day", and June 17-24, 2018, "National Garbage Worker Week".
Commendation for Ester Bernice Chatman Pollard, M.D. - Celebration of 30-Years Practicing Medicine at Coastal Bend Oncology Hematology.

Mayor McComb presented the proclamations and commendation.

- 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. Sherry Sells, 5014 Wingfoot, thanked Officer Cantu and the Solid Waste Department for addressing illegal dumping complaints and spoke regarding permits for ADA ramps. Bob Huff, 5818 St. Andrews Drive, spoke regarding Code Enforcement enforcing trash violations in the City. Mike Ryan, 6634 Hunt Drive, spoke regarding the Police Department's response to a vandalism incident that occurred on South Fork Drive during the Memorial Day weekend. Tina Butler, 1450 Cambridge Drive, extended an invitation to the City Council and the public to attend "Juneteenth in the Crest" on Saturday, June 16, 2018 from 9:00 a.m. to 9:00 p.m. at the Dr. H.J. Williams Memorial Park located at 2500 Nueces Street. Adam Carrington, 2949 Riverbend Court; Gloria Randall Scott, 4422 S. Alameda; Errol Summerlin, Citizens Alliance for Fairness and Progress; and Lamont Taylor, 701 Stillman, spoke regarding the following issues in the Hillcrest community: concern with the possible closure of the Oveal Williams Senior Center; increased property taxes; Animal Care Services addressing the increase in loose animals and rodents; increased vandalism; the lack of lighting in the area; the cutting down of trees; asbestos control; and neglecting the neighborhood. Rick Milby, 4412 High Ridge Drive, thanked Police Chief Mike Markle and the Police Department for addressing the removal of graffiti damage at the CC Prayer Chapel construction site. Patricia

Polastri, 1605 Ocean Drive, spoke in opposition to the new landscaping placed in the median on Ocean Drive because it attracted roaches and rodents and asked the City to reduce the number of palm trees in the area. Lisa Orsborn Hernandez, 5826 Llano Drive, spoke regarding the following topics: the City Council conducting a search for a new City Manager; the appointment made by Interim City Manager Keith Selman of Police Chief Mike Markle to Interim Assistant City Manager; proposed budget cuts to Parks and Recreation; and tax abatement agreements. Mimosa Thomas, 710 Ponder Street, spoke regarding: in opposition to the proposed closure of the Oveal Williams and Broadmoor Senior Centers; requesting that the City Council submit a letter from the City of Corpus Christi requesting that entities in the City's industrial districts pay their share of taxes or donate funds to help keep senior centers, parks and libraries open. Colin Sykes, 309 Aberdeen, requested that the City Council support the U.S. Conference of Mayor's position regarding the Clean Power Act and the Paris Climate Accord and spoke regarding banning plastic bags. Sylvia Campos, 4410 Fir, spoke regarding the following: the increase in rates impacting attendance at Parks and Recreation's summer camps; the appointment of Police Chief Mike Markle to Interim Assistant City Manager over the Parks and Recreation Department; and proposed budget cuts to recreation centers. Jim Klein, 3501 Monterrey, asked the City Council to reconsider the increases in summer latchkey program fees and requested that the Oveal Williams Senior Center remain open. Mayor McComb requested that Interim City Manager Keith Selman provide a report to the City Council regarding utilization of Parks and Recreation programs. Emily Munoz, 315 Rosebud, spoke regarding concerns related to the Parks and Recreation's proposed budget cuts and in opposition to the proposed closure of Broadmoor and Oveal Williams Senior Centers. Julie Rogers, 710 Furman, requested that the City of Corpus Christi submit a letter requesting that the entities in the City's industrial districts pay their share of taxes. Andrea Montalvo-Hamid, 7030 Wakeforest, spoke regarding the following: proposed budget cuts to the Parks and Recreation budget; the proposed closure of the Broadmoor Senior Center; and the submission of a letter by the City of Corpus Christi requesting that the entities in the City's industrial districts pay their share of taxes. Susie Luna Saldana, 4710 Hakel, spoke regarding the following: the utilization of Oveal Williams Senior Center; requesting that entities in the industrial districts provide/donate funding; in support of the appointment of Police Chief Mike Markle as Interim Assistant City Manager; and the decisions regarding the budget being made by the City Council. Margareta Fratila, 3606 Tripoli, spoke regarding the enforcement of street signs and numbers on homes.

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

Mayor McComb referred to City Manager's Comments. Interim City Manager Keith Selman reported on the following topics:

d. OTHER

1) The 2018 Storm Expo event will be held Saturday, June 16, 2018 at the American Bank Center in preparation for hurricane season. 2) The Office of Emergency Management is in the City Hall atrium today passing out information related to hurricane season. 3) The Development Services Department is hosting two workshops that are free to homeowners interested in doing construction in their homes. The sessions will be held on Friday, June 15, 2018 and Tuesday, July 10, 2018 at the Ben F. McDonald Public Library

located at 4044 Greenwood Drive. 4) Lake Corpus Christi and Choke Canyon are at 40% combined capacity. Stage 1 of the Drought Contingency Plan will likely be implemented tomorrow, June 13, 2018. The following measures will be in effect: lawn watering will be limited to once per week before 10:00 a.m. and after 6:00 p.m.; hand watering is allowed at any time using a shut off nozzle; foundations can be watered once a week with a hand hose; and during this stage, commercial car washes and landscaping nurseries are not affected. Stage 1 will be terminated when the combined capacity of Lake Corpus Christi and Choke Canyon is over 50%. 5) Interim City Manager Selman recognized the following City employees: Battalion Chief Tony Perez and Firefighter II EMS Michael Macias for receiving the lifesaving award and Gloria Posada, IT Business Analyst III, for receiving the IT Support and Services Award at the 2018 Digital Government Summit Best of Texas Awards.

BRIEFINGS: (ITEM 35)

35. Gulf Coast Growth Ventures

Mayor McComb deviated from the agenda and referred to Item 35. Rob Tully, Gulf Coast Growth Venture Executive, stated that the purpose of this item is to provide an update on the status of the Gulf Coast Ventures project. Mr. Tully presented the following information: the company's pledge to the community; a project overview; the projected economic impact; the project timeline; the company's commitment to safety; construction milestones; the Good Neighbor Program; local hiring, education, and workforce development; quality of life and community involvement; and environmental protection. Mr. Tully announced his retirement and introduced his replacement Paul Guilfoyle.

Council members and Mr. Tully discussed the following topics: local education and workforce development through Del Mar College or the Craft Training Center; individuals interested in careers in the trade industry must pass a drug test; and growth of the region to build and sustain industry.

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

Mayor McComb deviated from the agenda and returned to City Manager's Comments.

a. CITY PERFORMANCE REPORT OVERVIEW

Interim City Manager Keith Selman introduced Steve Klepper with the Office of Strategic Management who provided a brief overview of the City Performance Report (CPR) including: the update to the CPR to include 14 departments; how to find the CPR on the City's website; the conceptual foundation and components of the CPR; and continued improvements.

A council member asked questions regarding departments embracing the use of the CPR performance measures and the software.

b. BUDGET UPDATE

Director of Management and Budget Eddie Houlihan provided a brief update on the FY2017-2018 budget. Mr. Houlihan presented the following information:

general fund revenues related to property, sales, and other taxes, franchise fees, Solid Waste Services, emergency calls, and recreation services; expenditures; and a summary of the revenues and expenditures for the General, Enterprise, Internal Service, Debt Service, and Special Revenue Funds.

Council members and staff discussed the following topics: increased sales tax as a result of Hurricane Harvey; the sales tax budgeted for the current fiscal year and the projected sales tax for next fiscal year; clarification regarding summer programs through the Parks and Recreation Department; comments made during public comment regarding the decrease in participation in summer programs; providing factual information during public comment when the public makes inaccurate statements; the use of unanticipated revenue in the general fund to balance the budget; and a review of wastewater rate calculations.

c. STRATEGIC FUTURE ISSUES

None.

G. MINUTES:

2. Regular Meeting of May 22, 2018 and Workshop Session of May 17, 2018.

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 Lindsey-Opel and passed unanimously.

R. EXECUTIVE SESSION: (ITEM 38)

Mayor McComb deviated from the agenda and referred to Executive Session Item 26. The Council went into executive session at 2:13 p.m. The Council returned from executive session at 3:30 p.m.

38. Executive Session pursuant to Section Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to 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/or past or present affiliates, creditors or shareholders of any of the aforesaid entities, 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, mains, 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 Executive Session Item 38.

H. BOARD & COMMITTEE APPOINTMENTS:

- 3.** Civil Service Commission
Civil Service Board
Corpus Christi Regional Transportation Authority
Crime Control and Prevention District
Leadership Committee for Senior Services
Sister City Committee

Mayor McComb deviated from the agenda and referred to board and committee appointments. The following appointments were made:

Civil Service Commission/Civil Service Board

Council Member Molina made a motion to appoint Gerald Avila (Regular) to the Civil Service Commission and the Civil Service Board, seconded by Council Member Hunter and passed unanimously.

Corpus Christi Regional Transportation Authority - rescheduled for 6/19/18

Crime Control and Prevention District

Council Member Molina made a motion to appoint Sylvia A. Tryon-Oliver (Council Member Everett Roy's Representative), seconded by Council Member Lindsey-Opel and passed unanimously.

Leadership Committee for Senior Services

Council Member Garza made a motion to appoint John Meehleib (Community Representative), seconded by Council Member Molina and passed unanimously.

Sister City Committee

Council Member Garza made a motion to appoint Gargi Bhowal (Corpus Christi Chamber of Commerce), seconded by Council Member Lindsey-Opel and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:**K. CONSENT AGENDA: (ITEMS 4 - 12)****Approval of the Consent Agenda**

Mayor McComb referred to the Consent Agenda. There were no comments from the Council or the public.

A motion was made by Council Member Molina, seconded by Council Member Hunter, 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 Roy, Council Member Rubio and Council Member Smith

Abstained: 0

4. Agreement with United Corpus Christi Chamber of Commerce to support the South Texas Military Facilities Task Force

Motion to authorize execution of an agreement with the United Corpus Christi Chamber of Commerce to support the operations, activities, and tasks of the South Texas Military Facilities Task Force during Fiscal Year 2018 not to exceed \$75,000.

This Motion was passed on the consent agenda.

Enactment No: M2018-091

5. Three Professional Service Contracts for Pre-design to 100% certain proposed Bond 2018 street projects

Resolution supporting the use and commitment of necessary funding of \$5 million in remaining Bond 2014, Proposition One Proceeds and authorization to execute Professional Services Contracts with Freese and Nichols of Corpus Christi, Texas in the amount of \$823,700 for Everhart Road from SPID to Holly Road; LNV, Inc. of Corpus Christi, Texas in the amount of \$792,940 for Holly Road from Paul Jones to Rodd Field Road; Munoz Engineering of Corpus Christi, Texas in the amount of \$449,172 for Slough Road from Rodd Field Road to Dead End.

This Resolution was passed on the consent agenda.

Enactment No: 031445

6. Purchase of Seven Heavy-duty Freightliner Trucks for Utilities

Motion authorizing the purchase of seven heavy-duty Freightliner trucks from Houston Freightliners of Houston, Texas, via Houston Galveston Area Council cooperative, for a total amount of \$1,291,346.00.

This Motion was passed on the consent agenda.

Enactment No: M2018-092

7. Two-year Service Agreement for Uniform Rental for the Utilities Department

Motion authorizing a two-year service agreement for uniform rental for utilities department with Cintas Corporation from Corpus Christi, Texas, via U.S. Communities cooperative, for a total amount not to exceed \$130,027.64.

This Motion was passed on the consent agenda.

Enactment No: M2018-093

8. Three-year Supply Agreement for the purchase of hip and knee boots

Motion authorizing a three-year supply agreement with Northern Safety and Industrial, of Corpus Christi, Texas, for the purchase of hip and knee boots for a total amount not to exceed \$191,691.75.

This Motion was passed on the consent agenda.

Enactment No: M2018-094

9. Three-year Service Agreement for Mary Rhodes Phase 2 Pumps and Motors with Two, One-year options

Motion authorizing a three-year service agreement with Smith Pump Company, Inc., of Austin, Texas, for maintenance services for Mary Rhodes Phase 2 pumps & motors for a total amount not to exceed \$636,717.00, with two one-year options for a total potential multi-year amount of \$1,061,195.00.

This Motion was passed on the consent agenda.

Enactment No: M2018-095

10. Second Reading Ordinance - Refunding Acreage/Lot Fees Paid (1st Reading 5/22/18)

Ordinance refunding \$13,006.92 from Wastewater Trunk System Trust Fund to John and Elizabeth Butler.

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

Enactment No: 031446

11. Second Reading Ordinance - Request for exemption from Wastewater Lot or Acreage Fees for property located west of Manning Road, north of State Highway 44 (1st Reading 5/22/18)

Ordinance exempting Lot 1, Block 1, STEPS Terminal from payment of wastewater lot or acreage fees conditioned upon a Sanitary Sewer Connection Agreement.

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

Enactment No: 031447

12. Second Reading Ordinance - Closing of a utility easement located at 3801 Woodhouse (1st Reading 5/22/18)

Ordinance abandoning and vacating 0.0090 acre (393 square feet) of an existing electrical easement out of Grange Park Subdivision Unit 1, Lot 1A Block 1, located at 3801 Woodhouse and requiring the owner, Grangefield Development, LLC., to comply with the specified conditions.

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

Enactment No: 031448

M. PUBLIC HEARINGS: (ITEMS 13 - 15)

13. Public Hearing and First Reading Ordinance - Lease Agreement for Helicopter Air Tours at The Water's Edge

Ordinance authorizing a 17-month lease agreement with Espejo Helicopters, LLC for use of area of The Water's Edge Park located along Shoreline Blvd. near Kinney Street to conduct helicopter air tours with monthly rent payment of five percent of gross revenues.

Mayor McComb referred to Item 13. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to approve a lease agreement with Espejo Helicopters, LLC for use of areas located at The Water's Edge Park to conduct helicopter air tours.

Mayor McComb called for a recess to load a presentation at 3:41 p.m. Mayor McComb reconvened the Council meeting at 3:44 p.m.

Mr. Ellington presented the following information: the terms of the agreement; primary use times and hours of operation; the location at The Water's Edge Park; pictures of the helicopter unit; safety zone and temporary fencing; and the services provided. Mr. Ellington introduced Espejo Helicopters, LLC representatives Chelsea Craig, Public Relations Manager, Thomas A. Gates, Jr., Owner, and pilot Austin Lebamoff.

Council members and staff discussed the following topics: concerns regarding noise; council members related their personal experiences on the helicopter tour; the helicopter tours bringing a unique opportunity to the City; background information on the pilot's experience; the number of employees manning the area; passengers' ability to take photographs; language in the contract related to flights for City use; hours of operation; the number of helicopter rides per day; how the revenue will be tracked in the general fund; concerns from the public regarding the location of the helicopter site in the park; consideration of other locations; and safety concerns.

Mayor McComb opened the public hearing. Cheryl Robertson, 823 Water Street, expressed concerns regarding the noise and location of the helicopter. Mayor McComb closed the public hearing.

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

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

Abstained: 0

14. Public Hearing and First Reading Ordinance - Rezoning property located at or near 6665 Lipes Boulevard. (3/4 Vote Required) (Reconsideration Item from 3/24/18)

Case No. 0218-01 Dorsal Development, LLC.: Ordinance rezoning property at or near 6665 Lipes Boulevard from "FR" Farm Rural District to the "RM-1" Multifamily 1 District.

Planning Commission and Staff Recommendation (March 21, 2018): Approval of the change of zoning from "FR" to the "RM-1".

Mayor McComb referred to Item 14. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the construction of an apartment complex. Ms. Nixon-Mendez stated that this item was reconsidered by the City Council at the May 8, 2018 Council meeting. Ms. Nixon-Mendez provided the following information: an aerial overview of the subject property; the zoning pattern for the area; and the schools and multifamily uses in the area. Ms. Nixon-Mendez stated that the Planning Commission and staff are in favor of the zoning change.

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

A council member explained his decision to reconsider the zoning change to multifamily based on walkability and availability of student housing near the new Del Mar College campus.

Council Member Lindsey-Opel made a motion to approve the ordinance,

seconded by Council Member Rubio. 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 Roy, Council Member Rubio and Council Member Smith

Abstained: 0

15. Public Hearing and First Reading Ordinance - Rezoning property at or near 6502 and 6630 Agnes Street

Case No. 0318-02 Hooten Family Trust A: Ordinance rezoning property at or near 6502 and 6630 Agnes Street from "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit with conditions.

Planning Commission and Staff Recommendation (April 18, 2018):
Approval of the change of zoning from "IL" to "IL/SP".

Mayor McComb referred to Item 15. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone property at or near 6502 and 6630 Agnes Street. Ms. Nixon-Mendez stated that the applicant is requesting that the City Council table this item to the June 26, 2018 Council meeting to work on additional language clarifications to the recommended conditions.

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

Council Member Lindsey-Opel made a motion to table this item, seconded by Council Member Hunter. 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 Roy, Council Member Rubio and Council Member Smith

Abstained: 0

N. REGULAR AGENDA: (NONE)

O. FIRST READING ORDINANCES: (ITEMS 16 - 22)

16. First Reading Ordinance - Establishing a Flood Hazard Mitigation Information Committee

Ordinance amending the Corpus Christi Code to establish Flood Hazard Mitigation Information Committee.

Mayor McComb referred to Item 16. Director of Development Services Nina

Nixon-Mendez stated that the purpose of this item is to amend the City's Code of Ordinances to establish a Flood Hazard Mitigation Information Committee. The Community Rating System is a voluntary incentive program of the National Flood Insurance program and provides flood insurance premium discounts for going beyond minimum standards. The City of Corpus Christi is currently a Class 7 which provides for a 15% discount in a special flood hazard area and 5% to all other flood insurance policies. The Flood Hazard Mitigation Information Committee will develop and maintain the Program for Public Information and Flood Insurance Coverage Improvement that will yield increased credits for the Community Rating System. There were no comments from the public.

Council members and staff discussed the following topics: the composition of the committee; representation from the industry; consideration to combine the Flood Hazard Mitigation Information Committee with another committee; the timeline for the committee; if the committee will be a standing committee; to whom the committee will report; funding for the communication component; the number of points earned for creating the committee; the final appeal maps; and the number of credits the City needs to drop to Class 6 and its effect on premiums.

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

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

Abstained: 0

17.

First Reading Ordinance - Amending City Code to adopt TCEQ standards for inspection and testing of backflow preventer assemblies for residential irrigation systems

Ordinance amending Corpus Christi Code to adopt Texas Commission on Environmental Quality regulations for the inspection and testing of backflow preventer assemblies for residential irrigation systems; and providing for penalty.

Mayor McComb referred to Item 17. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to amend the City's Code of Ordinances by revising Sections 14-281 and 14-291 to align the testing and certification of backflow prevention assemblies for residential irrigation systems with Texas Commission on Environmental Quality (TCEQ) standards. There were no comments from the public.

Council members and staff discussed the following topics: reducing the number/frequency of inspections on irrigation systems; TCEQ standards; permitting required for repairs to irrigation systems; concerns regarding risk; and communication to the public.

Council Member Garza made a motion to approve the ordinance, seconded by

Council Member Hunter. 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 Roy and Council Member Smith

Nay: 1 - Council Member Rubio

Abstained: 0

18. First Reading Ordinance - Closing of two utility easements located at 14229 Northwest Boulevard

Ordinance abandoning and vacating a 15-foot utility easement (2,033-square feet) and abandoning and vacating a 10-foot utility easement (1,355-square feet) out of Taylor's Best Plaza Block 1 Lot 2, located at 14229 Northwest Boulevard; and requiring the owner, MTM Northwest Management, Ltd., to comply with the specified conditions that include the dedication of a new 15-foot utility easement (2,199-square feet).

Mayor McComb referred to Item 18. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to vacate and abandon two utility easements located out of Taylor's Best Plaza to facilitate proposed future construction on the site. Ms. Nixon-Mendez presented the following information: an aerial overview of the subject property; the location of the existing utility easements and proposed closure; and the proposed future property layout. There were no comments from the Council or the public.

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

Absent: 1 - Council Member Molina

Abstained: 0

19. First Reading Ordinance - Five-Year Lease for Lichtenstein House

Ordinance approving a five- year lease with the Instituto de Cultura Hispanica for Lichtenstein House at 1616 N. Chaparral Street, for monthly rent of \$365; with option to extend for up to three five-year terms at monthly rent \$435 in second five-year term, \$485 in third five-year term, and \$600 in fourth five-year term.

Mayor McComb referred to Item 19. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to approve a five-year lease agreement with the Instituto de Cultura Hispanica for the Lichtenstein House at Heritage Park with options to extend for up to three five-year terms. There

were no comments from the public.

Council members and staff discussed the following topics: the current rental payments; the City's responsibility to pay for water and sewer service, maintain grounds, and structural repairs; if the Lichtenstein House is covered under the City's insurance; consideration to amend the ordinance to remove the options to extend the lease agreement; and the termination clause.

Council Member Smith made a motion to amend the ordinance by removing the extension options, seconded by Council Member Hunter and passed unanimously.

Council Member Smith made a motion to approve the ordinance as amended, seconded by Council Member Guajardo. This Ordinance was passed on first reading as amended 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 Roy, Council Member Rubio and Council Member Smith

Abstained: 0

MOTION OF DIRECTION

Council Member Smith made a motion directing the Interim City Manager to establish a consistent leasing policy for all leases of structures in Heritage Park, seconded by Council Member Guajardo and passed unanimously.

A brief discussion ensued regarding the following topics: the City creating a property management position, through contract or in-house, to manage the business management of City facilities; review of fair market value for City facilities; providing an opportunity for all non-profits to participate in the leasing of property; and review of City leases to require that tenants be responsible for repair and maintenance of the facility.

20.

First Reading Ordinance - Lease Agreement Extension for Lake Corpus Christi Campground

Ordinance authorizing lease extension with Kamping Pleasures, Inc. for up to 6 months to operate a 40-acre campground on Lake Corpus Christi, for \$1500 monthly rent or 8% of gross sales, whichever is greater.

Mayor McComb referred to Item 20. Executive Director of Utilities Dan Grimsbo stated that the purpose of this item is to authorize a lease extension with Kamping Pleasures, Inc. for up to 6 months to operate a 40-acre campground on Lake Corpus Christi, for \$1500 monthly rent or 8% gross sales. The current lease agreement expires July 18, 2018 and an extension is needed to allow staff to finalize the terms of the new lease. There were no comments from the public.

Council members and staff discussed the following topics: how the market value for the campgrounds was determined; the structures on the

campgrounds; and the lessee being responsible for all campground improvements and maintenance, with no expense by the City.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Rubio. 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 Roy, Council Member Rubio and Council Member Smith

Abstained: 0

21. First Reading Ordinance - Lease Agreement with the U.S. Coast Guard for a parking lot and storage area at the Corpus Christi International Airport

Ordinance authorizing a lease with the U.S. Coast Guard for 1.61 acres to construct a parking lot and storage area at Corpus Christi International Airport, with a term of up to five years, in exchange for a monthly lease payment of \$469.69.

Mayor McComb referred to Item 21. Director of Aviation Fred Segundo stated that the purpose of this item is to authorize a lease with the United States Coast Guard for 1.61 acres to construct an additional parking lot and storage area at the Corpus Christi International Airport, with a term of up to five years with a monthly lease payment of \$469.69. The fees are in accordance with the Federal Aviation Compliance Manual. The fair market pricing of the airport land has been determined by an outside appraisal firm using comparables for airport properties. There were no comments from the public.

Council members and staff discussed the following topics: whether the City would allow the same pricing for a fixed-based operator for 1.61 acres at the airport; the various appraisal categories for airport property; the lease terms; and setting a new market value on the property at the end of the lease.

Council Member Lindsey-Opel 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 Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Absent: 1 - Council Member Hunter

Abstained: 0

22. First Reading Ordinance - Appropriating funds and authorizing a six-month service agreement for document imaging of vital records

Ordinance appropriating \$250,000 from the Vital Statistics Record

Retention Committed Fund Balance in the General Fund; amending the budget; and authorizing a six-month service agreement with MCCi, of Tallahassee, Florida, for document imaging of vital records for the Corpus Christi-Nueces County Public Health District for a total amount not to exceed \$250,000, via BuyBoard cooperative.

Mayor McComb referred to Item 22. Director of Public Health Annette Rodriguez stated that the purpose of this item is to appropriate \$250,000 from the Vital Statistics Record Retention Committed Fund Balance in the General Fund, and authorizing a six-month service agreement with MCCi for document imaging of vital records for the Corpus Christi-Nueces County Public Health District. There were no comments from the Council or the public.

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

Absent: 1 - Council Member Hunter

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 23 - 34)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff was providing information on Item 33. A council member requested information on Item 25.

23. Five-year contract for access to the DSHS Vital Event Electronic Registration System for issuing birth certificates for the period of 9/1/18 through 8/31/23

Motion authorizing a five-year contract with the Department of State Health Services (DSHS) to provide the Corpus Christi-Nueces County Public Health District access to the DSHS Vital Event Electronic Registration System to issue individual birth certificates for \$1.83 per printed record.

This Motion was recommended to the consent agenda.

24. One-Year Supply Agreement for the purchase of firefighting clothing for Fire Department

Resolution authorizing the purchase of firefighting clothing for a one-year supply agreement with Casco Industries, Inc., Houston, Texas for a total amount not to exceed \$174,679.10, with two one year options for a total potential multi-year amount of \$524,037.30.

This Resolution was recommended to the consent agenda.

25. Two, three-year service agreements for mowing street right-of-ways for Flour Bluff Groups FB1 and FB3

Motion authorizing two, three-year service agreements with CML Services, LLC of Corpus Christi, Texas, for mowing and grounds maintenance services for street right-of-ways for Flour Bluff groups FB1 and FB3 for a total amount not to exceed of \$135,684.

This Motion was recommended to the consent agenda.

26. Amendment for Meal Delivery Service Agreement

Motion approving Third Amendment to Meal Delivery Service Agreement with R&R Delivery Service for 3 months in estimated amount of \$107,305.14.

This Motion was recommended to the consent agenda.

27. Work Gloves 36-month Supply Agreement

Motion authorizing a 36-month supply agreement with Gulf Coast Nut & Bolt, LLC, of Corpus Christi, Texas, for Work Gloves for various departments for a total amount not to exceed \$237,739.11.

This Motion was recommended to the consent agenda.

28. Purchase of Nine Mini Excavators for Utilities Department

Motion authorizing the purchase of nine mini excavators from Doggett Heavy Machinery Services of Corpus Christi, Texas, via BuyBoard cooperative, for a total amount of \$378,115.00.

This Motion was recommended to the consent agenda.

29. Resolution for a One-Year Supply Agreement for Ecosorb for Greenwood Wastewater Treatment Plant

Resolution authorizing a one-year supply agreement with OMI Industries from Long Grove, Illinois for the purchase of Ecosorb 505 for a total amount of \$111,331.75.

This Resolution was recommended to the consent agenda.

30. Amendment No. 1 to a professional services contract for the Greenwood Wastewater Treatment Plant Dissolved Air Flotation Unit Rehabilitation & Odor Control project

Motion authorizing Amendment No. 1 to a professional services contract

with Hazen and Sawyer of Corpus Christi, Texas in the amount of \$612,500 for a total restated fee of \$661,800 for the Greenwood Wastewater Treatment Plant Dissolved Air Flotation Unit Rehabilitation & Odor Control project. (Capital Improvement Program - CIP).

This Motion was recommended to regular agenda.

31. Master Services Agreement for Citywide Storm Water Infrastructure

Motion authorizing a Master Services Agreement (MSA) with LJA Engineering of Corpus Christi, Texas in the amount of \$500,000 for Citywide Storm Water Infrastructure Rehabilitation/Replacement project.

This Motion was recommended to the consent agenda.

32. Resolution to execute construction contract for the JC Elliott Landfill Site Improvements project

Resolution rejecting the apparent low bid of Abel's Paving & Construction as non-responsive and authorizing execution of a construction contract with Bridges Specialties, Inc. as the lowest responsive bidder in the amount of \$394,545.05 for the JC Elliott Landfill Site Improvements project.

This Resolution was recommended to the consent agenda.

33. Purchase of Refuse and Recycling Carts for Solid Waste

Motion authorizing the purchase of refuse and recycling carts from Cascade Engineering of Grand Rapids, Michigan, via Houston-Galveston Area Cooperative, in the total amount of \$120,019.20.

This Motion was recommended to the consent agenda.

34. Resolution for Renewal of Service Agreement with Sprout Social for an Integrated Social Media Platform

Resolution finding that the renewal of a service agreement with Sprout Social, Inc. for the Communication Department is a sole source procurement; and authorizing a one-year renewal with Sprout Social Inc. for \$15,300, with an option to extend for an additional one-year term, for a total renewal amount not to exceed \$30,600.

This Resolution was recommended to the consent agenda.

Q. BRIEFINGS: (ITEM 36)

36. John W. Cunningham Water Plant: Request for Interest

Mayor McComb referred to Item 36. Director of Planning & ESI Daniel McGinn stated that the purpose of this item is to discuss the possible reuse of the John W. Cunningham Water Plant. The plant is currently vacant and is in poor condition. Staff has been discussing options for the site including demolition or redevelopment. The purpose of a Request for Interest (RFI) is to provide all interested parties an opportunity to submit a Letter of Interest for the acquisition or redevelopment of the property, allowing the City to identify a developer(s) with the commitment and development concept that is most satisfactory to the City. Mr. McGinn presented the following information: background regarding the facility; a site map; history on John W. Cunningham; a video displaying the interior and exterior of the plant buildings; examples of other Texas Power Plant reuse projects; a conceptual rendering; and next steps.

Council members and staff discussed the following topics: the conceptual plan for the plant; examples of other reuse projects in communities; verification that the City does not have a developer or pre-conceived notion for the property; how information that is received will be managed; if the RFI could lead to a Request for Proposal (RFP) or can the City negotiate with a developer through the RFI process; if the City has intakes located on the property; consideration to salvage parts of the buildings should the City decide to demolish the property; how the RFI will be marketed; and a request from a council member that staff contact Alyssa Barrera, Downtown Management District, and/or Iain Vasey, Corpus Christi Regional Economic Development Corporation, regarding networking with developers that are interested in this type of project.

MOTION OF DIRECTION

Council Member Lindsey-Opel made a motion directing the Interim City Manager to move forward with the RFI for the John W. Cunningham Water Plant, seconded by Council Member Guajardo and passed unanimously.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. The following topics were identified: an update from the Port of Corpus Christi regarding the Northside/Hillcrest Area, including plans for real estate; and a discussion on the composition of the Type A and Type B Corporations.

R. EXECUTIVE SESSION: (ITEMS 37, 39 - 40)

Mayor McComb referred to Executive Session Items 37, 39, and 40. The Council went into executive session at 6:09 p.m. The Council returned from executive session at 8:02 p.m. City Secretary Rebecca L. Huerta stated that Council Member Molina recused himself from the discussion on Item 39.

- 37. 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, including potential grants for desalination facilities, 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 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 prospects.

This E-Session Item was discussed in executive session.

- 39. 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 municipal solid waste system service charge, Section 21-47 et seq. of the Corpus Christi Code of Ordinances, state, federal, and local regulation of solid waste disposal and transportation, and federal and state constitutional provisions related to flow control, land development, and municipal charges and fees.

This E-Session Item was discussed in executive session.

- 40. 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.

This E-Session Item was discussed in executive session.

T. ADJOURNMENT

The meeting was adjourned at 8:04 p.m.