



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, July 24, 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 11:31 a.m.

- B. Invocation to be given by Pastor Rob Bailey, Southside Community Church.**

Pastor Rob Bailey gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Jeff Lee, Assistant Director of Human Resources.**

Assistant Director of Human Resources Jeff Lee 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: 8 - Mayor Joe McComb, Council Member Rudy Garza Jr., Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Debbie Lindsey-Opel, Council Member Ben Molina, Council Member Everett Roy, and Council Member Greg Smith

Absent: 1 - Council Member Lucy Rubio

E. Proclamations / Commendations

1. Proclamation declaring July 22 - July 28, 2018, "Feria De Las Flores Week" and July 28, 2018 "Feria De Las Flores Day".
Recognition of Mayor's "4th of July Big Bang Celebration" Regatta Winners.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

Mayor McComb presented a certificate of excellence and appreciation for the 2018 World Youth Sailing Championship, a proclamation, a recognition and conducted the swearing-in ceremony for newly appointed board and committee members.

- 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. Mayor McComb announced that Item 30 was withdrawn by staff.

City Attorney Miles K. Risley read the Rules of Decorum for the Council Chambers. Dan Caballero, 5338 Greenbriar, requested assistance regarding issues with Development Services related to the zoning of property for townhomes. Gracie Flores, 711 N. Carancahua, Plan Administrator for the Corpus Christi Firefighters' Retirement System, spoke on behalf of the Board of Trustees thanking the City Council for allowing them to present at the City Council Workshop on June 21, 2018 and requested an increase from 1% to 1 1/2% in the rate of the City's contribution. Sierra Dominguez, 805 Comanche, spoke in support of providing activities geared toward teenagers at Corpus Christi libraries. Jack Gordy, 4118 Bray, spoke regarding blocked sidewalks and illegal signs. Richard Throop, CEO of the Corpus Christi Association of

Realtors, 4325 Everhart, thanked City staff for pulling Agenda Item 30, adopting Downtown Vacant Building Regulations, and provided a housing report and information regarding the Corpus Christi Association of Realtors. Alissa Mejia, 4302 Ocean Drive, spoke in support of the Park and Recreation Advisory Committee's recommendation to increase the amount of funding for Proposition C in Bond 2018 regarding Parks and Recreation Improvements. Aislynn Campbell, 510 McClendon, spoke in support of Agenda Item 28, a lease agreement with Grow Local South Texas, Inc. for the use of Tom Graham Park. DeeLynn Torres, 617 Lansdown, President of Express Soccer Club Dynamo, spoke regarding the success of the 13th Annual Express Beach Soccer Fest and thanked City staff for their assistance with the event and the City for the improvements to Salinas Park. Adam Stern, 5325 Wild Olive Trail, spoke regarding the revitalization of downtown and exploring an idle land tax in Reinvestment Zone No. 3. Susie Luna Saldana, 4710 Hakel, spoke regarding the upcoming City Council election and candidates disseminating accurate information. Margareta Fratila, 3606 Tripoli, spoke regarding utility bill issues at rental properties. James Klein, 3501 Monterrey, thanked City Council for supporting Mandela Day and spoke regarding clarification of the parade ordinance.

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:

b. OTHER

The 7th Annual Operation Safe Return Back to School Health and Safety Fair will be held Saturday, July 28, 2018 at the American Bank Center from 10:00 a.m. to 2:00 p.m. The event provides school-age children the opportunity to receive necessary school supplies, sports physicals, immunizations, and giveaways. Children must be accompanied by an adult and parking and admission are free.

a. STRATEGIC FUTURE ISSUES - FUTURE WATER SUPPLIES

Water Resource Manager Steve Ramos stated that the purpose of this item is to provide an overview of the City's raw water supply strategies. The presentation team included: Executive Director of Utilities Dan Grimsbo and Frank Brogan. Mr. Ramos presented the following information: the current water supply; the 2017 Corpus Christi regional customer water demand; the 2017 Corpus Christi raw water customer demand and projections; 2017 and projected 2025 Corpus Christi treated water demand profile; regional water supply strategies; the 2016 Region N water management strategies; water conservation; reuse; surface water; desalination; groundwater/Aquifer Storage and Recovery. Mr. Brogan presented information regarding: diversification of the water supply; groundwater versus desalination; and an overview of the San Antonio Water System (SAWS) including: a history of SAWS; challenges; projects that failed and projects that were successful; steps taken to secure water; the shortlisted candidates; candidates that were not willing to accept supply risks; the Vista Ridge Project; the Vista Ridge Water cost breakdown; the Brackish Groundwater Desalination Project; Aquifer Storage and Recharge; and lessons learned. Mr. Brogan provided the following recommendations: continue diversification of water supply; aggressively plan for future growth; pursue

desalination and groundwater; negotiate, obtain and permit both options; have both options ready to execute at the appropriate time; and consider Aquifer Storage and Recharge.

Council members and the presentation team discussed the following topics: the drought conditions not accurately reflecting the available water supply; the agreed order; a timeline for addressing additional water supply; diversification of the water supply; the SAWS's Vista Ridge Public Private Partnership; reuse; the status of the studies to investigate industrial use; lessons learned by SAWS; desalination; SAW's projects that were completed but not totally successful; evaluating different water strategies; Mary Rhodes Pipeline Phase II; long-range planning alternatives; potential sites for the desalination project; and water conservation.

MOTION OF DIRECTION

Council Member Lindsey-Opel made a motion directing the Interim City Manager to proceed with the Request for Information (RFI) for water diversification, seconded by Council Member Smith and passed unanimously (Council Member Rubio - absent).

EXECUTIVE SESSION: (ITEM 35)

35. **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 gas utility system, and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property rights associated with the gas utility system because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Mayor McComb referred to Executive Session Item 35. The Council went into executive session at 1:35 p.m. The Council returned from executive session at 2:15 p.m.

L. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 35.

G. MINUTES:

2. Regular Meeting of July 17, 2018 and Workshop Session of July 16, 2018.

Mayor McComb referred to approval of the minutes. Council Member Garza made a motion to approve the minutes, seconded by Council Member Molina and passed unanimously (Council Members Hunter, Lindsey-Opel and Rubio - absent).

H. BOARD & COMMITTEE APPOINTMENTS:

3. Corpus Christi Business and Job Development Corporation
Corpus Christi B Corporation
Mayor's Fitness Council
Museum of Science and History Advisory Board

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

Corpus Christi Business and Job Development Corporation

Council Member Smith made a motion to reappoint Randy L. Maldonado and Lee A. Trujillo, seconded by Council Member Garza and passed unanimously (Council Members Hunter, Lindsey-Opel, and Rubio - absent).

Council Member Molina nominated Sylvia Ford. Council Member Guajardo nominated Mary Jane Garza. Council Member Garza nominated Robert Tamez. Council Member Roy nominated Chad Magill.

Mayor McComb and Council Member Molina voted for Sylvia Ford; Council Member Guajardo voted for Mary Jane Garza; Council Members Garza and Smith voted for Robert Tamez; Council Member Roy voted for Chad Magill (Council Members Hunter, Lindsey-Opel, and Rubio - absent).

A run-off was conducted between Sylvia Ford and Robert Tamez. Robert Tamez was appointed with Mayor McComb and Council Members Guajardo, Smith, Garza, and Roy voting for Robert Tamez and Council Member Molina voting for Sylvia Ford (Council Members Hunter, Lindsey-Opel, and Rubio - absent).

Corpus Christi B Corporation

Council Member Smith made a motion to reappoint Randy L. Maldonado, Leah Pagan Olivarri, and Lee A. Trujillo, seconded by Council Member Molina and passed unanimously (Council Members Hunter, Lindsey-Opel, and Rubio - absent).

Council Member Garza made a motion to appoint Robert Tamez, seconded by Council Member Smith and passed unanimously (Council Members Hunter, Lindsey-Opel, and Rubio - absent).

Mayor's Fitness Council

Mayor McComb made a motion to reappoint Ana Paez (Healthcare/Medical Professional), Tiffany A. Montemayor (Community Outreach), Richard Torres (Youth Initiatives), and Stephen C. McMains (At-Large) and appoint Jennifer Rock (At-Large), seconded by Council Member Garza and passed unanimously (Council Members Hunter, Lindsey-Opel, and Rubio - absent).

Museum of Science and History

Mayor McComb made a motion to appoint Karen J. Howden (Friends of the Museum Nominee) and Christina C. Butler (Community Advocate), seconded by Council Member Garza and passed unanimously (Council Members Hunter, Lindsey-Opel, and Rubio - absent).

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 23)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. City Secretary Rebecca L. Huerta announced that Council Member Roy was abstaining on Item 16. Mayor McComb requested that Item 9 be pulled for individual consideration. There were no comments from the public.

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

Aye: 6 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 3 - Council Member Hunter, Council Member Lindsey-Opel and Council Member Rubio

Abstained: 0

4. Resolution for the Purchase and installation of Storage Cabinets for the Corpus Christi Museum of Science and History - Sole Source

Resolution authorizing a four month service agreement with Southwest Solutions Group, of Lewisville, Texas for the purchase and installation of storage cabinets for a total amount not to exceed \$218,299.

This Resolution was passed on the consent agenda.

Enactment No: 031478

5. Four-year Service Agreement for Emergency or Disaster Response Services

Motion authorizing a four-year service agreement with Garner Environmental Services, Inc. of Deer Park, Texas to secure required equipment and services in the event of an emergency or disaster for a total amount of \$200,000 via General Services Administration's (GSA) Cooperative.

This Motion was passed on the consent agenda.

Enactment No: M2018-111

6. Resolution approving submission of a grant application for Beach Cleaning and Maintenance

Resolution approving Texas General Land Office's Beach Cleaning and Maintenance Assistance Program FY 2018-2019 grant application.

This Resolution was passed on the consent agenda.

Enactment No: 031479

7. Four-Year Service agreement for Bio-Monitoring Testing Services for Wastewater Treatment Plants

Motion authorizing a four-year service agreement with Bio-Aquatic Testing Inc., of Carrollton, Texas for bio-monitoring testing services for the wastewater treatment plants for a total amount not to exceed \$173,040.

This Motion was passed on the consent agenda.

Enactment No: M2018-112

8. Amendment No. 1 to the Master Services Agreement for Professional Survey Services

Motion authorizing Amendment No. 1 to the Master Services Agreement with Urban Engineering of Corpus Christi, Texas in the amount of \$60,000 for a total restated fee of \$85,000 for Professional Survey Services per year with the option to administratively renew for one additional year for a total contract price of \$170,000.

This Motion was passed on the consent agenda.

Enactment No: M2018-113

10. Purchase of Three Trucks for Solid Waste Operations

Motion authorizing the purchase of one side loading refuse truck from Rush Truck Center of New Braunfels, Texas, and two self-loading brush trucks from Houston Freightliners of Houston, Texas via HGAC and two Chassis for the trucks from Petersen Industries of Lake Wells, Florida via NJPA for a total amount not to exceed \$650,394.80.

This Motion was passed on the consent agenda.

Enactment No: M2018-114

11. Disaster Debris Clearing, Removal and Disposal Services

Motion authorizing a two-year service agreement to provide disaster

debris clearing, removal and disposal services with TFR Enterprises, Inc., of Leander, Texas for \$168,893,230, with two two-year options for a total potential multi-year amount of \$506,679,690.

This Motion was passed on the consent agenda.

Enactment No: M2018-115

**12. Two-year Service Agreement for Storm Debris Removal
Monitoring and Consulting Services**

Motion authorizing a two-year service agreement to provide storm debris monitoring and consulting services with Thompson Consulting Services, LLC, of Lake Mary, Florida for \$871,875, with two two-year options for a total potential multi-year amount of \$2,615,625.

This Motion was passed on the consent agenda.

Enactment No: M2018-116

13. Master Agreement - Municipal Lease Line of Credit

Motion approving a two-year Master Lease-Purchase Financing Agreement with JPMorgan Chase Bank, N.A. of Chicago, Illinois for an estimated expenditure of \$11,883,665, with three additional options for one-year periods.

This Motion was passed on the consent agenda.

Enactment No: M2018-117

**14. Second Reading Ordinance - Rezoning property at or near 1752
Flour Bluff Drive (1st Reading 7/17/18)**

Case No. 0518-02 Siecoast Development, Inc.:

Ordinance rezoning property at or near 1752 Flour Bluff Drive from "RM-1" Multifamily 1 District to the "CN-1" Neighborhood Commercial District.

Planning Commission and Staff Recommendation (May 30, 2018):

Approval of the change of zoning from the "RM-1" to the "CN-1".

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

Enactment No: 031481

**15. Second Reading Ordinance - Rezoning property at or near 4549
Violet Road (1st Reading 7/17/18)**

Case No. 0518-03 Elaine Pittman and James Massur:

Ordinance rezoning property at or near 4549 Violet Road from "RS-6" Single-Family 6 District to the "RV" Recreational Vehicle Park District.

Planning Commission and Staff Recommendation (May 30, 2018):
Approval of the change of zoning from the "RS-6" to the "RV".

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

Enactment No: 031482

17. Second Reading Ordinance - Accepting and appropriating grant funds for the purchase of body cameras for the Police Department (1st Reading 7/17/18)

Ordinance accepting \$156,000 from State of Texas, Office of the Governor Edward Byrne Memorial Justice Assistance Grant for purchase of body cameras with a City cash match of \$39,000; and appropriating \$156,000 in the Police Grants Fund.

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

Enactment No: 031484

18. Second Reading Ordinance - Accepting and appropriating the Edward Byrne Memorial Justice Assistance Grant within the Police Department (1st Reading 7/17/18)

Ordinance authorizing acceptance of grant from U. S. Department of Justice, Bureau of Justice Assistance, in amount of \$167,457 for FY 2017 Edward Byrne Memorial Justice Assistance Grant Program; and appropriating \$167,457 in the Police Grants Fund to fund enhancement of law enforcement efforts with 50% funds distributed to Nueces County per interlocal agreement.

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

Enactment No: 031485

19. Second Reading Ordinance - Accepting and appropriating grant for Internet Crimes Against Children (ICAC) Task Force Program within the Police Department (1st Reading 7/17/18)

Ordinance authorizing acceptance of grant from Office of the Attorney General for Internet Crimes Against Children (ICAC) Task Force program, in amount of \$10,010 for the ICAC program within the Police Department; and appropriating the \$10,010 in Police Grants Fund.

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

Enactment No: 031486

20. Second Reading Ordinance - Partial utility easement closure located at 4030 Giants Drive (1st Reading 7/17/18)

Ordinance abandoning and vacating 7-feet (420-square feet) of an existing 15-foot utility easement out of Lot 19, Block 3, Manhattan Estates Unit 4 Subdivision, located at 4030 Giants Drive and requiring the owner, Richard Ocanas, to comply with the specified conditions.

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

Enactment No: 031487

21. Second Reading Ordinance - 2018 Que Bueno Taco Festival Agreement (1st Reading 7/17/18)

Ordinance authorizing an agreement with Corpus Christi PATCH, Inc. to allow use of Artesian Park and portions of Taylor, Mesquite, Starr and Chaparral Streets for the Que Bueno Taco Festival and related activities on September 15, 2018.

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

Enactment No: 031488

22. Second Reading Ordinance - Appropriating \$550,000 for Selena Auditorium elevator modernization project (1st Reading 7/17/18)

Ordinance appropriating \$550,000 from the unreserved fund balance of the Hotel Occupancy Tax Fund for modernization of elevators at the Selena Auditorium; and amending the FY18 operating budget.

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

Enactment No: 031489

23. Second Reading Ordinance - Appropriating \$500,000 from Worker's Compensation Reserve Fund Balance for higher-than-actuarially-calculated worker's compensation costs (1st Reading 7/17/18)

Ordinance appropriating \$500,000 from the Reserved Fund Balance in the Workers' Compensation Fund for payment of higher-than-actuarially calculated workers compensation costs and amending the FY17-18 Budget.

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

Enactment No: 031490

16. Second Reading Ordinance Adopting the City of Corpus Christi's Proposed FY2018-2019 Consolidated Annual Action Plan (1st Reading 7/17/18)

Ordinance adopting the fiscal year (FY) 2018-2019 Consolidated Annual Action Plan (CAAP) for the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs funding from the United States Department of Housing and Urban Development (HUD) and authorizing the City Manager or designee to execute all documents necessary to submit the CAAP, accept and appropriate funding for the approved CAAP projects and further execute funding agreements, amendments or other documents necessary to implement the FY2018-2019 CAAP with organizations for approved projects.

Mayor McComb referred to Item 16. Council Member Roy abstained from this item.

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

Aye: 5 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Molina and Council Member Smith

Absent: 3 - Council Member Hunter, Council Member Lindsey-Opel and Council Member Rubio

Abstained: 1 - Council Member Roy

Enactment No: 031483

9. Resolution Approving Construction Contracts for Residential Street Rebuild Program (RSRP) Bond 2016

Resolution rejecting bids and authorizing construction contracts with A. Ortiz Construction & Paving, Inc., of Corpus Christi, Texas in the amount of \$4,570,000 for Base Bid Part 1 and with J. Carroll Weaver, Inc., of Sinton, Texas in the amount of \$4,390,000 for Base Bid Part 2 for the Bond 2016 Residential Street Rebuild Program Project.

Mayor McComb referred to Item 9. Executive Director of Public Works Valerie Gray stated that the purpose of this item is authorize construction contracts with A. Ortiz Construction & Paving, Inc. and J. Carroll Weaver, Inc. for the Bond 2016 Residential Street Rebuild Program Project. There were no comments from the public.

Council members spoke regarding the following topics: the significance of this action to move forward in addressing residential streets; the bidder participation; and results of the program.

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 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Rubio

Abstained: 0

Enactment No: 031480

M. PUBLIC HEARINGS: (ITEM 24)

24. Special Permit Time Extension for a property at or near 7442 Wooldridge Road

Case No. 0618-01 Dorsal Development, LLC.:

Ordinance granting a time extension of the "RM-1/SP" Multifamily 1 District with a Special Permit on a property at or near 7442 Wooldridge Road.

Planning Commission and Staff Recommendation (June 13, 2018):

Approval of the requested Special Permit time extension for a period of 6 months.

Mayor McComb referred to Item 24. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to allow for a time extension of the approved Special Permit adopted in May 2016 to develop a 360-unit apartment complex. The applicant is requesting the extension of the Special Permit due to difficulties obtaining financing and a shortage of available contractors as a result of Hurricane Harvey.

Miguel Saldana, representative for the applicant, spoke in support of the time extension for the Special Permit.

Council members and staff discussed the following topics: the screening and buffering requirements; the conditions of the Special Permit; the public not being notified of conditions applied to zoning cases; the property owner's responsibility to maintain landscaping; and the number of Special Permit extensions that are allowed.

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

Aye: 8 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Rubio

Abstained: 0

N. REGULAR AGENDA: (ITEMS 25 - 26)

25. Change Order No. 12 for O.N. Stevens Water Treatment Plant High Service Building No. 3 (Capital Improvement Program)

Motion authorizing Change Order No. 12 with PLW Cadagua Partners of The Woodlands, Texas in the amount of \$300,000 for the O.N. Stevens Water Treatment Plant High Service Building No. 3. (Capital Improvement Program - CIP)

Mayor McComb referred to Item 25. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to authorize Change Order No. 12 with PLW Cadagua Partners for the O.N. Stevens Water Treatment Plant High Service Building No. 3. This action is required to perform immediate repairs to the chlorine evaporator piping. There were no comments from the public.

Council members and staff discussed the following topics: alternatives to chlorine disinfectant; replacement of the current system; and maintenance and inspection of the piping.

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

Aye: 8 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Rubio

Abstained: 0

Enactment No: M2018-118

26. Two Construction Contracts for Community Development and Improvements - Bill Witt Park (Bond 2012, Proposition 4)

Motion authorizing a construction contract with ABBA Construction LLC of Laredo, Texas in the amount of \$282,999.75 for Base Bid A and a construction contract with Mako Contracting of Corpus Christi, Texas in the amount of \$572,533.22 for Base Bid B for Community Park Development and Improvements - Bill Witt Park project. (Bond 2012, Proposition 4).

Mayor McComb referred to Item 26. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to authorize two construction contracts with ABBA Construction LLC and Mako Contracting for Community

Park Development and Improvements at Bill Witt Park. There were no comments from the public.

Council members and staff discussed the following topics: the list of parks included in Bond 2012; maintenance issues at Billish Park; that all agreements for the lease or operation of parks require that the lessee comply with City codes and maintenance; and a process for awarding funds from the Community Enrichment Fund for park improvements to communities that are part of the Adopt-A-Park Program.

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

Aye: 8 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Rubio

Abstained: 0

Enactment No: M2018-1109

O. FIRST READING ORDINANCES: (ITEMS 27 - 30)

27. First Reading Ordinance - Accepting and appropriating developer contributions, other donations and interest earnings for park improvements

Ordinance to accept and appropriate \$846,228.34 in developer contributions, other donations and interest earnings in the Community Enrichment Fund for park improvements.

Mayor McComb referred to Item 27. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to accept and appropriate funds received from developer contributions, other donations and interest earnings in the Community Enrichment Fund for park improvements. There were no comments from the public.

Council members and staff discussed the following topics: review of the policy to use Community Enrichment Funds; the process for awarding funds for park equipment to communities that are part of the Adopt-A-Park program and prioritizing request for funding; if the proceeds from the sale of Mount Vernon Park are included in the revenue; that approval of this item will only appropriate the funds in the Community Enrichment Fund and will not allocate funds to a specific project; and the total balance of Community Enrichment Funds.

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

Absent: 1 - Council Member Rubio

Abstained: 0

28. First Reading Ordinance - Lease Agreement for Tom Graham Park

Ordinance authorizing a five-year lease with an option to extend for an additional five year term with Grow Local South Texas, Inc. for use of Tom Graham Park at 3914 Up River Road for a public gardening program.

Mayor McComb referred to Item 28. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to authorize a five-year lease with an option to extend for an additional five-year term with Grow Local South Texas, Inc. for the use of Tom Graham Park. There were no comments from the public.

Council members and staff discussed the following topics: Grow Local South Texas, Inc.'s participation in the Adopt-A-Park program; and the terms of the lease requiring Grow Local South Texas, Inc. to provide trees to be planted in the City's parks system.

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

Absent: 1 - Council Member Rubio

Abstained: 0

29. First Reading Ordinance - Exemption from the Wastewater Lot or Acreage Fees for Water's Edge at Kitty Hawk Unit 2

Ordinance exempting Water's Edge at Kitty Hawk Unit 2, located south of South Staples Street and west of Kitty Hawk 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 29. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to exempt Kitty Hawk Development, Ltd., property owner of the Water's Edge at Kitty Hawk Unit 2, from the payment of wastewater lot or acreage fees in the amount of \$24,388.20. There were no comments from the public.

Council members and staff discussed the following topics: the decision by

previous City Councils to not extend wastewater service across Oso Creek; substantial developments south of the Oso that are on septic systems; irrigation of lots with septic systems and its impact on swimming pools; the trust fund to reimburse developers for extending wastewater to their subdivisions; and support of reviewing the wastewater master plan for the area.

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 Jr., Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Rubio

Abstained: 0

30. First Reading Ordinance - Adopting Downtown Vacant Building Regulations

Ordinance amending Corpus Christi Code to adopt Downtown Vacant Building Regulations including registration; and Providing for penalties.

This Ordinance was withdrawn.

P. FUTURE AGENDA ITEMS: (ITEMS 31 - 33)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff had no planned presentations.

31. Professional Services Contract for Programmed Water Line Service Life Extension Indefinite Delivery / Indefinite Quantity Program (Capital Improvement Program)

Motion executing a professional services contract with Urban Engineering of Corpus Christi, Texas in the amount of \$350,510 for Programmed Water Line Service Life Extension Indefinite Delivery / Indefinite Quantity (IDIQ) Project. (Capital Improvement Program)

This Motion was recommended to the consent agenda.

32. Resolution approving submission of five traffic safety improvement projects for Highway Safety Improvement grants (Bond 2016, TxDOT Participation)

Resolution supporting the submission of multiple project proposals for Texas Department of Transportation Highway Safety Improvement Program grants for traffic signals.

This Resolution was recommended to the consent agenda.

33. Three Supply Agreements for Purchase of Tires for Fleet Maintenance

Motion authorizing three, one-year supply agreements for the purchase of Goodyear tires from Goodyear Tire and Rubber Co. of Corpus Christi, Texas; Pursuit tires from GCR Tire and Service of Corpus Christi, Texas; and, Dunlop tires from Southern Tire Mart of Corpus Christi, Texas via BuyBoard cooperative for a total amount not to exceed \$272,376.85.

This Motion was recommended to the consent agenda.

Q. BRIEFINGS: (NONE)

R. EXECUTIVE SESSION: (ITEMS 34 - 36)

Mayor McComb referred to Executive Session Items 34 and 36. The Council went into executive session at 3:34 p.m. The Council returned from executive session at 4:57 p.m.

- 34. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the purchase, exchange, lease, or value of real property rights owned by the City within the City of Corpus Christi at Cabra Park and property or adjacent to 1324 W. Broadway, Penn Place Park and property at or adjacent to 4302 Aaron, Congress Park and property at or adjacent to 4017 Capitol, Creekway Park and property at or adjacent to 7306 Prairie, property at or adjacent to 926 St. Bernard, and property at or adjacent to 6099 Ennis Joslin and/or 6053 Ennis Joslin, and/or other miscellaneous properties in the City limits owned by the City and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property rights at or in the vicinity of the aforementioned locations) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

This E-Session Item was discussed in executive session.

- 36. 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 Consulting Services Agreement between the City of Corpus Christi and the Corpus Christi Convention & Visitor's Bureau, the provision of economic development assistance by/through said entity to business prospect(s), and state law restrictions on the use of hotel occupancy funds, and **Texas Government Code § 551.087** to discuss or deliberate regarding commercial or financial information relating to some or all of the

aforementioned matters and entities that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations and/or financial or other incentives involving said business prospect.

This E-Session Item was discussed in executive session.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. The following item was identified: an update by the Behavioral Health Center of Nueces County regarding a program related to homelessness and mental health issues.

T. ADJOURNMENT

The meeting was adjourned at 4:59 p.m.