



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, July 31, 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 Claude Axel, Mount Pilgrim Baptist Church.**

Pastor Claude Axel gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Aurora Parlamas, Assistant Director of Support Services, Engineering Services Department.**

Assistant Director of Support Services Aurora Parlamas 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, 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 30 - August 3, 2018, "61st National Pan American Golf Association Convention and Tournament Week".
Commendation for Corpus Christi Police Foundation.
Commendations recognizing the Corpus Christi National Little League Baseball Team.
Presentation of Honorary Citizen Certificates to 2018 Sister City Exchange Students.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

Mayor McComb presented a proclamation, commendations, and honorary citizen certificates 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. City Attorney Miles K. Risley read the Rules of Decorum for the Council Chambers. Nelda Beets, 4002 O'Day Parkway, spoke regarding wastewater rates. Hilary Davis, 3201 Austin; Nick Gignac, 349 Jackson; Larry Loomis, 1526 S. Staples; Justin Gainan, 1037 Driftwood; Bill Grady, 330 Aberdeen; Jessica Gignac, 246 Indiana; and Harold Shockley spoke in support of Agenda Item 15, adopting downtown vacant building regulations. Sean Raybuck, 4401 River Valley; Bruce Switalla, 2818 Hulbirt; Dale Switalla, 2818 Hulbirt; Susie Luna Saldana, 4710 Hake; and Rick Milby, 4412 High Ridge Drive, spoke in opposition to the inclusion of splash pads in Bond 2018. Cheryl Martinez, 4833 Saratoga, spoke regarding Animal Care Advisory Committee's recommendations not being forwarded to the City Council for consideration. Sylvia Campos, 4410 Fir, spoke regarding community participation on City-related issues; public comment; and the Parks and Recreation

Department's policy regarding volunteers mowing City parks. Andrea Montalvo-Hamid spoke regarding: the Water Department's work to replace backed-up lines; potential budget cuts to the Parks and Recreation Department; and open communication between the City and the public. Chris Lower, 425 Schatzel, spoke regarding the City's Code of Ordinances and requested clarification related to the definition of commercial craft in Sections 12-57, 12-62(1) and 12-80(b) and the rate of a commercial permit in Section 12-48(1). Richard Throop, CEO of the Corpus Christi Association of Realtors, 4325 Everhart, spoke in opposition to Agenda Item 15, adopting downtown vacant building regulations.

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:

a. STRATEGIC FUTURE ISSUES

None.

c. OTHER

1) Interim City Manager Selman provided a report regarding the success of the Operation Safe Return Back to School Health and Safety Fair. 2) Interim City Manager Selman recognized Juan Martinez with the Solid Waste Department who was noticed by a citizen for his efforts in the community. 3) Assistant Director of Support Services - Utilities Reba George provided a demonstration of a new on-line tool for customers to estimate their water and wastewater billing. 4) Water Resources Manager Steve Ramos provided an update regarding the desalination project.

b. CITY PERFORMANCE REPORT - LIBRARIES

Director of Libraries Laura Garcia provided a briefing on the mission statement; operational profile; baseline information and performance indicators of the Libraries.

G. MINUTES:

2. Regular Meeting of July 24, 2018.

Mayor McComb referred to approval of the minutes. Council Member Garza made a motion to approve the minutes, seconded by Council Member Guajardo and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS: (NONE)

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 3 - 9)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. Mayor McComb requested that Items 6 and 7 be pulled for individual consideration. There were no comments from the public.

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

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

Absent: 1 - Council Member Rubio

Abstained: 0

3. 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 passed on the consent agenda.

Enactment No: M2018-120

4. 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 passed on the consent agenda.

Enactment No: 031491

5. 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 passed on the consent agenda.

Enactment No: M2018-121

8. Second Reading Ordinance - Lease Agreement for Tom Graham Park (1st Reading 7/24/18)

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.

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

Enactment No: 031494

9. Second Reading Ordinance - Exemption from the Wastewater Lot or Acreage Fees for Water's Edge at Kitty Hawk Unit 2 (1st Reading 7/24/18)

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.

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

Enactment No: 031495

6. Second Reading Ordinance - Special Permit Time Extension for a property at or near 7442 Wooldridge Road (1st Reading 7/24/18)

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 6, a Special Permit extension for a property at or near 7442 Wooldridge Road. Mayor McComb spoke regarding an email he received that the subject property was not in compliance with property maintenance codes. Mayor McComb asked if conditions could be put in place, during the zoning application process, that a property owner must be in compliance with property maintenance codes. Director of Development Services Nina Nixon-Mendez stated that staff will note any maintenance issues during inspection of the site and could reinforce through conditions.

Mayor McComb called for comments from the public. Miguel Saldana, representative for the applicant, said the applicant was unable to mow the property due to heavy rains and he would advise his client of the maintenance issues.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Lindsey-Opel. This Ordinance was passed on second 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

Absent: 1 - Council Member Rubio

Abstained: 0

Enactment No: 031492

7. Second Reading Ordinance - Accepting and appropriating developer contributions, other donations and interest earnings for park improvements (1st Reading 7/24/18)

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 7. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to accept and appropriate funds received in the Community Enrichment Fund for park improvements.

Council members and staff discussed the following topics: that approval of this item will only appropriate the funds in the Community Enrichment Fund and will not allocate funds to a specific project; a request from a council member that the Parks and Recreation Advisory Committee provide recommendations on the use of the funds; including maintenance costs of proposed park improvements; the use of Community Enrichment Funds in lieu of bonds to improve parks; and a review of the policy to use Community Enrichment Funds.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Lindsey-Opel. This Ordinance was passed on second 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

Absent: 1 - Council Member Rubio

Abstained: 0

Enactment No: 031493

EXECUTIVE SESSION: (ITEM 31)

Mayor McComb referred to Executive Session Item 31. The Council went into executive session at 1:34 p.m. The Council returned from executive session at 2:22 p.m.

31. **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 Harbor Bridge construction and the Agreement for the Adjustment of City of Corpus Christi Municipal Utilities in Connection with the U.S. 181 Harbor Bridge Replacement Project.

Mayor McComb referred to Item 31 and the following motion was considered:

Motion to authorize the City Manager or designee to execute Amendment No. 1 to the Agreement for the Adjustment of City of Corpus Christi Municipal Utilities in connection with the U.S. 181 Harbor Bridge Replacement Project (AAMU) with the Texas Department of Transportation (TxDOT) for a maximum payment of \$21 million to be paid in three annual payments.

Council Member Lindsey-Opel made a motion to approve the motion, seconded by Council Member Garza. This Motion was passed 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

Absent: 1 - Council Member Rubio

Abstained: 0

Enactment No: M2018-123

L. **RECESS FOR LUNCH**

The recess for lunch was held during Executive Session Item 31.

M. **PUBLIC HEARINGS: (ITEMS 10 - 11)**

10. **Public Hearing and First Reading Ordinance - Rezoning property at or near 6000 Yorktown Boulevard**

Case No. 0218-03 William B. Miller, Jr.: Ordinance rezoning property at or near 6000 Yorktown Boulevard from "RS-6" Single-Family 6 District to the "IL" Light Industrial District.(3/4 vote required)

Planning Commission and Staff Recommendation (June 27, 2018):
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District (Tract 1). Denial of the change of zoning

from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District (Tract 2), in lieu thereof approval of "CN-1/SP" Neighborhood Commercial District with a Special Permit (Tract 2).

Ordinance rezoning property at or near 6001 Yorktown Boulevard from "RS-6" Single-Family 6 District to the "IL" Light Industrial District (Tract 1) and "CN-1/SP" Neighborhood Commercial District with a Special Permit (Tract 2).

Mayor McComb referred to Item 10. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the sale of the property and to bring an existing nonconforming use of a building into conformity with the land's zoning. Ms. Nixon-Mendez stated that the Planning Commission and staff recommend approval of the change of zoning from the "RS-6" Single 6 District to the "IL" Light Industrial District for Tract 1 and denial of the change of zoning from the "RS-6" to the "IL" and in lieu thereof, approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit with conditions for Tract 2.

Council members discussed the following topics: the age of the building; the year the City annexed the subject property; the building was non-conforming on the basis of the annexation; and grandfathering existing buildings that are annexed in the future.

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 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 Roy and Council Member Smith

Absent: 1 - Council Member Rubio

Abstained: 0

11.

Public Hearing and First Reading Ordinance - Urban Transportation Plan Amendment

Ordinance amending the Urban Transportation Plan map by Realigning proposed Yellow Oak Avenue and at the intersection with CR 48, extend southward as an RA1 Minor Rural Arterial to intersect with proposed east/west RA1 Minor Rural Arterial; realigning proposed arterial CR 48 between FM 1694 (Callicoate Rd) and FM 24 (Violet Rd) to the northeast and redesignate as a Local Rural Street; deleting a segment of proposed C1 Collector Oregon Trail; designating a segment of Haven Road from FM 24 to proposed point near north/south Collector west of Warrior Drive as a C1 Collector; deleting a proposed C1 Collector segment from Oregon trail to the intersection near FM 1694; adding an RA1 Minor Rural

Arterial between IH 69 and FM 24, redesignating proposed C1 Collector to an RA1 Minor Rural Arterial between IH 69 and FM 24; and, adding a proposed rural street designation of (RA1) Local Rural Street to the UTP.

Mayor McComb referred to Item 11. Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to amend the City's Urban Transportation Plan (UTP), at the request of EPIC Midstream Holdings, LLC, for the development of an industrial facility. The presentation team included: Director of Development Services Nina Nixon-Mendez and Traffic Engineer Raymond Chong. Mr. McGinn presented the following information: a vicinity map; the reasons for the amendment; the current area UTP map; a map of the proposed amendments; the difference between the current plan and the proposed plan; and recommendation.

Council members and staff discussed the following topics: Haven Drive connecting to County Road 44; acquisition of the easement; creating an industrial district in the area; the economic impact of the proposed development; the timeline for construction; and the proximity of the property to Permico.

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 Guajardo. 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

Absent: 1 - Council Member Rubio

Abstained: 0

N. REGULAR AGENDA: (NONE)

O. FIRST READING ORDINANCES: (ITEMS 12 - 16)

12. First Reading Ordinance - Ordering a General Election to elect Mayor and Eight Council Members - November 6, 2018

Ordinance ordering a general election to be held on November 6, 2018, in the City of Corpus Christi for the election of Mayor and Eight Council Members; providing for procedures for holding such election; providing for notice of election and publication thereof; providing for establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County, and a runoff election, if one is necessary; and enacting provisions incident and relating to the subject and purpose of this ordinance.

Mayor McComb referred to Item 12. City Secretary Rebecca L. Huerta stated

that the purpose of this item is to authorize a general election to be held on November 6, 2018 to elect a mayor and eight council members and to allow the City to enter into a joint election with Nueces County. City Secretary Huerta said that if there is a need for a run-off election, that election date could be held on December 11, 2018 or December 18, 2018. There were no comments from the public.

Council members and staff discussed the following topics: the pros and cons regarding the two proposed run-off election dates; the option of holding a run-off election on December 4, 2018; the City Charter requirement that the City Council is required to hold two meetings a month; and the City Council policy regarding the date and time of the Council meetings.

Council Member Hunter made a motion to amend the ordinance by selecting December 11, 2018 as the run-off election date, seconded by Council Member Smith and passed unanimously (Council Member Rubio - absent).

Council Member Hunter 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: 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

Absent: 1 - Council Member Rubio

Abstained: 0

13.

First Reading Ordinance - Professional Services Contract for Residential Reconstruction Project - \$3.4M

Ordinance appropriating \$680,000 from Fund balance in Residential Street Reconstruction Fund No. 1042, amend the Operating Budget, and execute a professional services contract with Hanson Professional Services, Inc. of Corpus Christi, Texas in the amount of \$463,656.50 for the Residential Street Reconstruction Project - \$3.4M project.

Mayor McComb referred to Item 13. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute a professional services contract with Hanson Professional Services, Inc. for design of the Residential Street Reconstruction Project using the additional \$3.4 million identified and approved during the FY2017-2018 budget process. Ms. Gray presented the following information: Council action on January 30, 2018 to approve Option 3 regarding reconstruction projects in City Council Districts 1, 4, and 5; construction costs and additional expenses; a funds distribution table; the proposed work plan for streets; a map of the streets selected; and the proposed schedule. The presentation team included: Director of Engineering Services Jeff Edmonds and Director of Street Operations Andy Leal. There were no comments from the public.

Council members and staff discussed the following topics: the two-cent voter-approved property tax increase dedicated to residential streets; the delay in moving forward with City Council action; the proposed schedule; the two

test projects on Ralston and Rogerson Streets; design of the proposed streets; if the identified streets are included in next year's budget; and an update to the pavement condition index (PCI);

Council Member Guajardo 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: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

14. First Reading Ordinance - Construction Contract for Schanen Ditch Hike and Bike Trail - Saratoga to Kilarmet Project (Bond 2012, Proposition 4)

Ordinance appropriating into Park CIP Fund and changing the Capital Improvement Program Budget by \$355,643.32 and authorizing a construction contract with Mo-Con Services, Inc. of Corpus Christi, Texas in the amount of \$444,554.15 for Schanen Ditch Hike and Bike Trail - Saratoga to Killarmet project for the base bid.

Mayor McComb referred to Item 14. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to approve a construction contract with Mo-Con Services, Inc. for phase 3 of the Schanen Ditch Hike and Bike Trail. There were no comments from the Council or the public.

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

Absent: 1 - Council Member Rubio

Abstained: 0

15. 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.

Mayor McComb referred to Item 15. Arlene Medrano, Office of the Business Liaison, stated that the purpose of this item is to adopt a downtown vacant building ordinance. The presentation team included: Assistant Police Chief David Blackmon and Executive Director of the Downtown Management District

Alyssa Barrera. Ms. Medrano presented the following information: the previous downtown vacant building ordinance that was repealed in 2015; approval of the ordinance by the Tax Increment Reinvestment Zone #3 (TIRZ # 3) and Downtown Management District Board of Directors; how vacant buildings impact communities; various community approaches; best practices in Texas regarding vacant building registration programs; the number of downtown vacant buildings; the goals of TIRZ #3; the downtown program framework; an illustration of the process map; differences between the city-wide vacant building ordinance and the proposed downtown vacant building program; benefits of the downtown program; the downtowntx.org website; and images from the Imagine the Possibilities tour.

Council members and staff discussed the following topics: funding from TIRZ #3 to support the downtown vacant building program; concerns raised by the Corpus Christi Association of Realtors that the downtown vacant building program will be expanded city-wide; a recommendation to include a sunset clause in the ordinance; the language in the ordinance regarding an annual review by the TIRZ #3 Board; the number of downtown vacant buildings; fee waiver for building permit or buildings listed for sale at fair market value; the definition of fair market value; the ability of vacant building owners to apply for incentives for improvements; the language in the ordinance regarding demolition review of vacant buildings that are more than 50 years old; enforcement of the proposed ordinance; the effective date of the ordinance; the process timeline; the \$500 registration fee; future plans to minimize impact to business owners during construction projects; the number of public-owned vacant buildings in the downtown area; deteriorating utilities in the downtown area; the goals of the ordinance; appraised values in the downtown area; punitive measures for not complying with the ordinance; support for an annual review of the ordinance by the City Council; if any business closed during the second round of improvements to Chaparral Street; the number of new businesses that are being redeveloped on Chaparral Street; how the downtown vacant building ordinances will impact TIRZ #3; language related to exterior lighting measurements; and the advantages of historical review citations.

Mayor McComb called for comments from the public. Cliff Atnip, 358 University, spoke in support of the ordinance, but requested inclusion of the sunset clause after 60 months. Bill Ayers, Governmental Affairs Director of the Corpus Christi Association of Realtors, expressed the following concerns: limiting the ordinance to the TIRZ #3 area; duplicative provisions and confusion between the current city-wide ordinance and the downtown vacant building ordinance; amendments could be made to the existing city-wide ordinance; and access to the data regarding collection of contact information. Glenda Whitman, Chair-Elect of the Corpus Christi Association of Realtors, 5825 Everhart, spoke in opposition to the difference between the registration fee in the current city-wide ordinance and downtown vacant building ordinance and duplicative provisions in the two ordinances.

Council Member Lindsey-Opel made a motion to amend the ordinance by including an annual performance review and an enhanced five-year comprehensive review, seconded by Council Member Garza and passed unanimously (Council Member Rubio - absent).

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

amended, seconded by Council Member Smith. This Ordinance was passed as amended on first reading and approved with the following vote:

Aye: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Nay: 1 - Council Member Hunter

Absent: 1 - Council Member Rubio

Abstained: 0

16. First Reading Ordinance - Authorizing a Use Privilege Agreement for installation of a private wastewater collection system and conveyance system force main

Ordinance authorizing a Use Privilege Agreement with Valls Wildcat II, LLC, ("Permittee") to install a private wastewater collection system and conveyance system force main.

Mayor McComb referred to Item 16. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to authorize a Use Privilege Agreement with Valls Wildcat II, LLC for installation of a private wastewater collection system and conveyance system force main. There were no comments from the Council or the public.

Council Member Smith 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: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Molina and Council Member Rubio

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 17 - 28)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff had planned presentations on Items 17, 26 and 27. A council member requested information on Items 19 and 28.

17. Resolution authorizing outside city limits water contract with property owners in Mokry Estates.

This Resolution was recommended to the consent agenda.

18. Purchase and Installation of Upfitting Equipment for Police Vehicles

Motion authorizing the purchase and installation of upfitting equipment on

police vehicles, with a two-year service agreement for \$365,362.75 from Cap Fleet Upfitters of Temple, Texas, via the BuyBoard Cooperative.

This Motion was recommended to the consent agenda.

19. Amendment No. 1 to Master Services Agreement for engineering and technical support for project development in Solid Waste Operations

Motion authorizing Amendment No. 1 to a 3-year Master Services Agreement with Hanson Professional Services of Corpus Christi, Texas in the amount of \$712,501 for a total restated fee of \$750,000.

This Motion was recommended to the consent agenda.

20. Supply Agreement for Crushed Limestone for Street Operations

Motion authorizing a three-year supply agreement with Vulcan Construction Materials, LLC of San Antonio, Texas, for the purchase of crushed limestone, for the total amount not to exceed \$423,000.00.

This Motion was recommended to the consent agenda.

21. Supply Agreement for Cold Mix-cold Laid asphalt and Pre-Coated Aggregate for Street Operations

Motion authorizing a three-year supply agreement with Vulcan Construction Materials, LLC of San Antonio, Texas, for the purchase of cold mix- cold laid asphalt and pre-coated aggregate, for the total amount not to exceed \$2,087,700.00.

This Motion was recommended to the consent agenda.

22. Supply Agreement for Purchase of Hot Tap Fittings

Motion authorizing a three-year supply agreement with M.T. Deason Company Inc, of Birmingham, Alabama, for the purchase of hot tap fittings for a total amount not to exceed \$249,721.80.

This Motion was recommended to the consent agenda.

23. Service Agreement for Brush Grinding Services for Solid Waste Operations

Motion authorizing a four-year service agreement with Austin Wood Recycling, of Cedar Park, Texas for brush grinding services for a total amount not to exceed \$345,000.00.

This Motion was recommended to the consent agenda.

24. Resolution requesting the Texas General Land Office (GLO) to allocate a portion of federal GOMESA funds to coastal cities

Resolution of the City of Corpus Christi, Texas requesting that the State of Texas and the Texas General Land Office annually set aside a portion of the State Gulf of Mexico Energy Security Act (GOMESA) funds for Texas coastal cities and continue to fully fund the Coastal Erosion Protection Response Act (CEPRA) program with state revenues.

This Resolution was recommended to the consent agenda.

25. Utility Bill Printing and Mailing Services

Motion approving a one-year service agreement for utility bill printing, mailing, and insert printing services with Information Management Solutions, L.L.C. of San Antonio, Texas for an estimated expenditure of \$886,886.48, with four one-year options for a total potential multi-year amount of \$4,434,432.40.

This Motion was recommended to the consent agenda.

26. Setting the City Council Meeting Date to Adopt the Property Tax Rate

Motion setting September 18, 2018 as the date of the adoption of the ad valorem tax rate of \$0.626264 per \$100 valuation.

This Motion was recommended to the consent agenda.

27. Scheduling Two Public Hearings Related to Fiscal Year 2018-2019 Property Tax

Motion setting a public hearing on the ad valorem tax rate for August 28, 2018 and a second public hearing for September 11, 2018 during the City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

This Motion was recommended to the consent agenda.

28. Scheduling Public Hearing on Fiscal Year 2018-2019 Operating Budget

Motion setting a public hearing for the City of Corpus Christi Fiscal Year 2018-2019 Operating Budget for August 28, 2018 during the regular City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

This Motion was recommended to the consent agenda.

Q. BRIEFINGS: (NONE)**R. EXECUTIVE SESSION: (ITEMS 29 - 30)**

Mayor McComb referred to Executive Session Items 29 and 30. The Council went into executive session at 5:04 p.m. The Council returned from executive session at 6:14 p.m.

- 29. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning claims, pending litigation, potential settlement, attorney's fees, and/or other potential legal matters regarding lawsuits of *Salinas Construction Technologies, Ltd. and Salinas and Sons, Inc. v. City of Corpus Christi*, and other lawsuits against the City and the City's officers and employees.

Mayor McComb referred to Item 29 and the following motion was considered:

Motion to authorize the City Manager or his designees to execute Amendment No. 1 to a professional services contract with Spire Consulting Group, LLC to increase the maximum amount of said contract by \$20,000 for services related to Horne Road-Ayers to Port project and authorize an amendment to the City's professional services agreement for attorney services with McKibben, Martinez, Jarvis & Wood, L.L.P. to increase the maximum amount of said contract by \$150,000, all of which services are provided to the City for the lawsuit of *Salinas Construction Technologies, Ltd. and Salinas and Sons, Inc. v. City of Corpus Christi*.

Council Member Roy made a motion to approve the motion, seconded by Council Member Lindsey-Opel. This Motion was passed 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

Absent: 1 - Council Member Rubio

Abstained: 0

Enactment No: M2018-122

- 30. 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 potential violations of the City's commercial and industrial waste disposal and pretreatment ordinance [Section 55-140, et. Seq., of the Corpus Christi Code of Ordinances] by wastewater customer(s), potential wastewater plant excursions, negotiations and potential litigation with the U.S. Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Attorney General, and/or U.S. Department of Justice

concerning the City's sanitary sewer system and/or water system, including consideration of fees for attorneys, engineers, and other expert witnesses assisting in defense of potential lawsuit(s) and other legal matters related to the provision of water and wastewater services and the regulations related to said services.

This E-Session Item was discussed in executive session.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

None.

T. ADJOURNMENT

The meeting was adjourned at 6:16 p.m.