



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, August 28, 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 Adam Carrington, Brooks AME Worship Center.**

Pastor Adam Carrington gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Reba George, Assistant Director of Support Services, Water Utilities Department.**

Assistant Director of Support Services, Water Utilities Department Reba George 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 August 28, 2018, "Women's Equality Day".
Commendation for Chris D. Caron, P.E., Corpus Christi District Engineer, Texas Department of Transportation.

Mayor McComb presented a proclamation and a commendation.

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

Interim City Manager Keith Selman extended an invitation to the annual 9/11 Remembrance Ceremony on Tuesday, September 11, 2018 at Sherrill Park.

b. CITY PERFORMANCE REPORT - HEALTH DEPARTMENT

Director of Public Health Annette Rodriguez provided a briefing on the Health Department, including the mission statement; operation profile, baseline information; performance indicators.

A council member asked questions regarding the Health Department's preparedness for a measles outbreak and posting of restaurant inspections.

- J. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M.** A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak **MUST** be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate. All items on this agenda are considered public hearings.

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. Wendy Herman, Executive Director of the Coastal Bend Homebuilders Association, 5325 Yorktown, spoke in support of Agenda Item 26, adopting an Affordable Housing Policy and Program Initiatives for the City of Corpus Christi. Eduardo Canales, 7021 Bevington; Chloe Torres, 5430 Saratoga Boulevard, Corpus Christi Immigration Coalition; Rosario Duran, 3121 Sarita; Armando Cavazos, 2534 Johannes; and Liz Sanchez, 6130 Wooldridge, spoke in opposition to Agenda Item 13, accepting and appropriating grant funds for the FY2019 Local Border Security Program. Miguel Saldana, 4553 Moonlake Ridge, read a letter from Dan Caballero, regarding issues related to the zoning of property for townhomes, and requesting that the City Council reconsider the denial of a waiver regarding sidewalks by the Planning Commission. Margareta Fratila, 3606 Tripoli, spoke regarding the reduction of criminal activity in District 2 and utility bill issues related to rental properties. Eloy Salazar, 8206 Campadolcino, spoke regarding Agenda item 34, a construction contract for Rodd Field Road Improvements from Yorktown Boulevard to Saratoga Boulevard, and the construction of the street with asphalt versus concrete. Tony C. Diaz, 6041 Oso Parkway, and Susie Luna Saldana, 4710 Hakel, LULAC Council # 1, spoke in support of Agenda Item 13, accepting and appropriating grant funds for the FY2019 Local Border Security Program. Amy Granbury and Bill Buily announced that Charlie's Place has partnered with the Cenikor Foundation to expand services to help fight substance abuse in the community. Alissa Mejia, 4302 Ocean Drive, spoke in support of Agenda Item 20, conveyance of Parker Pool to Nueces County and prioritizing ongoing maintenance of public facilities. Joshua Tijerina, 9225 SPID, spoke regarding Agenda Item 19, a five-year service agreement for the management of the Museum of Science and History with the Friends of the Museum of Science and History, including the management of the previous Executive Director and staffing plans. Josie Herro, 501 Del Mar, spoke in opposition to Agenda Item 17 regarding the FY2017 ad valorem tax rate. Mike Pusley, 3916 Castle Valley, commended the City Council for their recognition of Chris Caron. Carolyn Vaughn, 4214 Spring Creek, spoke in support of Agenda Item 13, accepting and appropriating grant funds for the FY2019 Local Border Security Program and a plan to increase public safety officers. Sylvia Campos, 4410 Fir, spoke regarding recent dog attacks in City Council District 2 and in support of additional funding for the Animal Care Services Department.

Q. BRIEFINGS: (ITEM 42)

42. Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Update to City Council (Q2 2018)

Mayor McComb deviated from the agenda and referred to Item 42. Iain Vasey, Corpus Christi Regional Economic Development Corporation (EDC), stated that the purpose of this item is to provide the EDC quarterly update. Mr. Vasey presented the following information: the 2018 business attraction summary; business retention and expansion; an update regarding the EDC's follow-up work related to the City Council's Economic Development Workshop; and a map of projects.

Following Mr. Vasey's presentation, the following topics were discussed: the total amount of office space; the use of Type B funds related to small business; Type B fund guidelines; economic gardening; and the City's focus on

addressing water supply.

G. MINUTES:

2. Regular Meeting of August 21, 2018.

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

H. BOARD & COMMITTEE APPOINTMENTS:

**3. Crime Control and Prevention District
Library Board**

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

Crime Control and Prevention District

Council Member Smith made a motion to appoint Fred Edler (Council Member Greg Smith's representative), seconded by Council Member Lindsey-Opel and passed unanimously.

Library Board

Council Member Molina made a motion to appoint Vickie C. Natale, seconded by Council Member Rubio and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 15)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. A council member requested that Items 4 and 14 be pulled for individual consideration. A citizen requested that Item 13 be pulled for individual consideration.

A motion was made by Council Member Rubio, seconded by Council Member Lindsey-Opel, 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

5. Service Agreement for Disaster Recovery Management Services

Motion authorizing a two-year service agreement for Disaster Recovery Management Services with Langford Community Management Services, Inc., Leander, Texas, for \$50,000, with three one-year options for a total potential multi-year amount not to exceed \$125,000.

This Motion was passed on the consent agenda.

Enactment No: M2018-145

6. Renewal of State and Federal External Legislative Consultant Contracts

Motion to execute 24-month renewal agreements for governmental relations services with Focused Advocacy for state governmental relations services for \$108,000 per year plus reasonable expenses and with Meyers & Associates for federal governmental relations services for \$78,000 per year plus reasonable expenses.

This Motion was passed on the consent agenda.

Enactment No: M2018-146

7. Uniform Rentals for Beach operations, Tourist District and Park Operations

Motion authorizing a two-year service agreement with Cintas Corporation No. 2 of Corpus Christi, Texas for Parks & Recreation uniform rentals for a total amount not to exceed \$105,007.76.

This Motion was passed on the consent agenda.

Enactment No: M2018-147

8. Two Contracts for Wastewater Service Line Repair and Clean-out Installation and Manhole Ring and Cover Adjustment Program FY 2018-2019

Motion authorizing Amendment No. 1 to the Professional Services Contract with Alan Plummer Associates, Inc. of Corpus Christi, Texas in the amount of \$120,946 for a total amount of \$159,526 for the base year and a construction contract with Abel's Paving & Construction, Inc. of Corpus Christi, Texas in the amount of \$764,707 for the base year of the Wastewater Service Line Repair and Clean-out Installation and Manhole Ring and Cover Adjustment Program FY 2018-2019 with a total expenditure not to exceed \$401,418 and \$2,294,121 respectively over the three-year life of the contract.

This Motion was passed on the consent agenda.

Enactment No: M2018-148

9. Land Purchase for Nueces Bay Boulevard Tank Site for Elevated Storage Tank

Resolution determining the fair market value of industrial property and authorizing execution of a real estate sales contract with Flint Hills Resources Corpus Christi, LLC for \$127,513.75 plus estimated closing costs of \$2,500 for Nueces Bay Boulevard elevated tank site.

This Resolution was passed on the consent agenda.

Enactment No: 031520

10. Service Agreement for Blower Repairs and Motor Alignment Services at Wastewater Treatment Plant

Motion authorizing a one year Service Agreement with two one-year options with Massengale Armature Works Inc, of San Antonio, Texas, for the Blower Repairs and Motor Alignment services at Waste Water Treatment Plant for an amount not to exceed \$107,700 with a total potential Multi-Year amount up to \$323,100.

This Motion was passed on the consent agenda.

Enactment No: M2018-149

11. San Patricio Municipal Water District Treated Water Contract Amendment

Motion authorizing the Second Amendment and Extension to the Treated Water Supply Contract with San Patricio Municipal Water District.

This Motion was passed on the consent agenda.

Enactment No: M2018-150

12. Second Reading Ordinance - Adoption of Proposed Unified Development Code Text Amendments: Section 7.5 Signs (1st Reading 8/21/18)

Ordinance amending Section 7.5 "Signs" of the Unified Development Code; and providing for penalty.

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

Enactment No: 031521

15. Second Reading Ordinance - Appropriating Fund Proceeds for Fiscal Year 2017-2018 (1st Reading 8/21/18)

Ordinance to appropriate (a) \$62,420.48; (b) \$1,624,968.22; (c)

\$2,160,863.62; (d) \$143,594.59; and (e) \$65,406.99; into the Airport CIP, Bond Proceeds, Utility Revenue Bond, Specialty Bond Proceeds and other Unappropriated Funds, respectively, for the following purposes: City's match for future FAA Grant Projects, Bayfront, Public Facilities, Fire, Police, Public Health and Safety, Sanitary Landfill, Library, Convention Center, Parks, Streets, and Utilities, and as further detailed in Attachment 1; changing the FY 2018 Capital Improvement Budget adopted by Ordinance No. 031249 to increase expenditures accordingly.

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

Enactment No: 031524

4. Amendment No. 1 to American Bank Center Service Agreement

Motion authorizing Amendment No. 1 to the Service Agreement for Management of the American Bank Center with SMG for additional expenditures in the amount of \$250,000, with a restated total estimated contract value of \$16,807,717.15.

Mayor McComb referred to Item 4. Assistant to the City Manager Esther Velazquez stated that the purpose of this item is to amend the service agreement with SMG for management of the American Bank Center for additional expenditures in the amount of \$250,000. SMG is requesting an additional \$50,000 per year for the Marketing and Co-Promotion Funds to subsidize the IceRays for rental space at the Arena. Matt Blasy, General Manager of the American Bank Center - SMG, responded to questions. There were no comments from the public.

Council members and staff discussed the following topics: a year-to-year analysis of events at the Arena; a strategic plan to attract larger scale events; the new contract between SMG and the IceRays which includes the increase of rent in the amount of \$50,000 per year; the request of an additional \$50,000 per year by SMG to subsidize the IceRays; that the rent for the IceRays has not been increased for nine years; the intent of the marketing and co-promotion fund; if the Arena has lost large events due to the IceRays schedule; the IceRays' return-on-investment to the community; the impact to the Arena's operating budget if SMG does not increase the rent for the IceRays; the total amount the IceRays are subsidized by the marketing and co-promotion fund; the average attendance at IceRays games; a strategic plan to diminish the marketing and co-promotion fund; and SMG's plan for FY2019.

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

Aye: 6 - Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio and Council Member Smith

Nay: 3 - Mayor McComb, Council Member Garza and Council Member Roy

Abstained: 0

Enactment No: M2018-144

13. Second Reading Ordinance - Accepting and Appropriating Grant Funds for FY2019 Local Border Security Program (1st Reading 8/21/18)

Ordinance authorizing acceptance of \$40,000 grant from Office of the Governor's Homeland Security Grants Division for FY2019 Local Border Security Program; and appropriating \$40,000 in Police Grants Fund.

Mayor McComb referred to item 13. **Police Chief Mike Markle** stated that the purpose of this item is to accept a grant in the amount of \$40,000 from the Office of the Governor's Homeland Security Grants Division for the FY2019 Local Border Security Program. **Margareta Fratila**, 3606 Tripoli, spoke in support of the item.

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

Enactment No: 031522

14. Second Reading Ordinance - Adoption of City of Corpus Christi Small Cell Network Fees, regulations and Design Manual (1st Reading 8/21/18)

Ordinance amending Corpus Christi Code to adopt small cell network fees, regulations, and Design Manual; and providing for penalty.

Mayor McComb referred to Item 14, adoption of City of Corpus Christi Small Cell Network Fees. **Director of Planning and ESI Daniel McGinn** was present to respond to questions. A council member spoke regarding technology improvement and AT&T's installation of resources to aid bandwidth for public safety. **J.D. Salinas**, AT&T, spoke regarding Bandwidth 14, which allows first responders to have a dedicated network, and stated that approval of this item allows AT&T and other providers to invest in Corpus Christi, consequently providing a better network for the future.

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

Enactment No: 031523

R. EXECUTIVE SESSION: (ITEMS 43 AND 45)

Mayor McComb deviated from the agenda and referred to Executive Session Items 43 and 45. The Council went into executive session at 1:43 p.m. The Council returned from executive session at 3:14 p.m.

- 43. Executive Session pursuant to Texas Gov't 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 Gov't 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 prospect(s).**

This E-Session Item was discussed in executive session.

- 45. Executive Session pursuant to Texas Gov't Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the case of *Beeville Water Supply District appeal of Raw Water Rates adopted by City of Corpus Christi* filed with the Public Utility Commission of Texas, and other lawsuits, including potential consideration of fees for attorneys, engineers, and other expert witnesses assisting in defense of action(s)**

Mayor McComb referred to Item 45 and the following motion was considered:

Motion to authorize the execution of amendments, agreements and encumbrance of funds for legal and other professional consulting and/or expert witness services for the Public Utility Commission of Texas Docket No. 47920 Petition of the Beeville Water Supply District Appealing Raw Water Rates Adopted by City of Corpus Christi in amounts not to exceed \$225,000 and

authorize carry-over of unexpended funds into the following fiscal years.

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

Absent: 1 - Council Member Lindsey-Opel

Abstained: 0

Enactment No: M2018-154

L. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Items 43 and 45.

M. BUDGET PRESENTATION: (ITEM 16)

16. Proposed FY2019 Budget Overview

Mayor McComb referred to Item 16. Interim City Manager Keith Selman stated that the purpose of this item is to provide an overview of the proposed FY 2019 budget regarding the Water Utilities Department. Assistant City Manager Mark Van Vleck introduced the presentation team: Assistant Director of Support Services Reba George; Executive Director of Water Utilities Dan Grimsbo; Assistant Director of Water Quality and Treatment Gabriel Ramirez; Assistant Director of Maintenance and Lines Wesley Nebgen; and Assistant Director of Wastewater Treatment John Byrum.

Assistant City Manager Mark Van Vleck presented the following information: an overview of the water system; the water system components; the utility cost-of-service breakdown; the formula to calculate unit cost for water; water unit cost inputs; the cost related to each part of the water system; the cost by categories of expenditures; the different volumes of water; the unit cost breakdown per 1,000 gallons above the minimum; the components of the wastewater system; wastewater system deficiencies inflows and infiltration; collection system repairs; wastewater overflows and backups; lift (pump) station repairs; the six wastewater treatment plants; the formula to calculate unit cost for wastewater; wastewater unit cost inputs; wastewater costs by system; expenditures of the wastewater fund; volumes; volume based on winter quarter averaging and volume based on actual water consumption; and a comparison of wastewater charges in 2017 versus 2018.

Council members and staff discussed the following topics: storm water costs; customer complaints related to the increase in wastewater rates; establishment of an advisory board to address utility rates; the comparison of winter averaging versus consumption; utility software billing issues; and a comprehensive review of the utility rates and rate structure.

M. PUBLIC HEARINGS: (ITEMS 17 - 18)

17. Public Hearing on Fiscal Year 2019 Ad Valorem Tax Rate

Mayor McComb referred to Item 17. Director of Financial Services Constance Sanchez stated that the purpose of this item is to hold the first public hearing on the FY2019 ad valorem tax rate of \$0.626264 per \$100 valuation. Since the rate being proposed exceeds the effective tax rate, two public hearings are required. The first public hearing will be held today and the second public hearing will be held on Tuesday, September 11, 2018.

Mayor McComb opened the public hearing. Margareta Fratila, 3606 Tripoli, spoke in opposition to the tax increase and suggested implementation of a tourism industry revenue tax to improve streets. Mayor McComb stated that the tax rate being proposed is a result of the voter-approved 2-2-2 cent increase to address residential streets. Mayor McComb closed the public hearing.

Mayor McComb read the following statement "During the September 18, 2018 City Council meeting beginning at 11:30 a.m. at City Hall, the City Council will vote on the proposed property tax rate."

18. Public Hearing on Fiscal Year 2018-2019 Operating Budget

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 am at City Hall, 1201 Leopard Street, Corpus Christi, Texas. This budget will raise more total property taxes than last year's budget by \$7,680,380 (General Fund \$4,304,431 Debt Service Fund \$(484,193), Residential Street Reconstruction Fund \$3,860,142), or 6.8%, and of that amount an estimated \$2,127,240 is tax revenue to be raised from new property added to the tax roll this year.

Mayor McComb referred to Item 18. Director of Management & Budget Eddie Houlihan stated that the purpose of this item is to hold a public hearing on the FY2018-2019 Operating Budget. Mr. Houlihan presented the following information: total employees; revenues and expenditures; a 10-year history of property tax rates; the projected fund balances for the General, Internal Service, Special Revenue, and Enterprise Funds; and key dates.

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

FIRST READING ORDINANCES: (ITEM 29)**29. First Reading Ordinance - Drought Contingency Plan Amendments for Large-Volume Industrial Customers**

Ordinance amending the Corpus Christi Code of Ordinances to modify Sections 55-150 and 55-154 and add Section 55-159.1, which will provide an exemption from drought surcharges for large-volume industrial customers who pay a drought surcharge exemption fee, provide a mechanism to opt-out of said fee, dedicate the use of the exemption fee

to development of a drought-resistant water supply, and authorize the City Manager to execute a standard form agreement with customers who request a City commitment regarding use of the fee; effective October 1, 2018; and providing for penalties.

Mayor McComb deviated from the agenda and referred to Item 29. Frank Brogan, consultant, stated that the purpose of this item is to amend the Drought Contingency Plan and the City's Code of Ordinances regarding large industrial customers. The amendments include: establishing a non-mandatory drought surcharge exemption fee for large-volume industrial customers and increasing the target demand reduction levels for Stage 2 from 15% to 20%. Mr. Brogan presented the following information: the plan to obtain a Drought Resistant Water Supply; the customers that will pay the surcharge fee; customers who "opt out"; and the types of Drought Resistant Water Supply to explore.

Mayor McComb called for comments from the public. Roger TenNapel, Flint Hills Resources, thanked City Council and staff for working with industry to address future water supplies.

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: 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: (ITEM 19 - 26)

19. Museum of Science and History Management Services

Motion authorizing a five year service agreement for the management of the Museum of Science and History with Friends of the Museum of Science and History, Corpus Christi, Texas for a not to exceed value of \$1,300,000.00 plus revenue/incentive fee and marketing funds.

Mayor McComb referred to Item 19. Assistant to the City Manager Esther Velazquez stated that the purpose of this item is to authorize a five-year service agreement for the management of the Museum of Science and History with the Friends of the Museum of Science and History. At the August 21, 2018 Council meeting, City Council made a motion of direction to invite the two firms who responded to the Request for Proposal (RFP) to make presentations before Council. Library System Services respectfully declined the invitation. Ms. Velazquez introduced Jim Moloney, Friends of the Corpus Christi Museum of Science and History Board President. The presentation team included: Chris Adler, Carol Rehtmeyer, and Dr. Mary Jane Garza.

The presentation team presented the following information: projects supported by the Friends of the Museum of Science and History; the income statement; the Board of Directors and Advisors; goals; an overview of the exterior and interior enhancements, collections and exhibits at the Museum when under the

direction of previous Executive Director Carol Rehtmeyer; projected financials; fundraising; potential attractions; and educational programming.

Council members and the presentation team discussed the following topics: maintenance of the Xeriscape Garden; the procurement process; and provisions if financial expectations in the contract are not met.

Council Member Lindsey-Opel made a motion to amend the motion by requiring annual reporting to the City Council, seconded by Council Member Rubio and passed unanimously.

Mayor McComb called for comments from the public. Margareta Fratila, 3606 Tripoli, congratulated the Friends of the Museum of Science and History on their work at the Museum.

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

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

Abstained: 0

Enactment No: M2018-151

20.

Second Reading Ordinance - Conveyance of Parker Pool to Nueces County (1st Reading 8/21/18)

Ordinance authorizing the conveyance of Parker Pool property located at 654 Graham Road to Nueces County.

Mayor McComb referred to Item 20. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to authorize the conveyance of Parker Pool property to Nueces County. Mr. Ellington stated that the ordinance will need to be amended to include the following language: "Whereas, in accordance with Section 212.0045 of the Texas Local Government Code, the City determines the subdivision required of the Parker Pool property to Nueces County does not require platting".

Council Member Garza made a motion to amend the ordinance as recommended by staff, seconded by Council Member Rubio and passed unanimously

Council members and staff discussed the following topics: the City's responsibility to maintain utilities; the existing lease with the Coastal Bend Friends of the Aquatics; and the reversion clause.

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

Aye: 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

Enactment No: 031525

21.

Second Reading Ordinance - Adopting Downtown Vacant Building Regulations (1st Reading 7/31/18)

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

Mayor McComb referred to Item 21. Business Liaison Arlene Medrano stated that the purpose of this item is amend the City's Code of Ordinances to adopt the Downtown Vacant Building Ordinance. The presentation included: Executive Director of the Downtown Management District Alyssa Barrera and Assistant Police Chief David Blackmon. Ms. Medrano presented the following information: that the ordinance was approved by the Tax Increment Reinvestment Zone #3 (TIRZ #3) Board and the Downtown Management District in June 2018; City Council approved the first reading of the ordinance as amended on July 31, 2018 with the following amendments: a one-year annual performance review and an enhanced five-year comprehensive review; and City Council's action to table the ordinance August 14, 2018, directing staff to rewrite the ordinance to remove the registration and its components. Ms. Medrano presented two options for consideration: Option A, which includes the registration and Option B, without registration. Ms. Medrano provided an overview of the process map with and without registration and effects of having a no registration.

Council members and staff discussed the following topics: the options approved by the TIRZ #3 Board regarding incentives; the effects of no registration fee; and receiving up-to-date information from the Corpus Christi Realtors Association regarding contact information from property owners.

Council Member Molina made a motion to amend the ordinance to approve Option B, seconded by Council Molina and passed unanimously.

There were no comments from the public.

Council Member Garza made a motion to approve the ordinance as amended, seconded by Council Member Molina. This Ordinance was passed on second 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

Enactment No: 031526

22. Resolution to Submit One or More Grant Applications for Funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program.

Resolution authorizing the City Manager, or designee, to submit one or more grant applications totaling up to two million dollars (\$2,000,000) to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program.

Mayor McComb referred to Item 22. **Director of Intergovernmental Relations Tom Tagliabue** stated that the purpose of this item is to submit one or more grant applications in the amount of up to \$2,000,000 to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant (DEAAG) Program. **Mr. Tagliabue** provided an overview of the DEAAG program and the two projects at Naval Air Station - Corpus Christi and the Corpus Christi Army Depot to improve security. There were no comments from the public.

Council Member Molina made a motion to approve the resolution, seconded by **Council Member Lindsey-Opel**. This Resolution 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 Rubio and Council Member Smith

Absent: 1 - Council Member Roy

Abstained: 0

Enactment No: 031527

23. Resolution requesting the Commissioner of Insurance to Reject the Proposed Premium Rate Increase Proposed by the Texas Windstorm Insurance Association.

Resolution requesting the Commissioner of Insurance to reject the proposed premium rate increase proposed by the Texas Windstorm Insurance Association.

Mayor McComb referred to Item 22. **Director of Intergovernmental Relations Tom Tagliabue** stated that the purpose of this item is to approve a resolution requesting the Commissioner of Insurance to reject the proposed premium rate increase proposed by the Texas Windstorm Insurance Association. There were no comments from the Council or the public.

Council Member Rubio made a motion to approve the resolution, seconded by **Council Member Lindsey-Opel**. This Resolution 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 Rubio and Council Member Smith

Absent: 1 - Council Member Roy

Abstained: 0

Enactment No: 031528

24. Service Agreement for HEB Tennis Center

Motion authorizing a service agreement with Sweet Spot Tennis, LLC for management and operations service for HEB Tennis Center.

Mayor McComb referred to Item 24. Director of Parks and Recreation Jay Ellington stated that Items 24 and 25 are related to service agreements with Sweet Spot Tennis, LLC for management and operations services for HEB Tennis Center and Al Kruse Tennis Center. Mr. Ellington stated that the purpose of this item is to award the service agreements to the end of the calendar to issue a new Request for Proposal (RFP). Mr. Ellington presented the following information: corrective actions in response to the audit of the tennis centers and the RFP process.

In response to a council member, Interim City Manager Keith Selman stated that the contract is a short-term contract with no changes to the existing fees.

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

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

Abstained: 0

Enactment No: M2018-152

25. Service Agreement for Al Kruse Tennis Center

Motion authorizing a service agreement with Sweet Spot Tennis for management and operations service for Al Kruse Tennis Center.

This item was discussed during Item 24.

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

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

Abstained: 0

Enactment No: M2018-153

26. Resolution Adopting an Affordable Housing Policy and Program Initiatives for the City of Corpus Christi, Texas

Resolution Adopting an Affordable Housing Policy and Program Initiatives for the City of Corpus Christi, Texas

Mayor McComb referred to Item 26. Director of Housing and Community Development Rudy Bentancourt stated that the purpose of this item is to adopt an Affordable Housing Policy and Program Initiatives for the City of Corpus Christi. Mr. Bentancourt presented the following information: the definition of affordable housing; research and best practices; tying affordable housing initiatives to Plan CC; implementation of Goal 1 - Corpus Christi has a comprehensive housing policy to advise the City on development and quality housing for residents of all income levels in all parts of the City and Goal 9 - the design of new developments promotes a broader sense of neighborhood and community rather than creating isolated subdivisions or apartment complexes developments with lack of interconnection; and the Affordable Housing Reimbursement Program.

Council Member Lindsey-Opel made a motion to amend the resolution by adding a provision that the City will evaluate all City-surplus land for potential uses for affordable housing prior to disposition, seconded by Council Member Rubio and passed unanimously.

Council members and staff discussed the following topics: the Affordable Housing Reimbursement Program; qualifications for reimbursement; the current median home price; the reimbursement amount of 25% for a middle income purchaser up to \$200,000 with no pre-qualification of income required; the income requirements for the Affordable Housing Reimbursement program; the financial impact of the Affordable Housing Reimbursement Program; the income requirements to qualify for the Affordable Housing Reimbursement Program; a capped amount for the Affordable Housing Program; the shortage of workforce housing; the definition of affordable housing; the current affordable housing programs being run through Housing and Community Development; enticing builders to produce homes between \$150,000 and \$175,000; gap financing; the intent of the policy; concern from council members regarding addressing workforce housing with affordable housing; focusing on lower income homebuyers; and identifying the types of homebuyers.

Council Member Lindsey-Opel made a motion to table Item 26 and 27, seconded by Council Member Smith. The motion to table was passed and approved with the following vote:

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

Abstained: 0

O. FIRST READING ORDINANCES: (ITEMS 27 - 31)**27. Ordinance Amending Corpus Christi Code of Ordinance to Adopt Affordable Housing Fee Reimbursement Program**

Ordinance amending Corpus Christi Code of Ordinance to adopt Affordable Housing Fee Reimbursement Program.

This item was tabled during the discussion on Item 26 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

28. First Reading Ordinance - Rezoning for a Property located at or near 718 South Navigation Boulevard. (Tabled from 4/17/18) (3/4 Vote Required)

Case No. 1117-01 GMG Partners, LP.: Ordinance amending Zoning Ordinance 030511 on a property at or near 718 South Navigation Boulevard by adding a 36-month time extension to the special permit time limit initially approved.

Planning Commission and Staff Recommendation (February 21, 2018): Approval of the extension of the Special Permit for an additional 36 months (3 years).

Mayor McComb referred to Item 14. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to allow for the extension of a Special permit for an additional 36 months to allow for the continuance of resource extraction at the site, specifically sand, gravel, and dirt, and accessory uses. The item was tabled on April 17, 2018 to address stormwater drainage concerns by the adjacent property owners, Driscoll Foundation. The parties have resolved their issues and agreed to mitigation. There were no comments from the public.

Council Member Molina 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: 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

30. First Reading Ordinance - Changing Carson Street to One-way

Traffic Pattern

City Code of Ordinances, Chapter 53 Traffic, Article VIII Schedules, Section 53-250 Schedule I - One-way streets and alleys, subsection (a) is revised to add a one-way designation for a portion of Carson Street.

Mayor McComb referred to Item 30. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the City's Code of Ordinances to add a one-way designation for a portion of Carson Street between Ennis Joslin Road and Alameda Street. Ms. Gray presented the following information: a vicinity map; background regarding Carson Street including local street classification, accident history since 2014 and findings; and the recommended one-way conversion to reduce cut-through traffic and increase safety.

Council members and staff discussed the following topics: traffic study observations; vehicle crashes that damaged residential and City property; that the one-way designation would discourage cut-through traffic; the use of traffic control devices; if one-way traffic will be reduced to one lane; the reason the City is not recommending the closure of the street; and traffic signs associated with the change.

Mayor McComb called for comments from the public. Nasser and Norma Zangehar, 502 Carson, described the accidents that occurred on their property and encouraged the City Council to support the one-way designation.

Council Member Guajardo 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: 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

31.

First Reading Ordinance - Amendment to Remove a Portion of the One-Way Designation on Chaparral Boulevard (Bond 2008 & 2014)

City Code of Ordinances, Chapter 53 Traffic, Article VIII Schedules, Section 53-250 Schedule I - One-way streets and alleys, subsection (a) is revised to remove a portion of the one-way designation on Chaparral Boulevard between Coopers Alley and IH-37.

Mayor McComb referred to Item 31. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the City's Code of Ordinance by removing a portion of the one-way designation on Chaparral Boulevard between Coopers Alley and IH-37. Ms. Gray presented the following information: the location map; a map of the street improvements on Chaparral Street; 2015 signalization improvements; and the two-way conversion plan. There were no comments from the public.

Council Member Lindsey-Opel 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: 6 - Mayor McComb, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

Nay: 3 - Council Member Garza, Council Member Guajardo and Council Member Hunter

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 32 - 41)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff did not have any planned presentations. A council member requested information on Item 34.

32. Four-Year Service Agreement for Pressure Washing Equipment Services

Motion authorizing a four-year service agreement with Kingdom Sowers, LLC, of Corpus Christi, Texas for pressure washing equipment services for a total amount not to exceed \$111,840.00.

This Motion was recommended to the consent agenda.

33. Professional Services Contract Amendment No.1 for Defense Economic Adjustment Assistance Grant (DEAGG) Corpus Christi Security Enclave Project

Motion to authorize execution of a professional services contract Amendment No. 1 with LNV Inc. of Corpus Christi, Texas in the amount of \$211,270 for a total restated fee of \$248,769 for Defense Economic Adjustment Assistance Grant (DEAAG) Corpus Christi Security Enclave project.

This Motion was recommended to the consent agenda.

34. Contribution-In-Aid-of Construction Agreement and Contract for Rodd Field Road Improvements from Yorktown Blvd. to Saratoga Blvd., (Bond 2014, Proposition 2)

Motion to authorize execution of a construction contract with Haas-Anderson Construction of Corpus Christi, Texas in the amount of \$15,236,240.05 for base bid No. 1 plus Additive Alternate No. 1, and execute a Contribution-In-Aid-of-Construction (CIAC) Agreement with AEP for street lighting (illumination) in the amount of \$207,369.75 for the Rodd Field Road Improvements from Yorktown Blvd to Saratoga Blvd project.

This Motion was recommended to the consent agenda.

35. Professional Services Contract for Kinney & Power Street Pump Station Improvements Project

Motion to authorize execution of a professional services contract with Urban Engineering of Corpus Christi, Texas in the amount \$162,527 for Kinney & Power Street Pump Station Improvements project.

This Motion was recommended to the consent agenda.

36. Professional Services Contract for the McGee Beach Nourishment - Boat Basin Dredging Project

Motion to authorize execution of a professional services contract with Lockwood, Andrews & Newman, Inc. of Corpus Christi, Texas in the amount of \$186,100 for the McGee Beach Nourishment - Boat Basin Dredging project.

This Motion was recommended to the consent agenda.

37. Service Agreement for Mowing and Grounds Maintenance Services for Storm Water Group 2, Downtown Group 1, and Parks Groups 17 and 18

Resolution finding the lowest responsive, responsible bidder for mowing and grounds maintenance services for Storm Water Group 2, Downtown Group 1, and Parks Groups 17 and 18, awarding Three-Year Service Agreements for a total amount not to exceed \$231,350.

This Resolution was recommended to the consent agenda.

38. Agreement for HVAC Services for Facilities Department

Motion authorizing a three-year Service Agreement with Coastline Refrigeration & Service, LLC of Corpus Christi, Texas for HVAC Services for Facilities Department, for a total amount not to exceed \$397,800.00.

This Motion was recommended to the consent agenda.

39. Purchase of Various Vehicles for Street Operations

Motion authorizing the purchase of one 2019 F-550 bucket truck from Grande Truck Center of San Antonio, Texas; three 2019 5-7 cubic yard dump trucks from Houston Freightliner Inc. of Houston, Texas; and, one

2019 12 cubic yard dump truck from Houston Freightliner Inc. of Houston, Texas; and one 4-6 Ton Steel Wheel Roller from Anderson Machinery Co. of San Antonio, Texas via HGACBUY and BuyBoard for a total amount not to exceed \$764,468.40.

This Motion was recommended to the consent agenda.

40. Service Agreement for Electrical Repair Services

Motion authorizing a three-year Service Agreement with Scott Electric Company of Corpus Christi, Texas, for Electrical Repair services, for a total amount not to exceed \$152,380.

This Motion was recommended to the consent agenda.

41. Resolution for Reimbursement for Utility Capital Projects

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating from the proceeds of one or more series of taxable or tax-exempt obligations to be issued by the City in an aggregate amount not to exceed \$50,000,000 for authorized purposes relating to constructing various City improvements; authorizing other matters incident and related thereto; and providing an effective date.

This Resolution was recommended to the consent agenda.

R. EXECUTIVE SESSION: (ITEMS 43 - 46)

Mayor McComb referred to Executive Session Items 44 and 46. The Council went into executive session at 7:28 p.m. The Council returned from executive session at 9:13 p.m.

44. Executive Session pursuant to Texas Government Code Section 551.071 and Texas Disciplinary rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to negotiations and potential litigation with 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.

This E-Session Item was discussed in executive session.

46. 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.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. The following item was identified: provide a memo to Council explaining the status and circumstances regarding the Occupational Medicine and Drug Testing Extension of the City's vendor.

T. ADJOURNMENT

The meeting was adjourned at 9:14 p.m.