



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, September 11, 2018

11:30 AM

Council Chambers

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**Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.**

**MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES.** Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council **MUST** be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

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

Mayor McComb called the meeting to order at 11:34 a.m.

- B. Invocation to be given by Pastor Steve Hartwick, First Baptist Church.**

Pastor Steve Hartwick gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Billy Delgado, Emergency Management Coordinator.**

Emergency Management Coordinator Billy Delgado 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 September 8-15, 2018, "Flags for Heroes Week".  
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.  
  
Mayor McComb welcomed the City of Rockport's Mayor, Patrick Rios, and various City officials who thanked the City of Corpus Christi for their assistance after Hurricane Harvey.  
  
Mayor McComb presented the proclamation 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. 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. Garrett Dorsey, 14878 Granada, spoke regarding great events occurring in the community and affordable housing. Katya Wowk, 14718 Aquarius, spoke in support of Agenda Item 29, amending the City Code to adopt higher standards for Flood Hazard Prevention and asked the City Council to consider adopting 2 feet of freeboard. Carolyn Vaughn, 4214 Spring Creek, spoke regarding water bill charges and Agenda Item 53, an executive session regarding the City Manager. Margareta Fratila, 3606 Tripoli Drive, spoke regarding water bill charges and asked the City Council to consider waiving water bills for utility customers in the month of November. Carrie Robertson Meyer, 4401 Gulfbreeze Boulevard, thanked Council Member Roy for nominating Bobby Broderick for the Parks and Recreation Advisory Committee; provided an update on behalf of the North Beach Community Association; and spoke regarding the condition of Gulfbreeze Boulevard. Philippe Tissot, 3560 Aransas, spoke regarding Agenda Item 28 adopting the preliminary flood insurance rate maps and Agenda Item 29, amending the City Code to adopt higher standards for Flood Hazard Prevention and regarding taking caution

when considering flood zones. Patricia Polastri, 1605 Ocean Drive, spoke in support of Agenda Item 32, approving a contract for a High Intensity Activated Crosswalk (HAWK) Traffic Signal at Ocean Drive and Del Mar Boulevard and asked the City Council to consider speed bumps. Ashley Bennis, 1921 Waldron Road, spoke in support of Agenda Item 28 adopting the preliminary flood insurance rate maps and Agenda Item 29, amending the City Code to adopt higher standards for Flood Hazard Prevention.

**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)**

**b. OTHER**

1) Hurricane season has begun and staff has been participating with State and local Emergency Coordination meetings to monitor tropical storms in the Atlantic and Caribbean Oceans. The City encourages the public to please stay alert to weather conditions and keep their eye on the news to know if these storms might be headed our way. 2) The City of Corpus Christi is expanding the Saturday Sandbag Program to Wednesday, September 12, 2018, Thursday, September 13, 2018 and Friday, September 14, 2018 from 8:00 a.m. to 3:00 p.m. at the J.C. Elliott Collection Center, Hwy 286 at Ayers; and Saturday, September 15, 2018 from 8:00 a.m. to 1:00 p.m. at the Paul Jones Sports Complex located at 1901 Paul Jones Avenue. 3) The City of Corpus Christi's Proposed Bond 2018 Information Guide is available to the public online and at City facilities. The guide is published in both English and Spanish. Information can be found at [www.cctexas.com/bond2018](http://www.cctexas.com/bond2018). 4) Interim City Manager Selman introduced Director of Water Utilities Kevin Norton and Director of Intergovernmental Relations Tammy Embrey.

**G. MINUTES:**

**2. Regular Meeting of August 28, 2018 and Special Meeting of August 10, 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.

**H. BOARD & COMMITTEE APPOINTMENTS:**

**3. Corpus Christi Convention and Visitors Bureau  
Corpus Christi Downtown Management District  
Food Service Advisory Committee**

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

Corpus Christi Convention & Visitors Bureau

Council Member Smith made a motion to reappoint Ed Cantu (At-Large), Christina A. Cisneros (At-Large), James Kunau (Attraction Industry), and Jason Rodriguez (Restaurant Industry), seconded by Council Member Hunter and passed unanimously.

Council Member Smith made a motion to confirm the appointment of Jorge Cruz-Aedo (Regional Transportation Authority), seconded by Council Member Lindsey-Opel and passed unanimously.

Council Member Lindsey-Opel nominated Regina Garcia-Posada (At-Large). Council Member Smith nominated Daniel R. Suckley (At-Large). Council Member Molina nominated Dusty Oliveira (At-Large). Council Member Hunter nominated Sam Canavati (At-Large).

Sam Canavati (At-Large) was appointed with Council Members Hunter, Molina, Roy, Guajardo, Smith, Lindsey-Opel and Rubio voting for Sam Canavati; Council Members Molina, Roy, Garza, and Rubio voting for Dusty Oliveira; Mayor McComb and Council Members Hunter Guajardo and Smith voting for Daniel R. Suckley; and Mayor McComb and Council Members Garza and Lindsey-Opel voting for Regina Garcia-Posada.

A run-off was conducted between Daniel R. Suckley and Dusty Oliveira. Daniel R. Suckley (At-Large) was appointed with Mayor McComb and Council Members Lindsey-Opel, Smith, Guajardo, and Hunter voting for Daniel R. Suckley and Council Members Rubio, Garza, Roy and Molina voting for Dusty Oliveira.

#### Corpus Christi Downtown Management District

Council Member Garza made a motion to reappoint Ajit David (Agent, Employee or Tenant), Harold Shockley, Jr. (Agent, Employee or Tenant), Caitlin Shook (Agent, Employee or Tenant), Dee Dee Perez (Agent, Employee or Tenant), Glenn R. Peterson (Property Owner), Eric R. Gutschow (Property Owner), Brad Lomax (Property Owner), Casey Lain (Property Owner), and Lexi Buquet (Property Owner), seconded by Council Member Lindsey-Opel and passed unanimously.

#### Food Service Advisory Committee

Council Member Garza made a motion to reappoint George Brown (Food Industry), Malcolm De Shields (Community At-Large), and Julio A. Garza (Food Industry), seconded by Council Member Lindsey-Opel and passed unanimously.

Council Member Smith made a motion to appoint Alana L. Fischer (Food Industry), seconded by Council Member Lindsey-Opel and passed unanimously.

#### **I. EXPLANATION OF COUNCIL ACTION:**

#### **K. CONSENT AGENDA: (ITEMS 4 - 19)**

## **Approval of the Consent Agenda**

Mayor McComb referred to the Consent Agenda. Council Members requested that Items 8, 11, and 17 be pulled for individual consideration. There were no comments from the public.

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

### **4. North Padre Island Development Corporation Investment Agreement**

Motion authorizing an agreement with the North Padre Island Development Corporation for management of the investment of the corporation's funds.

**This Resolution was passed on the consent agenda.**

Enactment No: M2018-155

### **5. Resolution Adopting the La Molina - Near West Existing Conditions Report**

Resolution adopting an Existing Conditions Report for the La Molina - Near West Area which is bordered by SH 358 and Saratoga Boulevard to the West, SH 286 to the East, Agnes Street to the North, and SH 286 to the South

**This Resolution was passed on the consent agenda.**

Enactment No: 031529

### **6. 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 passed on the consent agenda.**

Enactment No: M2018-156

**7. 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 passed on the consent agenda.**

Enactment No: M2018-157

**9. 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 passed on the consent agenda.**

Enactment No: M2018-159

**10. 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 passed on the consent agenda.**

Enactment No: M2018-160

**12. 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 passed on the consent agenda.**

Enactment No: M2018-161

**13. 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 passed on the consent agenda.**

Enactment No: M2018-162

**14. 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 passed on the consent agenda.**

Enactment No: M2018-163

**15. 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 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 passed on the consent agenda.**

Enactment No: 031531

**16. Second Reading Ordinance - Rezoning for a Property located at or near 718 South Navigation Boulevard. (Tabled from 4/17/18) (3/4 Vote Required) (1st Reading 8/28/18)**

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).

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

Enactment No: 031532

**18. Second Reading Ordinance - Changing Carson Street to One-way Traffic Pattern (1st Reading 8/28/18)**

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.

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

Enactment No: 031534

**19. Second Reading Ordinance - Amendment to Remove a Portion of the One-Way Designation on Chaparral Boulevard (Bond 2008 & 2014) (1st Reading 8/28/18)**

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.

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

Enactment No: 031535

**8. 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.

**Mayor McComb referred to Item 8, a construction contract and Contribution-In-Aid-of-Construction Agreement for the Rodd Field Road Improvements from Yorktown Boulevard to Saratoga Boulevard project. Executive Director of Public Works Valerie Gray, Director of Engineering Services Jeff Edmonds and council members discussed the following topics: the life cycle maintenance schedule for asphalt; street design standards for a 30-year life cycle; concerns by a council member regarding not having information related to the maintenance schedule for concrete; the Street Preventive Maintenance Program (SPMP); the expenditures regarding Yorktown Boulevard from Staples Street to Everhart Road; the cost difference between asphalt and concrete; the maintenance budget for this project; the history of how Rodd Field Road was placed on Bond 2014; information regarding if bond projects are coming in under/over budget; reactive**



maintenance on Waldron Road to replace concrete panels; a council member stated that she was not against the use of asphalt, but could not support the project without having information regarding maintenance cost for concrete; a memo provided to City Council in June 2017 regarding the threshold that the cost between concrete and asphalt is no more than \$100,000 per lane-mile; photos depicting the condition of Waldron Road between Graham Road and SPID; the sanctity of the bid process; growth and activity on the City's southside and the citizens' concerns regarding traffic; a 50-year life cycle for arterials; the cost of interruption to businesses on Rodd Field Road; the type of traffic on Rodd Field Road; the \$2.3 million cost differential between asphalt and concrete; the project scope including a traffic light at Brooks Street; and formal adoption of the cost threshold.

Mayor McComb called for comments from the public. Susie Luna Saldana, 4710 Hakel, spoke in support of staff's recommendation to award the project with asphalt. James TC Chadden, 1718 Arlington, spoke in support of building Rodd Field Road with concrete, 6 inches thick and proposed building sidewalks on Ayers Street. Margareta Fratila, 3606 Tripoli, suggested that the City Council consult with specialists and other cities regarding the design of streets.

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

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

**Nay:** 2 - Council Member Guajardo and Council Member Rubio

**Abstained:** 0

Enactment No: M2018-158

**11. 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.

Mayor McComb referred to Item 11, contract mowing, grounds and landscape maintenance services for Storm Water Group 2, Downtown Group 1, and Parks Groups 17 and 18. Director of Parks and Recreation Jay Ellington and council members discussed the following topics: language in the contract regarding edging, security, and inspection of the sites; and how the City ensures that contractors are not blowing clippings into the streets and how citizens can report contractors should they witness this occurring. There were no comments from the public.

Council Member Garza made a motion to approve the resolution, seconded by Council Member Smith. This Resolution 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: 031530

**17. Second Reading Ordinance - Drought Contingency Plan  
Amendments for Large-Volume Industrial Customers (1st Reading  
8/28/18)**

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 referred to Item 17. Water Resource Manager Steve Ramos stated that the purpose of this item is to amend the City's Code of Ordinances regarding large industrial customers to establish a funding source to support future water supply development.**

**Mayor McComb called for comments from the public. Bob Paulison, Executive Director of Port Industries of Corpus Christi, thanked the city staff and industry partners who worked on this process to ensure future water supply.**

**Council Member Smith made a motion to approve the ordinance, seconded by Council Member Hunter. 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: 031533

**N. PUBLIC HEARINGS: (ITEMS 24 - 25)**

**24. Public Hearing and First Reading Ordinance - Rezoning property  
at or near 7001 South Staples Street**

Case No. 0718-03 Dr. Haysam Dawod, DDS: Ordinance rezoning

property at or near 7001 South Staples Street from "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District.(3/4 vote required)

Planning Commission and Staff Recommendation (July 25, 2018):

Denial of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District, in lieu thereof, approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit (SP) with conditions.

Ordinance rezoning property at or near 7001 South Staples Street from "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit.

**Mayor McComb** deviated from the agenda and referred to Item 24. **Director of Development Services Nina Nixon-Mendez** stated that the purpose of this item is to allow for the construction of an automated car wash. **Ms. Nixon-Mendez** stated that the Planning Commission and staff recommend denial of the "CG-2" General Commercial District, and in lieu thereof, approval of the "CN-1/SP" General Commercial District with a Special Permit with conditions.

**George Clower, 415 Starr Street**, the applicant's representative, stated that the applicant is in support of Planning Commission and staff's recommendation. **Dr. Haysam Dawod**, applicant, requested approval of the zoning change.

**Council members, Mr. Clower and Dr. Dawod** discussed the following topics: the preliminary site plan; notices received in opposition related to access, specifically a curb cut; permission from the Texas Department of Transportation (TxDOT) to obtain a curb cut; and including a stipulation in the ordinance related to the applicant obtaining a curb cut.

**Mayor McComb** opened the public hearing. **George Ghably, Tejas Forensic Engineering**, stated that he did not believe TxDOT would approve the permit application for a curb cut. **Mr. Ghably** added that if a stipulation was placed in the ordinance requiring the applicant to obtain a curb cut and the permit was not approved by TxDOT, it would stop the project. **Mayor McComb** closed the public hearing.

**Council members** discussed the follow topics: the verbal agreement from TxDOT to approve a curb cut on Staples Street and the joint access easement in the plat.

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

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

**Abstained:** 0

**25. Public Hearing and First Reading Ordinance - Rezoning property at or near 7601 South Padre Island Drive and 5246 Lexington Road**

Case No. 0718-04 May Dev, LP: Ordinance rezoning property at or near 7601 South Padre Island Drive and 5246 Lexington Road from "CG-2" General Commercial District to the "IL" Light Industrial District.(3/4 vote required)

Planning Commission and Staff Recommendation (July 25, 2018):  
Denial of the change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit (SP) with conditions.

Ordinance rezoning property at or near 7601 South Padre Island Drive and 5246 Lexington Road from "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit.

**Mayor McComb referred to Item 25. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the construction of an auto sales and service and boat sales and service establishment with service areas. Ms. Nixon-Mendez stated that Planning Commission and staff recommend denial of the "IL" Light Industrial District, and in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit with conditions.**

**Mayor McComb opened the public hearing. George Clower, 415 Starr Street, the applicant's representative, stated that the applicant is in agreement with a majority of the conditions with the exception of Special Permit Conditions Items 7 and 9. The applicant is requesting to remove Special Permit Condition Item 7, Vehicular Access, and amend Special Permit Condition Item 9, Time Limit, by increasing the time limit from 12 months to 18 months. Alex May, property owner, requested that the language in Special Permit Condition Item 9 stating that the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months, be amended to exclude forces of nature or provide a better definition as to how the Special Permit could be discontinued.**

**Council members and staff discussed the following topics: staff's support to amend the language in Special Permit Condition Item 9 to reflect that the Special Permit would be discontinued due to the closure of the business and expire within 18 months; staff's concern regarding Special Permit Condition Item 7 is that the condition was put in place to discourage through-traffic into the residential neighborhood; and if other dealerships have similar vehicular access conditions.**

**Council Member Lindsey-Opel made a motion to amend the ordinance regarding Special Permit Condition Item 9 to reflect that the Special Permit would be discontinued due to the closure of the business and expire within 18 months, seconded by Council Member Hunter and passed unanimously.**

Council Member Lindsey-Opel made a motion to amend the ordinance by deleting Special Permit Condition Item 7, seconded by Council Member Smith and passed unanimously.

Mayor McComb closed the public hearing.

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

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

**Abstained:** 0

**S. EXECUTIVE SESSION: (ITEM 53)**

Mayor McComb referred to Executive Session Item 53. The Council went into executive session at 2:35 p.m. The Council returned from executive session at 4:07 p.m.

**53. 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.**

Mayor McComb referred to Item 53. Mayor McComb stated that the City Council has requested that Director of Human Resources Steven Viera invite Ralph Andersen & Associates of Rocklin, California and Slavin Management Consultants of Norcross, Georgia to interview for the City Manager Recruitment Process.

The following motion was considered:

Motion to increase Interim City Manager Keith Selman's salary from \$200,000 plus \$7,200 car allowance to a total annual salary of \$220,000 plus \$7,200 car allowance.

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:** 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: M2018-166

**L. RECESS FOR LUNCH**

The recess for lunch was held during Executive Session Item 53.

**M. BUDGET RELATED ORDINANCES: (ITEMS 20 - 22)**

**20. First Reading Ordinance - Adoption of Proposed FY 2018-2019 Operating Budget**

Ordinance adopting the City of Corpus Christi operating budget for the fiscal year 2018-2019 beginning October 1, 2018; to be filed with the county clerk; appropriating monies as provided in the budget; and providing for severance.

Mayor McComb referred to Item 20. Interim City Manager Keith Selman stated that the purpose of this item is to provide an overview of the proposed FY2018-2019 Operating Budget, including an overview of the Police and Fire Department budgets.

Director of Management and Budget Eddie Houlihan provided an overview of the Proposed FY2018-2019 Operating Budget including: the full-time equivalent count; revenues and total expenditures; a history of the property tax rates; the projected fund balance in the General Fund, Internal Service Funds, Enterprise Funds, and Special Revenue Funds; and second reading and final adoption of the Operating Budget and Capital Budget on September 18, 2018.

Police Chief Mike Markle provided an overview of the Police Department's budget including: the mission and mission elements; key services related to full-time equivalents; a list of efficiencies achieved in FY2018 and planned for FY2019; employees and revenues; and total expenditures.

Council members and Chief Markle discussed the following topics: to prioritize a plan to address the shortage of police officers; appreciation to the Police Department and the Corpus Christi Police Officers' Association for working to reduce the cost of benefits; a reduction in the number of police officers in the current budget; and the Crime Control and Prevention District's budget not being included in the overview.

Fire Chief Robert Rocha provided an overview of the Fire Department's budget including: the mission and mission elements; key services and related full-time equivalents; a list of efficiencies achieved in FY2018 and planned for FY2019; employees and revenues; and total expenditures.

Council members and staff discussed the following topics: a plan for staffing Fire Station 18; making staffing a priority; and the number of Fire Academy graduates planned for FY2019.

Council members and Mr. Houlihan discussed the following topics: the projected FEMA reimbursement related to Hurricane Harvey; the projected fund balances; and the reduction of the Internal Service Fund balance to repair Fire Station roofs.

There were no comments from the public.

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

**Abstained:** 0

**21. First Reading Ordinance - Ratifying increase in property tax revenues from FY2017-2018 Operating Budget**

Ordinance to ratify increase of \$7,680,380 in property tax revenues from last year's operating budget as reflected in the 2018-2019 operating budget.

Mayor McComb referred to Item 21. Director of Management and Budget Eddie Houlihan stated that the Texas Local Government Code provides that adopting a budget that requires raising more property tax revenue than the previous year requires a separate vote of the City Council. The purpose of this ordinance is to ratify the increase of \$7,680,380 in property tax revenues. There were no comments from the Council or the public.

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

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

**Nay:** 1 - Council Member Hunter

**Abstained:** 0

**22. First Reading Ordinance - Approving Fiscal Year 2018 - 2019 Capital Budget and Capital Improvement Planning Guide**

Ordinance approving the Fiscal Year 2018-2019 Capital Budget and Capital Improvement Planning Guide in the amount of \$197,583,700.

Mayor McComb referred to Item 22, first reading of the FY2018-2019 Capital Budget and Capital Improvement Planning Guide. Assistant City Manager Mark Van Vleck stated that the purpose of the Capital Budget and Capital Improvement Planning (CIP) Guide is to identify, prioritize, fund and construct capital improvement projects. It provides the scope and schedules for projects planned over the next ten years and details specific information on projects programmed within the next three years. Assistant City Manager Mark Van Vleck provided the following information: a review of the document's sections; examples of a project sheet; and highlighted projects and funding sources for the following: Airport; Parks and Recreation; Public Facilities; Public Health and Safety; Streets; Gas; Storm Water; Water Supply; Water; and Wastewater.

Council members and staff discussed the following topics: total capital

reserves; projects to address odor control at the Greenwood Wastewater Treatment Plant; the drainage plan for North Beach and the impact regarding the new Harbor Bridge; a letter received from the Texas Commission on Environmental Quality regarding inspection and the City passing with a superior water quality rating; Ayers Street from SPID to Port and extension of sidewalks to the Regional Transportation Authority (RTA) bus stop, which was requested by a citizen during today's meeting; and the Gateway Project Plan regarding the North Beach Redevelopment Initiatives.

#### **MOTION OF DIRECTION**

Council Member Lindsey-Opel made a motion directing the Interim City Manager to work with the North Beach Task Force and identify funding sources for completion of the Beach Erosion Drainage Study and a three-dimensional modeling view of the North Beach area in an amount not to exceed \$30,000, seconded by Council Member Rubio.

Council Member Lindsey-Opel offered to contribute \$3,000 from her council member business/travel account. Council Member Garza offered to contribute \$2,600 from his council member business/travel account. A brief discussion ensued regarding: the Council Policy related to the use of the council members' business/travel accounts and a legal opinion on the use of the funds.

The Motion of Direction was passed unanimously.

There were no comments from the public.

Mayor McComb requested that staff implement, on the City's website, a section related to responses to questions presented during the noon public comment period.

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

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

**Abstained:** 0

#### **N. PUBLIC HEARINGS: (ITEMS 23, 26 - 29)**

##### **23. Public Hearing on Fiscal Year 2019 Ad Valorem Tax Rate**

Mayor McComb referred to Item 23. Director of Financial Services Constance Sanchez stated that the purpose of this item is to hold the second public hearing on the proposed FY2018 ad valorem tax rate of \$0.626264 per \$100 valuation. The rate being proposed is two cents higher than the current tax rate, which will be used to address residential streets, as approved by voters in November of 2016.

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

**26. Public Hearing and First Reading Ordinance - Amending the Unified Development Code to clarify language in specific areas**

Ordinance amending the Unified Development Code regarding defined terms, exceptions from platting requirements, minor, amending or vacating plat review applicability, commercial districts permitted uses, commercial use categories, specific standards, bar, tavern or pub, water trust fund, and wastewater trust fund.

Mayor McComb referred to Item 26. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to amend five text amendments in the Unified Development Code (UDC). Ms. Nixon-Mendez provided a summary of the following text amendments: an exception from the platting requirement for state-owned properties on beaches, bays, and submerged lands, administered by the Texas General Land Office; clarifying "minor plats"; the distance required between a bar, tavern, or pub to churches, schools, daycare centers and public hospitals; eliminating the 5.5% interest payment with water and wastewater lot/acreage fee refunds; and smoking lounges.

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

Council members discussed the following topics: the state municipal code requirement regarding the distance from a bar, tavern, or pub to churches, schools, daycare centers, and public hospitals; the differences between the UDC requirements and state municipal code regarding distances for alcoholic beverage establishments; if staff has reached out to schools regarding the proposed change to the distance to a bar, tavern or pub; a comparative analysis with other cities regarding the distance requirements for bars, taverns, or pubs; staff's recommendation to align the UDC with state municipal code regarding distance requirements for bar, tavern or pub; consideration to increase the recommended distance for a bar, tavern or pub to be a further distance; clarification regarding the definition "in whole or in part" related to smoking lounges and amending the language by providing a percentage of a business establishment; removal of the amendment related to the distance to a bar, tavern or pub for outreach; and determining floor space dedicated to smoking lounges.

Council Member Lindsey-Opel made a motion to amend the ordinance by removing the following text amendments: the distance to bar, tavern or pub for staff to provide additional outreach; and smoking lounges to determine the percentage of floor space dedicated to smoking lounges, seconded by Council Member Rubio and passed unanimously.

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

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

**Abstained:** 0

**27. Public Hearing and First Reading - Amending the Unified Development Code regarding floodplain administration regulations**

Ordinance amending the Unified Development Code to remove the floodplain administration regulations; and providing for penalties.

Mayor McComb referred to Item 27. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to remove redundant language from the Unified Development Code (UDC) that is adopted by ordinance, in the City's Code of Ordinances, Chapter 14. Ms. Nixon-Mendez provided an overview of the amendments.

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

In response to a council member, Ms. Nixon-Mendez stated that no fees or additional staffing will be required to address Federal Emergency Management Agency (FEMA) map permitting.

Council Member Molina 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

**28. Public Hearing and First Reading Ordinance - Adopting the Preliminary Flood Insurance Rate Maps**

Ordinance amending the Code of Ordinances to adopt the preliminary flood insurance rate maps; and providing for penalty.

Mayor McComb referred to Item 28. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to amend the City's Code of Ordinances to adopt the preliminary flood insurance rate maps (FIRMs). Ms. Nixon-Mendez provided the following information: that municipalities have the option of adopting the preliminary FIRMs for construction purposes; adopting the preliminary FIRMs for construction purposes protects the homeowner from paying higher flood insurance premiums once the final FIRMs are adopted and become effective; currently, the preliminary FIRMs are used as best available data as an advisory, but since they are not adopted, the City cannot enforce

compliance at building permit and construction; adoption of the preliminary maps does not change current insurance requirements; and outreach.

Mayor McComb opened the public hearing. Wendy Hermann, Executive Officer of the Coastal Bend Homeowners Association (Association), commended staff regarding their outreach to the Association and spoke in opposition to adoption of the FIRMs. Mayor McComb closed the public hearing.

Council members and staff discussed the following topics: Oso Creek Appeal and outreach to properties in the appeal area; properties that are moving into the special flood hazard areas along Oso Creek; the percentage of the City impacted by the FIRMs; that the City can provide a letter of map revision should improvements be made to impact an area; and the length of time the City has been working on the FIRMs process.

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:** 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

## **29. Public Hearing and First Reading Ordinance - Amending City Code to adopt higher standards for Flood Hazard Prevention**

Ordinance amending the Code of Ordinances to revise the current language found in the Flood Hazard Prevention Code allowing for Higher Standards; and providing for penalties.

Mayor McComb referred to Item 29. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to amend the City's Code of Ordinances to adopt higher standards for Flood Hazard Prevention. The City is a voluntary participant in the National Flood Insurance Program's Community Rating System Program. This program provides points for going above and beyond the minimum standards of a participating community. The points offer different class ratings which result in premium discounts for flood insurance policies in a special flood hazard area. Adopting higher standards promotes increased public health, safety, and general welfare by minimizing public and private losses due to flood conditions in areas with a special flood hazard. Adopting the higher standards will result in reduced flood insurance premiums.

Ms. Nixon-Mendez presented the following information: the Community Rating System discount; the proposed higher standards including: LiMWA (limit of moderate wave action), freeboard, and non-conversion agreement; the LiMWA map; the debris line from Hurricane Harvey in comparison to the proposed LiMWA; photos of erosion and scour on the island after Hurricane Harvey; freeboard; freeboard insurance savings; the non-conversion agreement; and outreach.

Mayor McComb opened the public hearing. Wendy Herman, Executive Officer of the Coastal Bend Homeowners Association (Association), spoke regarding negative media reports indicating that the City was increasing standards due to sub-standard building by builders. Ms. Herman stated that the Association does not object to the higher standards, but would like to research how the higher standards will impact the cost of homes. Mayor McComb closed the public hearing.

Council members and staff discussed the following topics: how the higher standards will impact citizens; flood damage after Hurricane Harvey; that LiMWA will increase the price of homes; support to increase the freeboard from 1 foot to 2 feet of freeboard; the City's current class 7 rating; the number of points the city will receive for approving the freeboard and non-conversion agreement; and that increasing the freeboard could create drainage issues for neighboring properties.

Council Member Smith made a motion to amend the ordinance to increase the freeboard from 1 foot to 2 feet, seconded by Council Member Lindsey-Opel.

Discussion on the motion to amend included: the additional costs to increase the freeboard from 1 foot to 2 feet; drainage issues; the reason staff is recommending 1 foot instead of 2 feet of freeboard; that the non-conversion agreement would not impact the sale of property; and additional outreach on the non-conversion agreement.

Council Member Smith withdrew his motion to amend; Council Member Lindsey-Opel withdrew her second.

Council Member Guajardo made a motion to table the item, seconded by Council Member Molina.

The Motion to table passed unanimously.

**O. REGULAR AGENDA: (NONE)**

**P. FIRST READING ORDINANCES: (ITEMS 30 - 34)**

**30. First Reading Ordinance - Accepting a Grant to support the Web Based Emergency Operations Center (WEBEOC)**

Ordinance authorizing acceptance of \$15,000 grant from Coastal Bend Regional Advisory Council for City's WebEOC operations; and appropriating \$15,000 into Fire Grant Fund.

Mayor McComb referred to Item 30. Fire Chief Robert Rocha stated that the purpose of this item is to accept and appropriate a grant from the Coastal Bend Regional Advisory Council for the City's WebEOC operations. 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 Molina. This Ordinance was passed on first reading and approved with the following vote:

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

**Abstained:** 0

**31. First Reading Ordinance - Appropriation of Increased Revenue at the City's Warehouse**

Ordinance appropriating estimated increased revenues of \$750,000 to cover projected increased expenses in the City's Warehouse related to the cost of Warehouse merchandise sold; and amending the operating budget by increasing estimated revenues and expenditures by \$750,000 each.

**Mayor McComb referred to Item 31. Assistant Director of Financial Services Kim Baker stated that the purpose of this item is to appropriate a projected increase in the City's Warehouse revenue in the amount of \$750,000. There were no comments from the public.**

**In response to Mayor McComb, Ms. Baker stated that the increased revenue is related to an increased volume of sales.**

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

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

**Abstained:** 0

**32. First Reading Ordinance - Appropriating funds and approving contract for High Intensity Activated Crosswalk (HAWK) Traffic Signal at Ocean Drive and Del Mar Boulevard (Bond 2012, Proposition 1)**

Ordinance appropriating into Street CIP Fund 3530; changing Capital Improvement Program Budget by \$131,483.04 and authorizing execution of a construction contract with Maldonado-Burkett Intelligent Transportation Systems, Inc. of Corpus Christi, Texas in the amount of \$164,353.81 for construction of a HAWK Traffic Signal at Ocean Drive and Del Mar Boulevard. (Bond 2012, Proposition 1).

**Mayor McComb referred to Item 32. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to approve the construction of a High-Intensity Activated Crosswalk (HAWK) Traffic Signal at Ocean Drive and Del Mar Boulevard. There were no comments from the public.**

Council members and staff discussed the following topics: future consideration to include a speed table in the area; the construction timeline; consideration to install a HAWK near Oak Park Elementary School; and that Traffic Engineering is working with the school districts to identify areas with similar traffic issues.

Council Member Rubio 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:** 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

**33. First Reading Ordinance - Agreement for Frontera Historical and Cultural Events**

Ordinance authorizing an agreement with Corpus Christi Convention and Visitors Bureau to allow use of La Retama Park near Schatzel and Mesquite Streets for the Frontera event and related activities on November 2 thru November 4, 2018.

Mayor McComb referred to Item 33. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to authorize an agreement with the Corpus Christi Convention and Visitors Bureau (CVB) to allow use of La Retama Park for the Frontera event. There were no comments from the public.

Council members spoke regarding the following topics: costs associated with parking, traffic control, and barricades; future consideration for the City to purchase water barricades for future festivals and investigating liability; and appreciation to the CVB for sponsoring this historical event.

Council Member Molina 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

**34. First Reading Ordinance - Accepting and Appropriating Grant Funds from the National Recreation and Park Association**

Ordinance accepting a grant in the amount of \$15,000 from the National Recreation and Park Association for the Conserve Our Parks CITGO Service Days.

Mayor McComb referred to Item 34. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to accept a grant in the amount

of \$15,000 from the National Recreation and Park Association for the Conserve Our Parks CITGO Service Days. 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 Molina. This Ordinance was passed on first reading and approved with the following vote:

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

**Abstained:** 0

**Q. FUTURE AGENDA ITEMS: (ITEMS 35 - 50)**

**FUTURE AGENDA ITMES**

Mayor MComb referred to Future Agenda Items. Council members requested information on Items 38, 39, 40, 41, 46, and 50.

**35. Three-Year Service Agreement for Arbitrage Compliance Services**

Motion authorizing a three-year service agreement for arbitrage compliance services with Arbitrage Compliance Specialists, Inc., Centennial, Colorado, for \$46,500 with two one-year options for a potential multi-year contract amount of \$77,500.

**This Motion was recommended to the consent agenda.**

**36. Type B Economic Development Agreement**

Motion approving an agreement with the Corpus Christi B Corporation for management of the Corporation's economic development funds.

**This Motion was recommended to the consent agenda.**

**37. Interlocal Agreement for Distribution of Grant Funds**

Resolution authorizing Interlocal Agreements with City of Robstown for distribution of \$10,217 from FY2017 Edward Byrne Memorial Justice Grant Program funds.

**This Resolution was recommended to the consent agenda.**

**38. Professional Services Contract for the Area Development Plans Project**

Motion to authorize execution of a professional services contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of

\$300,000 for the Area Development Plans project.

**This Motion was recommended to the consent agenda.**

**39. Professional Services contract for the Automated Pavement Condition Index Survey project**

Motion authorizing a contract for professional services with Transmap Corporation, headquartered in Upper Arlington, Ohio in the amount of \$220,983.19 for the Base Bid and Additive Alternate No. 2 for the Automated Pavement Condition Index Survey project.

**This Motion was recommended to the consent agenda.**

**40. Professional Services Contract for the Packery Channel Restoration Project**

Motion to authorize execution of Amendment No. 1 with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$301,008 for a total restated fee of \$351,005 for the Packery Channel Restoration project.

**This Motion was recommended to the consent agenda.**

**41. Purchase of Seven Ford Trucks for Parks and Recreation**

Motion authorizing the purchase of six Ford F-250 trucks and one Ford F-350 truck with AutoNation Ford of Corpus Christi, Texas and Bluebonnet Ford of New Braunfels, Texas based on Request for Bid No. 1794 for a total amount not to exceed \$264,753.00.

**This Motion was recommended to the consent agenda.**

**42. Purchase of three tractors for Parks and Recreation**

Motion authorizing the purchase of three John Deere Tractors from Deere & Company, of Cary, North Carolina, via Buy Board cooperative for \$162,091.63.

**This Motion was recommended to the consent agenda.**

**43. Lease Purchase of Six Trucks and Two Trailers for Solid Waste Operations**

Motion authorizing the lease purchase of four side loading refuse truck from Rush Truck Center of New Braunfels, Texas, and two rear-loading refuse trucks from Grande Truck Center of San Antonio, Texas and two transfer trailers from Rush Truck Center of New Braunfels, Texas via Houston-Galveston Area Council (HGAC) for a total amount not to



exceed \$2,013,177.48.

**This Motion was recommended to the consent agenda.**

**44. Purchase of Two Trucks for Utilities**

Motion authorizing the purchase of two Ford F-250 pickup trucks from Rush Truck Center of New Braunfels, Texas, via BuyBoard Purchasing Cooperative for a total amount not to exceed \$92,118.00.

**This Motion was recommended to the consent agenda.**

**45. Service agreement for Custodial Services for Fleet Maintenance Buildings**

Motion authorizing a one-year service agreement for custodial services with Hilario O. Ortega, Jr., dba A Plus Janitorial and Mowing Services of Corpus Christi, Texas for a total amount of \$18,995.16, with two one-year options for a total potential multi-year amount of \$56,985.48.

**This Motion was recommended to the consent agenda.**

**46. Purchase of Refuse and Recycling Carts for Solid Waste**

Motion authorizing the purchase of refuse and recycling carts from Cascade Engineering of Grand Rapids, Michigan, via Houston-Galveston Area Cooperative (HGAC), in the total amount not to exceed \$499,344.40.

**This Motion was recommended to the consent agenda.**

**47. Actuarial Services for Risk Management**

Motion authorizing a five year service agreement to provide Actuarial Services for the City's Risk Management Division with AMI Risk Consultants, Inc., of Miami, Florida for a not to exceed value of \$60,000.

**This Motion was recommended to the consent agenda.**

**48. Corpus Christi Convention and Visitors Bureau Contract Amendment**

Motion authorizing the Amendment No. 1 to the Consulting Services Agreement with the Corpus Christi Convention and Visitors Bureau to extend the Agreement on a month-to-month basis until a new agreement can be reached.

**This Motion was recommended to the consent agenda.**

**Budget Related Future Agenda Items:****49. Amendment to Financial Budgetary Policies**

Resolution amending Financial Budgetary Policies adopted by Resolution 031240 and providing financial policy direction on preparation of the annual budgets.

This Resolution was recommended to regular agenda.

**50. Resolution approving Parks and Recreation fees for fiscal year 2018-2019**

This Resolution was recommended to regular agenda.

**R. BRIEFINGS: (NONE)****S. EXECUTIVE SESSION: (ITEMS 51 - 52)**

Mayor McComb referred to Executive Session Items 51 and 52. The Council went into executive session at 7:19 p.m. The Council returned from executive session at 8:30 p.m.

**51. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning litigation including, but not limited to, the cases of *Michael Henry v. City of Corpus Christi* and *Saenz v. City of Corpus Christi*, including potential consideration of settlement offers and/or fees for attorneys, engineers, and other expert witnesses assisting in defense of action(s).**

Mayor McComb referred to Item 51 and the following motions were considered:

Motion to authorize the City Manager or designee thereof to execute all documents necessary to settle the lawsuit of Saenz v. City of Corpus Christi in an amount not to exceed \$125,000.

Council Member Rubio 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 Members Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Roy, Council Member Rubio, and Council Member Smith

**Abstained:** 0

**Enactment No. M2018-164**

**Motion to authorize the City Manager or designee thereof to execute all documents necessary to settle the lawsuit of Henry v. City of Corpus Christi in an amount not to exceed \$95,000.**

**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:** 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: M2018-165

**52.**

**Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to water supplies for industrial and other development, desalination, potential interlocal agreements with water districts, navigation districts and/or other governmental entities involving water or other utility services, including potential grants and permits for desalination facilities, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential agreements for the economic development agreement(s) with business prospects that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and/or wastewater services, **and pursuant to Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s), including, but not limited to, potential contracts for the provision of water to said prospect(s).

**This E-Session Item was discussed in executive session.**

**T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

**None.**

**U. ADJOURNMENT**

**The meeting was adjourned at 8:32 p.m.**