



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, October 30, 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 11:32 a.m.

**B. Invocation to be given by Deacon Jesse Hinojosa, Diocese of Corpus Christi.**

Deacon Jesse Hinojosa gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Aly Berlanga, Executive Assistant, City Secretary's Office.**

Ms. Aly Berlanga 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 October 10, 2018, "Real Men Wear Pink Day".  
Proclamation declaring November 11, 2018, "The 143rd Year Anniversary of St. John Baptist Church".

Mayor McComb presented the proclamations and accepted a donation from Inspire Coastal Bend Magazine for the Mayor's Hurricane Harvey Fund.

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

Mayor McComb referred to City Manager's Comments.

**a. UTILITY BILLING UPDATE**

Interim City Manager Keith Selman introduced Peter Collins, independent information technology contractor, who is leading the team to address issues with the City's utility billing system. Mr. Collins provided the following information: bill related issues related to accounts that never received a bill, sporadic missed bills and no readings, and consolidated consumption bills with readings; data flow between Infor and the Star system; exceptions related to no meter reads; project recovery starting with the full assessment of Infor and all integrated systems; continued work on the billing system; water audits; replacement/repair of meter transmission units (MTU); gas rates; preventive maintenance plans for water and gas MTUs; software and hardware upgrades; the data collection units (DCU) project; and Agenda Item 10, a service agreement for on-call cabling services and related projects.

Council members discussed the following topics: appreciation to Mr. Collins for identifying problems with the City's utility billing system; preventive maintenance plans; audit of the Infor enterprise application; and three occurrences related to no-bills and other billing issues.

- 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 meeting. City Secretary Rebecca L. Huerta conducted the public comment

period. Kate Engler, 5222 McArdle, spoke regarding the "me too" movement and government issues. Huxley Smith, 1913 Thames, spoke regarding the City's water releases and in opposition to desalination. Wendy Herman, Executive Officer of the Coastal Bend Homebuilders Association, 5325 Yorktown, spoke regarding Agenda Item 12, the purchase of playground equipment and her previous request that City Council direct the Parks and Recreation Department to not spend Community Enrichment Funds until a complete audit is performed. Claude Axel, 741 Crestview, spoke regarding the following: public comment time; in support of staggered City Council terms; term lengths; and thanking the City Council members for their work. Jack Gordy, 4118 Bray, spoke regarding blocked sidewalks and illegal signs. Susie Luna Saldana, 4710 Hakel, spoke in support of changing the qualifications for city council candidates to require that candidates should not owe taxes to any jurisdiction. Margareta Fratila, 3606 Tripoli, spoke regarding utility billing issues, including deposits, related to rental properties. James (TC) Chadden, 1718 Arlington, spoke regarding the following topics: thanking Council Member Rubio for a job well done; blocked sidewalks; illegal signs; and thanked Council Member Hunter for rejecting an increase in taxes. Liz Gutierrez, 1033 Greenview, thanked Council Member Rubio for her work in Corpus Christi and in District 3. John Medina, 3941 Mokry, spoke regarding City Council's leadership and accountability.

Council Member Rubio announced her resignation from the position of District 3 Council Member, effective October 30, 2018, and that she will be sworn-in by Nueces County Judge Loyd Neal as Justice of the Peace, Precinct 1, Place 3.

#### **CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**

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

#### **b. STRATEGIC FUTURE ISSUES**

None.

#### **c. OTHER**

1) Interim City Manager Selman introduced new Deputy Director of Solid Waste Operations David Lenfeldt. 2) Interim City Manager Selman introduced Emergency Management Coordinator Billy Delgado and Assistant Director of Water Quality and treatment who provided a brief presentation regarding Lake Corpus Christi including: the joint cooperative efforts with various organizations to address the Lake Corpus Christi water releases and flooding downstream and notify affected residents; aerial drone footage of Wesley Seale Dam and Lake Corpus Christi; maintaining the integrity of Wesley Seale Dam; the current water levels and combined capacity; a chart reflecting projected elevation of Lake Corpus Christi; and a satellite overview of the flood wave.

Council members and staff discussed the following topics: a scheduled assessment and evaluation of Wesley Seale Dam; Texas Commission on Environmental Quality's inspections; the lower Colorado River and Lake Texana; the combined water capacity; volume versus flow; the City's four sources of water; the amount of water being released; the number of

occurrences where water was released to make room for additional water at Choke Canyon; credit for future water releases; and an update regarding how water releases impact the City.

**G. MINUTES:**

2. Regular Meeting of October 23, 2018 and Workshop Meeting of October 15, 2018.

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

**H. BOARD & COMMITTEE APPOINTMENTS: (NONE)**

**I. EXPLANATION OF COUNCIL ACTION:**

**K. CONSENT AGENDA: (ITEMS 3 - 8)**

**Approval of the Consent Agenda**

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

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

**3. Master Services Agreement for Subsurface Utility Engineering (SUE) Services (Capital Improvement Project) (Requires 2/3 Vote)**

Motion to authorize execution of a Master Services Agreement with Cobb, Fendley & Associates, Inc., of Corpus Christi, Texas for a period of 1 year in the amount of \$300,000 with one optional 1-year renewal to be administratively awarded for a total contract cost of \$600,000 for Subsurface Utility Engineering (SUE) Services project.

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

Enactment No: M2018-207

**4. Professional Services Contract Amendment No. 1 for Seawall Capital Repairs (CIP - Type A) (Requires 2/3 Vote)**

Motion to authorize execution of Amendment No. 1 to a professional services contract with Munoz Engineering of Corpus Christi, Texas in the amount of \$91,213 for a total restated fee of \$108,493 for the Seawall Capital Repairs project.

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

Enactment No: M2018-208

**5. Purchase of Uniforms for the Gas Department (Requires 2/3 Vote)**

Motion authorizing the purchase of uniforms for the Gas Department with Cintas Corporation from Corpus Christi, Texas, via U.S. Communities cooperative, for a total amount not to exceed \$122,795.50.

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

Enactment No: M2018-209

**6. Second Reading Ordinance - Rezoning for a Property located at or near 15621 and 15625 South Padre Island Drive (Requires 2/3 Vote) (1st Reading 10/23/18)**

Case No. 0918-02 Rakesh Patel: Request for rezoning property at or near 15621 and 15625 South Padre Island Drive from "CR-2/IO" Resort Commercial District with the Island Overlay to the "IL" Light Industrial District.

Planning Commission and Staff Recommendation (September 19, 2018):

Denial of the change of zoning from the "CR-2/IO" Resort Commercial District with the Island Overlay to the "IL" Light Industrial District, in lieu thereof:

Ordinance rezoning property at or near 15621 and 15625 South Padre Island Drive from "CR-2/IO" Resort Commercial District with the Island Overlay to the "CR-2/IO/SP" Resort Commercial District with the Island Overlay and a Special Permit.

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

Enactment No: 031583

**7. Second Reading Ordinance - Amending City Code for Water Master Plan Amendment - South of Oso Creek (1st Reading 10/23/18)**

Ordinance amending the City of Corpus Christi Comprehensive Plan by amending the City's Water Distribution System Master Water Plan South

of Oso Creek.

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

Enactment No: 031584

**8. Second Reading Ordinance - Accepting and appropriating the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program grant (Requires 2/3 Vote) (1st Reading 10/23/18)**

Ordinance authorizing acceptance of grant from U. S. Department of Justice, Bureau of Justice Assistance, in amount of \$178,821 for FY 2018 Edward Byrne Memorial Justice Assistance Grant Program; and appropriating \$178,821 in Police Grants Fund to fund enhancement of law enforcement efforts with \$82,042 of funds distributed to Nueces County and \$14,736 of funds distributed to City of Robstown.

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

Enactment No: 031585

**EXECUTIVE SESSION: (ITEMS 20 AND 23)**

Mayor McComb deviated from the agenda and referred to Executive Session Items 20 and 23. The Council went into executive session at 1:43 p.m. The Council returned from executive session at 2:17 p.m.

- 20. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the City's contracts related to waste management, handling, and disposal and state and federal regulations related to the disposal of solid waste and/or recycling, including but not limited to, the City's contracts with Republic Services, BFI Waste Services of North America, Inc. and BFI Waste Systems of Texas, LP. and related entities, force majeure provisions in contracts involving the aforesaid companies and or services, calculation of rates therein, and provisions related to termination thereof, including, but not limited to, the potential later authorization in open session of settlement agreements related to claims by and against some of the aforesaid entities.

**Mayor McComb referred to Item 20 and the following motion was considered:**

**Motion to authorize the City Manager or representative to execute a Mutual Settlement Agreement and Release between the City and Cefe Landfill TX, LP f/k/a BFI Elliott Landfill TX, LP; GFI Waste Systems of Texas, LP n/k/a Blue Ridge Landfill TX, LP; BFI Waste Services of Texas, LP d/b/a Allied Waste Services of Corpus Christi and/or Republic Services of Corpus Christi (collectively described as "Republic") to release claims by the City against Republic for alleged shortfalls in tonnage under the Waste Disposal Agreement during contract years 2016-2017 and 2017-2018 in exchange for a release of**

claims by Republic against the City for alleged breaches of the Landfill Services Agreement occurring on or before October 1, 2018 and settling other miscellaneous issues therein.

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: M2018-212

- 23. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the Texas Utilities Code, utility billing regulations, policies, and practices, the regulation of and charges associated with biochemical oxygen demand, total suspended solids, and other wastewater components, and other matters related to the provision of water services, including, but not limited to, issues related to Kane Beef, and agreements related to the aforementioned matters.

This E-Session Item was discussed in executive session.

**L. RECESS FOR LUNCH**

The recess for lunch was held during Executive Session Items 20 and 23.

**M. PUBLIC HEARINGS: (ITEM 9)**

- 9. Public Hearing and First Reading Ordinance - Alley Right-of-Way and Easement Closure located between Morgan Avenue and Elizabeth Street and between Ocean Drive and Third Street**

Ordinance closing, abandoning and vacating two public alleys totaling 5,767 square feet located between Morgan Avenue and Elizabeth Street and between Ocean Drive and Third Street, 1,654 square feet of an existing 5-foot wide drainage easement, and partial closure, abandonment and vacation of 10,618 square feet of an existing 30-foot wide utility and drainage easement dedicated by separate instrument and shown on the Plat of Ocean View Addition Volume 1, Page 11 and Volume 62, Page 130 and 131 Deed and Map Records of Nueces County, located at 600 Elizabeth Street; and requiring the Owner, Christus Spohn Health System Corporation, to comply with specified conditions.

Mayor McComb referred to Item 9. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to close, vacate and abandon two public alleys and a five-foot utility drainage easement to facilitate the expansion of Christus Spohn Shoreline Hospital.

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

Council Member Lindsey-Opel made a motion to approve the ordinance, seconded by Council Member 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. REGULAR AGENDA: (ITEMS 10 - 12)**

**10. Service Agreement for On-Call Cabling Services and Related Products (Requires 2/3 Vote)**

Motion authorizing a one-year service agreement to provide cabling services and related products with Network Cabling Services, Inc., of Houston, Texas for a not to exceed amount of \$150,000, with two one-year options for a total potential not to exceed amount of \$450,000 through the State DIR cooperative.

Mayor McComb referred to item 10. Director of Information Technology (IT) Belinda Mercado stated that the purpose of this item is to authorize a one-year service agreement to provide cabling services and related projects with Network Cabling Services, Inc. for an amount not to exceed \$150,000, with the option to extend for two additional years with a not-to-exceed amount of \$450,000. This contract will outsource cable services to help supplement the workload of IT staff and will allow IT to address issues related to the data collection units (DCU), meter reading process, and field support of City services and public safety. There were no comments from the public.

Council members and staff discussed the following topics: these services will address issues related to the City's utility system; staff's ability to focus on the DCUs; and that this will facilitate products being available and on-hand.

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: M2018-210

**11. Second Reading Ordinance - Corpus Christi International Airport Taxiway K Settlement and Release Agreement (requires 2/3 Vote)**

Ordinance authorizing the City Manager to execute a settlement and release agreement with FDL-CC, L.L.C., Harvey Cleary Builders and Spawglass Civil Construction, Inc. related to the fire suppression foam spill on the city's Taxiway K Project; amending the FY 2019 Operating Budget; and appropriating certain funds into Airport Fund No. 4610; and authorizing a payment of \$312,500 to Spawglass Civil Construction, Inc. as provided in the settlement and release agreement.

**Mayor McComb referred to Item 11. City Secretary Rebecca L. Huerta announced that Council Member Molina was abstaining from this item. Director of Aviation Fred Segundo stated that the purpose of this item is to authorize a Settlement and Release Agreement with FDL-CC, L.L.C., Harvey Cleary Builders and SpawGlass Civil Construction, Inc., related to the fire suppression foam spill on the City's Taxiway Kilo project; and authorizing a payment of \$312,5000 to SpawGlass Civil Construction, Inc. There were no comments from the public.**

**In response to a council member, Mr. Segundo stated that Harvey Cleary Builders is paying the City a total of \$725,876, with \$413,376 going to the City.**

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

**Abstained:** 1 - Council Member Molina

Enactment No: 031586

**12. Purchase of Playground Equipment (Requires 2/3 Vote)**

Motion authorizing the purchase of playground equipment from GameTime by Total Recreation Products, Inc. of Cypress, Texas via U.S. Communities Cooperative for a total amount not to exceed \$400,442.25.

**Mayor McComb referred to Item 12. Interim Director of Parks and Recreation Becky Perrin stated that the purpose of this item is to authorize the purchase of playground equipment from GameTime by Total Recreation Products, Inc. for a total amount not to exceed \$400,442.25. This purchase is for 14 playgrounds through a grant-match program. Ms. Perrin presented three playground designs and a list of parks for each. There were no comments from the public.**

**Council members and staff discussed the following topics: that replacement playgrounds were previously purchased individually; that the Parks and**

Recreation Department is only able to purchase about \$750,000 worth of playground equipment annually and efforts to increase that amount; the audit regarding the Community Enrichment Funds; the timeline for completion and installation of the playground equipment; use of an outside contractor to install the playground equipment; where North Poke Park falls on the playground replacement list; how parks are selected; that the playground replacement schedule is guided by the Parks Master Plan; if City Council has input regarding the playground selection; delivery of the equipment; how the equipment will be stored; utilization of the parks; when staff applied for the grant; that City Council can approve the purchase of the equipment and staff will bring back the parks list for consideration; and consideration to engage community organizations to assist with installation of the playground equipment.

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: M2018-211

**O. FIRST READING ORDINANCES: (ITEM 13)**

**13. First Reading Ordinance - Ordinance authorizing a License Agreement with Christus Spohn Health System Corporation to cross Elizabeth Street with private utilities (Requires 2/3 Vote)**

Ordinance authorizing a License Agreement with Christus Spohn Health System Corporation, A Texas Non-Profit Corporation, to cross Elizabeth Street with private utilities.

Mayor McComb referred to Item 13. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to execute a license agreement with Christus Spohn Shoreline Hospital for installation of private utilities under Elizabeth Street from the central utility plant to the new hospital tower. Ms. Nixon-Mendez provided an aerial overview of the subject property and the proposed layout. Ms. Nixon Mendez stated that staff is requesting to amend the ordinance by amending the license fee from \$38,332.80 to \$60,000 to reflect the certified appraisal report.

In response to Mayor McComb, Ms. Nixon-Mendez stated that Elizabeth Street will remain open after construction. Mayor McComb requested information related to the process for closing "paper" streets.

Council Member Molina made a motion to amend the ordinance by amending the licence fee from \$38,332.80 to \$60,000 to reflect the certified appraisal

report, seconded by Council Member Lindsey-Opel and passed unanimously.

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

**P. FUTURE AGENDA ITEMS: (ITEMS 14 - 19)**

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff did not have any planned presentations.

**14. Resolution ratifying grant application submission for the Emergency Operations Center and Transportation Management Center Assessment project**

Resolution ratifying submission of a grant application for \$37,573.61 to the Office of the Governor for the Emergency Operations Center and Transportation Management Center Assessment project; and authorizing acceptance, rejection, alteration, or termination of grant.

This Resolution was recommended to the consent agenda.

**15. Supply Agreement for Medications for Emergency Medical Services (EMS) (Requires 2/3 Vote)**

Motion authorizing a one-year supply agreement for the purchase of EMS Medications with Life-Assist, Inc. of Rancho Cordova, California for a total amount of \$146,964.04 with two one-year options for a total potential multi-year amount of \$440,892.12.

This Motion was recommended to the consent agenda.

**16. Professional Services Contract Amendment No. 2 for North Padre Island Beach Access Roads Project (Bond 2014, Proposition 2) (Requires 2/3 Vote)**

Motion to authorize execution of Amendment No. 2 to a professional services contract with Govind Development, LLC. of Corpus Christi, Texas in the amount of \$59,350 for a total restated fee of \$149,435 for the North Padre Island Beach Access Roads project (Bond 2014, Proposition 2).

This Motion was recommended to the consent agenda.

**17. Professional Services Contract Amendment No. 1 for Greenwood Wastewater Treatment Plant Flood Mitigation (Capital Improvement Program) (Requires 2/3 Vote)**

Motion to authorize execution of Amendment No. 1 to a contract for professional services with Alan Plummer Associates, Inc. of Corpus Christi, Texas in the amount of \$339,895 for a total restated fee of \$389,595 for the Greenwood Wastewater Treatment Plant Flood Mitigation project.

This Motion was recommended to the consent agenda.

**18. Construction Contract Change Order No. 1 for Oso Water Reclamation Plant Headworks and Lift Station (Capital Improvement Project) (Requires 2/3 Vote)**

Motion to authorize execution of Change Order No. 1 with CSA Construction Inc., of Houston, TX in the amount of \$381,427 for a total restated fee of \$23,246,967 for the Oso Water Reclamation Plant Headworks and Lift Station project.

This Motion was recommended to the consent agenda.

**19. Service Agreement for Motor and Clutch Repairs for Wastewater Treatment Plants (Requires 2/3 Vote)**

Motion authorizing a one-year service agreement for motor and clutch repairs with Massengale Armature Works Inc. from San Antonio, Texas for a total not to exceed amount of \$146,350.00.

This Motion was recommended to the consent agenda.

**Q. BRIEFINGS: (NONE)**

**R. EXECUTIVE SESSION: (ITEMS 21 - 22)**

Mayor McComb referred to Executive Session Items 21 and 22. The Council went into executive session at 2:56 p.m. The Council returned from executive session at 4:30 p.m.

**21. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning claims, pending litigation, potential settlement, attorney's fees, and/or other potential legal matters regarding lawsuits of *Ray Rosas, Virginia Rosas, Individually and on Behalf of Brenda Rosas, Isabel Rocha Andjose Maria Pena, vs. The City of Corpus Christi, Andy Trevino, Justin Sanders, Adam Villarreal, Ross Murray, Heriberto Martinez, Michael Landino, Roger Arevalo, Yezenia***

*Banuelos* and other lawsuits and claims against the City and the City's officers and employees.

Mayor McComb referred to Item 21 and the following motion was considered:

Motion to authorize the City Manager or his designees to execute amendments to the Professional Services Agreement with Canales & Simonson for the defense of the lawsuit of Ray Rosas, Virginia Rosas, Individually and on Behalf of Brenda Rosas, Isabel Rocha And Jose Maria Pena, vs. The City of Corpus Christi, Andy Trevino, Justin Sanders, Adam Villarreal, Ross Murray, Heriberto Martinez, Michael Landino, Roger Arevalo, Yezenia Banuelos, and as said heading is amended, to increase the amount payable to said firm pursuant to the agreement by an additional \$100,000 and authorizing transfer of authorized amounts to contracts with other entities contracted to provide services on this case.

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: M2018-213

**22.**

**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 statutes, City Charter provisions, ordinances and other matters relates to the structure and activities of the Corpus Christi Municipal Court and duties of the judge(s) and clerk(s) thereof and **Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Presiding Judge and other judges and the clerk of the Corpus Christi Municipal Court.

This E-Session Item was discussed in executive session.

**S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

Mayor McComb referred to Identify Council Future Agenda Items. The following item was identified: an update on the City's drone program to be provided at the November 13, 2018 Council meeting.

**T. ADJOURNMENT**

The meeting was adjourned at 4:33 p.m.