



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, January 22, 2019

11:30 AM

Council Chambers

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

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

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

Mayor McComb called the meeting to order at 11:32 a.m.

B. Invocation to be given by Pastor Jerry Ward, Lighthouse Tabernacle.

Pastor Jerry Ward gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Lisa Oliver, Community Relations and Engagement Superintendent, Parks and Recreation Department.

Ms. Tammy Franklin led the Pledge of Alliance.

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 Roland Barrera, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Gil Hernandez, Council Member Michael Hunter, Council Member Ben Molina, Council Member Everett Roy, and Council Member Greg Smith

E. Proclamations / Commendations

1. Proclamation declaring February 5, 2019, "City-Wide Bluesday Tuesday".

Mayor McComb presented the proclamation.

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

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

b. OTHER

1) The Utilities Department is hosting the Xeriscape Symposium on Saturday, January 26, 2019 from 8:00 a.m. to 12:00 p.m. at Del Mar College, Center for Economic Development, located at 3209 Staples Street. 2) The Parks and Recreation Department recently received the Champions Award from Texas Children in Natures for equitable access to outdoor opportunities and opportunities for children to learn about wildlife and ecosystems at Oso Bay Wetlands Preserve Learning Center, Hans and Pat Suter Wildlife Refuge and Blucher Park. 3) Staff at the Owen R. Hopkins Public Library is recognizing Youth Librarian Chloe Jean Meadors who has been reading storybooks to children for 30 years. Ms. Meadors will have her final storytime reading on Saturday, January 26, 2019 at 11:00 a.m. 4) Interim City Manager Selman recognized Assistant City Manager Sylvia Carrillo-Trevino for receiving the Credentialed Manager designation from the International City/County Management Association (ICMA) and Assistant Director of Water Quality and Treatment Gabriel Ramirez for earning a "AA" license for water operations in the State of Texas.

a. UTILITY BILLING UPDATE

Interim City Manager Selman introduced Interim IT Director Peter Collins who provided the following information regarding the City's utility billing system: the Development Services portal, including streamlining the permit process, payments, and document imaging; testing related to missed utility bills; the external audit; issues related to the Infor, Hanson and Lawson software systems; and the meter transmission units (MTU).

Mr. Collins and a council member discussed upgrading to the latest version of Infor.

Mayor McComb provided an update regarding the City Manager search.

Q. BRIEFINGS: (ITEM 27)

27. 2018 Community Survey Results

Mayor McComb deviated from the agenda and referred to Item 27. Assistant Director of Strategic Management Sandra Thaxton stated that the purpose of this item is to present the results of the 2018 Community Survey that was conducted in May and June 2018. The survey was conducted to determine the following objectives: the general perception and overall satisfaction with city services in all categories; overall satisfaction of city services by service area and geographically; to compare the survey results to the 2011 and 2013 community survey; and to benchmark satisfaction with other U.S. cities and Texas cities. The City engaged the services of Dr. Dan Jorgensen with Texas A&M University - Corpus Christi, Department of Social Sciences Research Center.

Dr. Jorgensen provided the following information: the two reporting groups for the data, QR Code Data (Probability Sample) and Final Data Pool (Non-probability sample of convenience); that the Public Safety and Security, City Utilities Services and Parks and Libraries received the highest level of favorability with no statistically significant change in favorability scores; specific responses regarding Public Safety and Security, City Utilities, and Parks and Libraries; strides made in Community Identity and Leadership, Citizen Involvement, Customer Service and Business Practices, Neighborhood Services and Appearance, and Condition of City Streets; specific responses to Citizen Involvement, Customer Service and Business Practices, Neighborhood Services and Appearance and Condition of City Streets; data related to how respondents receive information about the City of Corpus Christi; city services ranked by favorability scoring and by zip code; and recommendations.

Council members discussed the following information: areas for improvement; QR Code Data; the areas in the City where results were received; that results from out-of-town were culled out of the pool and results had to be from residents of the City; the number of Final Data Pool respondents; ways to improve survey participation; and the demographics of respondents.

- 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. City Secretary Rebecca L. Huerta conducted the public comment period. Raymond Ames, 7 Virginia Hills, spoke regarding his meeting with

Interim City Manager Selman regarding wastewater rates. Bill Sisson, Red Roof Inn Hotel, 3030 Buffalo, spoke regarding how the closure of Nueces Bay Boulevard, as part of the new Harbor Bridge Project, has impacted business at the Red Roof Inn Hotel. Lori Jackson, Red Roof Inn Hotel, 3030 Buffalo, spoke regarding vagrants and guest and staff safety at the Red Roof Inn Hotel. Brian Watson, 5813 Hugo, spoke in opposition to renaming Naval Air Station - Corpus Christi after late U.S. President George Herbert Walker Bush. Errol Summerlin, member of the Coastal Alliance to Protect Our Environment (CAPE), spoke regarding industrial build-out at the Port of Corpus Christi and the Port of Corpus Christi board appointment. Jack Gordy, 4118 Bray, spoke regarding illegal signs. Susie Luna Saldana, 4710 Hakel, spoke regarding the status of the regional sports complex.

G. MINUTES:

2. Regular Meeting of January 15, 2019.

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

H. BOARD & COMMITTEE APPOINTMENTS:

3. Corpus Christi Regional Economic Development Corporation
 Crime Control & Prevention District
 Marina Advisory Committee
 Port of Corpus Christi Authority of Nueces County, Texas
 Watershore and Beach Advisory Committee

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

Corpus Christi Regional Economic Development Corporation

Council Member Barrera made a motion to reappoint Toby Hammett Futrell and William Goldston, seconded by Council Member Hunter and passed unanimously.

Crime Control and Prevention District

City Secretary Rebecca L. Huerta announced that Council Member Hunter was abstaining on the appointment of Donald Clark. Council Member Smith made a motion to confirm the appointment/reappointment of the following members: Bill Bonilla (Council Member Ben Molina's Rep.); Donald Clark (Council Member Everett Roy's Rep.); Fred E. Edler (Council Member Greg Smith's Rep.); Lori Garcia (Council Member Rudy Garza's Rep.); Jim Kaelin (Council Member Gil Hernandez's Rep.); R. Scott Leeton (Council Member Paulette M. Guajardo's Rep.); Rene Saenz (Council Member Roland Barrera's Rep.); Susie Saldana (Mayor Joe McComb's Rep.); and Joan Veith (Council Member Michael T. Hunter's Rep.), seconded by Council Member Molina and passed unanimously (Council Member Hunter abstained on the appointment of Donald Clark).

Marina Advisory Committee

Council Member Garza made a motion to reappoint Martha A. Avery (Restaurant), seconded by Council Member Molina and passed unanimously.

Council Member Smith nominated Richard E. Bell (Community At-Large). Council Member Hernandez nominated Charles G. Giffin, Jr. (Community At-Large). Council Member Roy nominated Donnell (Don) H. Laux (Community At-Large). Richard E. Bell (Community At-Large) and Donnell (Don) H. Laux (Community At-Large) were appointed with Mayor McComb and Council Members Hunter, Barrera, Garza, Guajardo, Smith, Molina, Roy and Hernandez voting for Richard E. Bell; Mayor McComb and Council Members Barrera, Garza, Guajardo, Smith, Molina, and Roy voting for Donnell (Don) H. Laux; and Council Members Hunter and Hernandez voting for Charles G. Giffin, Jr.

Council Member Hernandez made a motion to appoint Robyn A. Cobb (Scientist), seconded by Council Member Garza and passed unanimously.

Port of Corpus Christi Authority of Nueces County, Texas

Council Member Guajardo made a motion to reappoint Richard R. Valls, Jr., seconded by Council Member Barrera and passed unanimously.

Watershore and Beach Advisory Committee

Council Member Guajardo made a motion to reappoint Terry A. Palmer (Regular Member), Jyoti Patel (Hotel/Condo Owner), and Carrie R. Meyer (Regular Member), seconded by Council Member Molina and passed unanimously.

Council Member Hernandez nominated Sarah Tominack (Scientist). Council Member Smith nominated Lauren M. Hutchinson (Scientist). Lauren M. Hutchinson (Scientist) was appointed with Council Members Roy, Molina, Smith, Barrera, and Hunter voting for Lauren M. Hutchinson and Mayor McComb and Council Members Hernandez, Guajardo, and Garza voting for Sarah Tominack.

Q. BRIEFINGS: (ITEM 25)**25. Seawater Desalination Siting and Permitting Project - Update**

Mayor McComb deviated from the agenda and referred to Item 25. John Wolfhope, Vice President and Principal of Freese and Nichols, stated that the purpose of this item is to provide an update on the progress of the Seawater Desalination Siting and Permitting project. Mr. Wolfhope presented the following information: a diagram of the basic components of desalination; photographs of example projects; the objectives of the update; overall goals and major tasks; a history of the project; schedule of current phase; project definitions; the process followed for site selection; critical factors for screening sites; data collection; map of the Inner Harbor including power grids, existing city water grids, and existing discharge; outreach to stakeholders and interest

groups; and next steps.

Council members discussed the following information: communication to stakeholders and interest groups; that Harbor Island is not a site; consideration for sites at North Bay Plant and Inner Harbor; wastewater reuse and ground water; costs associated with securing additional water; and if plants can be used to reclaim effluent water.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 17)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. City Secretary Rebecca L. Huerta announced that Council Member Molina was abstaining on Item 8 and Council Member Guajardo was abstaining on Item 17. There were no comments from the public.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

4. Reimbursement Resolution for Bond 2018 General Obligation Bonds

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 tax-exempt obligations to be issued by the City in an aggregate amount not to exceed \$96,000,000 for authorized purposes relating to constructing various City improvements; authorizing matters incident and related thereto; and providing an effective date.

This Resolution was passed on the consent agenda.

Enactment No: 031653

5. Supply Agreement for the purchase of Automotive Maintenance Parts

Motion authorizing a one-year supply agreement for the purchase of automotive maintenance parts with Advance Auto Parts of Corpus Christi, Texas via U.S. Communities cooperative for \$240,000, with a one-year option for a total potential multi-year amount not to exceed \$480,000.

This Motion was passed on the consent agenda.

Enactment No: M2019-015

6. Purchase of Nine Ford Trucks for Parks and Recreation Department

Motion authorizing the purchase of one Ford F-150 extended cab truck, one Ford F-150 crew cab truck and seven Ford F-250 crew cab trucks for Parks and Recreation from Silsbee Ford, Inc. of Silsbee, Texas for a total amount not to exceed \$263,588.88.

This Motion was passed on the consent agenda.

Enactment No: M2019-016

7. Purchase of four John Deere mowers for Parks and Recreation Department

Motion authorizing the purchase of four John Deere mowers for Parks and Recreation from Deere & Company, of Cary, North Carolina, via BuyBoard cooperative for a total amount not to exceed \$80,229.24.

This Motion was passed on the consent agenda.

Enactment No: M2019-017

9. Second Reading Ordinance - Rezoning for a Property located at or near 6402 Holly Road (1st Reading 1/15/19)

Case No. 1118-01 Kyle McGee: Request for rezoning a property at or near 6402 Holly Road from the "CG-2" General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit.

Planning Commission and Staff Recommendation (November 14, 2018): Approval of the change of zoning from the "CG-2" General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit with conditions.

Ordinance rezoning property at or near 6402 Holly Road from the "CG-2" General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit.

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

Enactment No: 031655

10. Second Reading Ordinance - Interlocal Agreement for reimbursement for MetroCom Dispatch Center Enhancements (1st Reading 1/15/19)

Ordinance authorizing Interlocal Agreement with Nueces County for \$146,671.59 reimbursement for MetroCom Dispatch Center Enhancements; appropriating \$146,671.59 from General Fund unreserved fund balance.

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

Enactment No: 031656

11. Second Reading Ordinance - Accepting and appropriating grant funds for enhancing emergency response capabilities in the Fire Department (1st Reading 1/15/19)

Ordinance authorizing acceptance of \$2,000 grant from Exxon Mobil Corporation for Exxon Mobil's "Good Neighbor Program"; and appropriating \$2,000 into Fire Grant Fund.

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

Enactment No: 031657

12. Second Reading Ordinance - Accepting and appropriating two grants from the Homeland Security Grant Program (1st Reading 1/15/19)

Ordinance authorizing acceptance of two grants totaling \$85,124.28 from Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program; and appropriating \$85,124.28 into Fire Grants Fund.

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

Enactment No: 031658

13. Second Reading Ordinance - Purchase of Ten Chevrolet Tahoe Vehicles for the Fire Department (1st Reading 1/15/19)

Ordinance authorizing the purchase of ten Chevrolet Tahoe Vehicles from Caldwell Country Chevrolet, LLC, of Caldwell, Texas, via Buyboard for a total amount not to exceed \$440,356; appropriating \$440,356 from the unreserved fund balance of the General Fund; and amending the budget.

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

Enactment No: 031659

14. Second Reading Ordinance - Amending membership and expanding duties of the Corpus Christi Museum of Science and History Advisory Board (1st Reading 1/15/19)

Ordinance amending Chapter 2 of the Corpus Christi Code to modify Corpus Christi Museum of Science and History Advisory Board membership and expand advisory role.

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

Enactment No: 031660

15. Second Reading Ordinance - Authorizing an Airline Use and Lease Agreement with United Airlines (1st Reading 1/15/19)

Ordinance authorizing a three-year airline use and lease agreement with United Airlines to be effective as of October 1, 2017, with one two-year option.

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

Enactment No: 031661

16. Second Reading Ordinance - Right-of-Way License Agreement for a private wastewater collection system and conveyance system force main (1st Reading 1/15/19)

Ordinance authorizing a Right-of-Way license Agreement with BL Marina Properties, LP, ("Permittee") to install a private wastewater collection system and conveyance system force main subject to the Permittee's compliance with specified conditions.

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

Enactment No: 031662

8. Second Reading Ordinance - Rezoning for a Property located at or near 1902 Lipan Street (1st Reading 1/15/19)

Case No. 1018-05 Habitat for Humanity of Corpus Christi, Inc.: Request for rezoning a property at or near 1902 Lipan Street from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District.

Planning Commission and Staff Recommendation (November 14, 2018): Approval of the change of zoning from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District.

Ordinance rezoning property at or near 1902 Lipan Street from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District.

Mayor McComb referred to Item 8. Council Member Molina abstained from this item. There were no comments from the Council or the public.

Council Member Garza 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: 8 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Roy and Council Member Smith

Abstained: 1 - Council Member Molina

Enactment No: 031654

17. Second Reading Ordinance - Lease Agreement for Dick Runyan Baseball Field at Evelyn Price Park (1st Reading 1/15/19)

Ordinance authorizing five-year lease agreement with Incarnate Word Academy for the use of Dick Runyan Baseball Field at Evelyn Price Park near 3800 Gollihar Road in consideration of \$50 monthly fee and compliance with property maintenance standards.

Mayor McComb referred to Item 17. Council Member Guajardo abstained from this item. There were no comments from the Council or the public.

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

Aye: 8 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 1 - Council Member Guajardo

Enactment No: 031663

L. FUTURE AGENDA ITEMS: (ITEMS 18 - 20)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman discussed changes that will be made to Items 18 and 20 at the next meeting. Mayor McComb requested information on Item 20.

18. Supply Agreement for Liquid Aluminum Sulfate for O.N. Stevens Water Treatment Plant

Motion authorizing a one-year supply agreement for liquid aluminum sulfate with Chemtrade Chemicals US, LLC, of Parsippany, New Jersey for the amount of \$2,573,982, with two additional one-year renewal options for a potential total amount of \$7,721,946.

This Motion was recommended to the consent agenda.

19. Supply Agreement for Liquid Chlorine in Railcar for O.N. Stevens Water Treatment Plant

Motion authorizing a one-year supply agreement for liquid chlorine in railcar with Brenntag Southwest Inc, of Lancaster, Texas for an amount not to exceed \$303,288.

This Motion was recommended to the consent agenda.

20. Service Agreement for Water Garden Pump, Motor and Control Repairs

Motion authorizing a one-year service agreement to repair the water garden pump, motor and controls with Scott Electric Company of Corpus Christi, Texas for a total amount not to exceed \$208,008.

This Motion was recommended to the consent agenda.

R. EXECUTIVE SESSION: (ITEM 29)

Mayor McComb deviated from the agenda and referred to Item 29. The Council went into executive session at 1:43 p.m. The Council returned from executive session at 2:31 p.m.

29. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to annexation, disannexation, apportionment of extra-territorial jurisdiction between municipalities, interlocal agreements with water districts and neighboring municipalities, contracts for the potential economic development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities (including, but not limited to proposed Gulf Coast Growth Ventures' chemical manufacturing facility in San Patricio County, Texas, proposed fractionator and related facilities in Nueces County, and existing industrial facilities in San Patricio County and Nueces County) that are and/or 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).**

This E-Session Item was discussed in executive session.

M. RECESS FOR LUNCH:

The recess for lunch was held during Executive Session Item 29.

Q. BRIEFINGS: (ITEM 26)**26. Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Update to City Council (Q4 2018)**

Mayor McComb deviated from the agenda and referred to Item 26. Iain Vasey, Corpus Christi Regional Economic Development Corporation (EDC), stated that the purpose of this item is to provide the EDC quarterly update. Mr. Vasey presented the following information: employment by sector; key economic indicators; business development; and business retention including: visits, total company sales, community strengths, and weaknesses.

N. PUBLIC HEARINGS: (ITEM 21)**21. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 4130 South Alameda Street**

Case No. 1218-01 Carmelite Sisters: Request for rezoning a property at or near 4130 South Alameda Street from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Planning Commission and Staff Recommendation (December 12, 2018): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Ordinance rezoning property at or near 4130 South Alameda Street from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Mayor McComb referred to Item 21. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for a future commercial use and reuse of the building. Ms. Nixon-Mendez presented the following information: an aerial overview of the subject property; the zoning pattern; the types of uses allowed in "CN-1: Neighborhood Commercial District; and opposition to the zoning change. Ms. Nixon-Mendez stated that the Planning Commission and staff are in favor of the zoning change.

Mayor McComb opened the public hearing. Rebecca Lawhon, 420 Carmel; Mary Margaret Hebert, 613 Miramar; Darrin Aldrich, 426 Carmel; and Jackie Hannebaum, 482 Carmel, spoke in opposition to the zoning change. Mark Adame, 1819 W. Upper Broadway, representative for the applicant, spoke regarding the following information: a history of the subject property; the current allowable uses for the property; the zoning pattern; the "CN-1" zoning; interested groups considering the purchase of the property; and in support of the zoning change. Nancy Grace, 314 Catalina, asked Mr. Adame questions regarding the price of homes per acre. Alfred Hook, 466 Carmel, stated that he was not opposed to rezoning the subject property to commercial and requested that he be kept aware of what happens with the property. Mayor McComb closed the public hearing.

Council members, staff and Mr. Adame discussed the following topics: that the Carmelite Sisters still own the property; that there is no contract currently on the property; that the property has lost its non-conforming status; communication with the community regarding the use of the property; allowable uses in "CN-1" District; a traffic impact analysis; ingress and egress from the subject property; consideration of a Special Permit once a use for the property is determined; best use of the property; concern by council members regarding rezoning to "CN-1"; Planned Unit Development (PUD) zoning; what the impact would be should the City Council consider denial of the requested zoning; the estimated costs to make the building compliant with building codes; and tabling the zoning case to allow the applicant to meet with neighbors.

Council Member Smith made a motion to table the ordinance to the meeting of February 12, 2019, seconded by Council Member Hernandez. This Ordinance was tabled to the meeting of February 12, 2019 by the following vote:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

O. REGULAR AGENDA: (ITEM 22)

22. Professional Services Contract for Alternative Water Supplies Technical Support

Motion to authorize execution of a professional services contract with Frank Brogan Consulting of San Antonio, Texas in the amount not to exceed \$100,000.00 for the Alternative Water Supplies Technical Support project.

Mayor McComb referred to Item 22. Director of Water Utilities Kevin Norton stated that the purpose of this item is to execute a professional services contract with Frank Brogan Consulting for the Alternative Water Supplies Technical Support project. A council member requested a financial analysis of all alternative water supplies. There were no comments from the public.

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

Aye: 8 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Hunter

Abstained: 0

Enactment No: M2019-018

P. FIRST READING ORDINANCES: (ITEMS 23 - 24)**23. First Reading Ordinance - Purchase of Impel Pumper and Impel Rescue Truck for Fire Department**

Ordinance authorizing the purchase of an impel pumper and impel rescue truck from Siddons-Martin Emergency Group from Denton, Texas, via Buyboard for a total amount not to exceed \$1,580,000; appropriating \$1,580,000 from the unreserved fund balance of the General Fund; and amending the budget.

Mayor McComb referred to Item 23. Fire Chief Robert Rocha stated that the purpose of this item is to purchase an impel pumper and impel rescue truck in the amount of \$1,580,000. There were no comments from the public.

A council member asked questions regarding the funding for the purchase and the procurement process.

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

Aye: 8 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Hunter

Abstained: 0

24. First Reading Ordinance - Professional Services Contract for Restoration of SEA District Water Features (Capital Improvement Project - Type A)

Ordinance amending the FY 2019 Capital Improvement Program budget to increase the year one budget for project #E16458 Restoration of SEA District Water Features in the amount of \$300,000; and authorizing execution of professional services contract with LNV, Inc., in the amount of \$364,100 for the Restoration of SEA District Water Features project.

Mayor McComb referred to Item 24. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to execute a contract with LNV Inc. for the restoration of SEA District water features project. The presentation team included: Interim Director of Parks and Recreation Becky Perrin and Dan Leyendecker, LNV Inc. Mr. Edmonds presented the following information: problems associated with The Water Garden equipment and underground vault; the legal opinion that the Water Garden and Bayfront Park Fountain projects could be funded by Type A Seawall funds; the project location; the project scope for The Water Garden and Bayfront Park Fountain; and project schedule. There were no comments from the public.

Council members and the presentation team discussed the following topics: that the projects should be on a recurring maintenance schedule prior to investing funds on the project; the number of days the Water Garden and Bayfront Park Fountain have worked; a maintenance program for all City assets; damage to the Water Garden due to flooding events; issues regarding the Water Garden equipment and underground vault; that the underground vault requires a confined space permit to enter; that LNV Inc. will provide an operation and maintenance schedule; the department that will be responsible for the Water Garden and Bayfront Park Fountain; if Parks and Recreation currently uses the Maximo system; using Maximo to schedule preventive maintenance; including the Maximo system in the project scope; Agenda Item 20, a service agreement for the Water Garden pump; a council member questioned the reasons for approving both repairs to the Water Garden and restoration of water features; that Agenda Item 20 is being funded by the Federal Emergency Management Agency (FEMA) as a result of Hurricane Harvey; the company that designed the Bayfront Park Fountain; the project schedule; the legal opinion that the project can be funded by Type A seawall funds; that the seawall fund expires in 2026; the balance of the seawall fund; and if the maintenance pumps approved in Agenda Item 20 could be relocated later to the new above-ground building.

Council Member Hernandez made a motion to amend the ordinance by including a maintenance schedule, to be entered into Maximo, as part of the project's scope, seconded by Council Member Barrera and passed unanimously.

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

Aye: 6 - Mayor McComb, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Molina and Council Member Roy

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

Abstained: 0

R. EXECUTIVE SESSION: (ITEMS 28 AND 30)

Mayor McComb referred to Executive Session Items 28 and 30. City Attorney Miles K. Risley stated that Item 28 was withdrawn. The Council went into executive session at 4:39 p.m. The Council returned from executive session at 5:33 p.m.

- 28.** **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 and other governmental entities involving water or other utility services, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential economic development and water-related 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 potential creation of entities that could provide or assist in the provision of the aforementioned services, **pursuant to Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property for utilization as a potential site for desalination facilities (including, but not limited to, tracts of property adjacent to Corpus Christi Bay) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, **and pursuant to Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforementioned 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 business prospect(s).

This E-Session Item was withdrawn.

- 30. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to collective bargaining matters in the Agreement(s) with the Corpus Christi Professional Firefighters' Association and the Corpus Christi Police Officers' Association.

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 items were identified: information regarding the costs associated with adding Martin Luther King observance day to the City employees' holiday schedule; an update regarding Bond projects; and information regarding the utilization of Maximo by City departments, including a plan of action.

T. ADJOURNMENT

The meeting was adjourned at 5:40 p.m.