



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, January 21, 2020

11:30 AM

Council Chambers

Addendums may be added on Friday.

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

Mayor McComb called the meeting to order at 11:31 a.m.

B. Invocation to be given by Deacon Mark Arnold, Diocese of Corpus Christi.

Deacon Mark Arnold gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Nina Nixon-Mendez, Assistant Director of Administration, Development Services.

Nina Nixon-Mendez led the Pledge of Allegiance to the flag of the United States and the Texas Flag.

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:

City Manager Peter Zanoni, 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 January 22, 2020, "Aurora Arts Theatre Day".
Proclamation declaring January 6 - March 1, 2020, "It's Time Texas Community Health Challenge".
Commendations for Arlington Heights Christian High School Six-Man Football Team.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

The Proclamations were presented.

F. Presentation from CCAD - Your Depot, Our Mission, Its Impact by Colonel Gail E. Atkins, Commander Corpus Christi Army Depot

Mayor McComb referred to Item F.

Corpus Christi Army Depot (CCAD) Commander Colonel Gail E. Atkins presented information on the following topics: the world's premier helicopter facility; CCAD business analytics; aircraft - 40% of production (by revenue); UH-60 recapitalization; crash damage repair; components - 60% of production (by revenue); advanced capabilities and support; government/educational partners; on-site OEM partners; CCAD area development plan and B1700 phases; Defense Economic Adjustment Assistance (DEAAG) Grant; proposed new DEAAG project - "flight line safety improvements"; and a brief video was presented.

A council member discussed the importance of CCAD and the U.S. Army and Navy in the region.

E. Proclamations / Commendations

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Commendations for Arlington Heights Christian High School Six-Man Football Team.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

The Swearing-In Ceremony was conducted.

G. PUBLIC COMMENT - APPROXIMATELY 12:00 P.M. 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 Communication department at 361-826-3211 to coordinate. This is a public hearing for all items on this agenda.

Mayor McComb 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.

Barbara Welder, 202 Reef Ave. and president of the North Beach Community Association, spoke in support of continuing the North Beach Task Force (NBTF); objectives of the NBTF; and requested that two members be added to the NBTF. Carrie Meyer, 4401 Gulfbreeze Blvd., spoke in support of continuing the NBTF; the history of and reasons for the NBTF; and requested the addition of

two members to the NBTF, one from the North Beach Community Association and one from the attraction industry.

Debra Pope, 4242 Gulfbreeze Blvd. and Ron Graban, 202 Surfside Blvd., spoke in support of continuing the North Beach Task Force. Sharon Butts, 6041 Edgewater Dr., requested that the City conduct an analysis of a recent rekindled structure fire on North Beach. Errol Summerlin, Portland, Texas, with Portland Citizens United and Coastal Alliance to Protect our Environment (CAPE), spoke regarding the projected depletion of the City's water supply and heavy industries' demand for water; water demands by heavy industry on the Lavaca Navidad River Authority and for desalination; the relationship between water-related fees paid by heavy industry and the City's provision of water to heavy industry during various stages of the drought contingency plan; and the cumulative negative impact of industry in the Coastal Bend. Margareta Fratila, 3606 Tripoli Dr., spoke regarding the need for homes and businesses in Corpus Christi to properly display their address numbers on buildings; and criminal activity in derelict buildings. Susie Luna Saldana, 4710 Hakel Dr., advocated for task forces in various parts of the City and in each city council district.

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

Mayor McComb referred to City Manager's Comments. City Manager Peter Zaroni reported on the following topics:

a. OTHER

1) City Manager Peter Zaroni welcomed Richard Martinez, the City's new Public Works/Street Operations Department Director. 2) City Manager Zaroni identified some of the City's top priorities / policy issues as identified by the City's Executive Leadership Team.

I. MINUTES:

2. Regular Meeting of January 14, 2020

This Minutes were withdrawn.

J. BOARD & COMMITTEE APPOINTMENTS: (NONE)

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 3 - 24)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. Mayor McComb announced that staff was withdrawing Item 3. Council members requested that Items 11, 21 and 23 be pulled for individual consideration. Council Member Molina announced he was abstaining on Items 8 and 23.

There were no comments from the public.

A motion was made by Council Member Garza, seconded by Council Member Roy, to approve the Consent Agenda. The motion carried 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

3. Zoning Case No. 1019-07, AGCE Corp. (District 1). Ordinance rezoning property at or near 3001 Morgan Avenue from the "IL/H" Light Industrial District with the Historic Overlay to the "IL" Light Industrial District. Landmark Commission, Planning Commission, and Staff recommend Denial. (3/4 vote required to overrule the Planning Commission's recommendation)

This Item was withdrawn by staff.

Second Reading Ordinances - Consent

4. Zoning Case No. 1119-04, Virgil and Carolyn Greene (District 4). Ordinance rezoning property at or near 3846 and 3850 Herring Drive from the "R-MH" Manufactured Home District to the "RS-6" Single-Family 6 District. Planning Commission and Staff recommend Approval.

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

Enactment No: 031993

5. Zoning Case No. 1119-05, Corpus Christi Housing Authority (District 1). Ordinance rezoning property at or near 2427 Francis Street from the "RS-6" Single-Family 6 District to the "RS-TF" Two Family District. Planning Commission and Staff recommend Approval.

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

Enactment No: 031994

6. Ordinance adopting the East London Area Wastewater Master Plan, an element of the Comprehensive Plan, to provide wastewater service to land located between the Oso Creek and SH 286 and between FM 43 and FM 2444; amending related elements of the Comprehensive Plan; and providing for publication. (Recently annexed; Contiguous to Council District 5)

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

Enactment No: 031995

7. Ordinance amending Chapter 53 of the City Code to amend section 53-187 allowing the City Manager, Chief of Police or their designee(s) to

issue parking placards to exempt executive city officials from paying parking fees for city owned, paid parking spaces while conducting official city business.

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

Enactment No: 031996

9. Ordinance accepting a \$50,000 grant from the Ed Rachal Foundation to fund overtime for increased police presence in a neighborhood near Crosstown Expressway and Agnes Street in Council District 1; and appropriating \$50,000 in the Police Grants Fund.

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

Enactment No: 031998

10. Ordinance approving an affordable housing agreement with FishPond Living at Corpus Christi, LP located at 1002 Sixth Street in an amount not to exceed \$500,000.00 to provide affordable housing to residents of the existing Sea Gulf Villa in downtown Corpus Christi with a development deadline of two-years following the effective date of the agreement (approximately December 2021); appropriating \$500,000.00 from the unreserved fund balance in the Business/Job Development Fund; and amending the budget.

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

Enactment No: 031999

Contract and Procurement - Consent

12. Motion authorizing the lease-purchase of two 2021 M2-112 TRA Freightliner crew trucks with service bodies, as additions to the fleet for the Water Division of the Utilities Department to be used to haul heavy equipment to jobsites throughout the City, to be purchased from Houston Freightliner, Inc., of Houston, Texas, for a total amount of \$318,696.51 through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative, effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$42,492.87 available through the Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-024

13. Motion authorizing the lease-purchase of three 2021 M2-112 TRA Freightliner crew trucks with service bodies, as additions to the fleet for the Wastewater Division of the Utilities Department to be used to haul heavy equipment to jobsites throughout the City, to be purchased from Houston Freightliner, Inc., of Houston, Texas, for a total amount of

\$480,643.29 through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative, effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$64,085.77 available through the Wastewater Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-025

14. Motion authorizing a purchase of two Toro 16' wide mowers from Professional Turf Products LP of Selma, Texas, for a total amount of \$195,157.92 through the BuyBoard Cooperative, to be used by the Parks and Recreation Department for mowing City parks, effective upon issuance of letter of acceptance with funding available through the FY 2020 General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-026

15. Motion authorizing a purchase of three Ford F250 pickup trucks from Silsbee Ford, Inc. of Silsbee, Texas, for a total amount of \$106,638.48 through the GoodBuy Purchasing Cooperative to be used by the Parks and Recreation Department for construction and irrigation projects as an addition to the fleet, effective upon issuance of letter of acceptance with funding available through the FY 2020 General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-027

16. Motion authorizing the lease-purchase of one Western Star winch truck, as a replacement unit for Gas Operations to be used to load heavy equipment onto trucks and/or trailers dispatched to job sites throughout the City, to be purchased from Grande Truck Center of San Antonio, Texas, for a total amount of \$175,051.93 through the BuyBoard Purchasing Cooperative, effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$23,340.26 available through the Gas Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-028

17. Motion authorizing the lease-purchase of one 2019 Atlas Copco XA(V)S 650 JD8 T4F portable air compressor, as an addition to the fleet for Gas Operations to be used as the final step to test the City's high-pressure gas mains for leaks before they are put into service, to be purchased from ROMCO Equipment Co. of Corpus Christi, Texas, for a total amount of \$139,583.89 through the NJPA-Sourcwell Purchasing Cooperative, effective upon issuance of letter of acceptance, with FY2020 funding in an

estimated amount of \$18,477.84 available through the Gas Funds.

This Motion was passed on the consent agenda.

Enactment No: M2020-029

18. Motion authorizing a two-year supply agreement with Gajeske, Inc. of Corpus Christi, Texas, in an amount not to exceed \$1,234,287.92 for the purchase of gas line pipe for the City Warehouse as a central distribution for Gas Operations, effective upon issuance of notice to proceed, with funding in the amount of \$411,429.31 available in the FY 2020 Stores Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-030

19. Motion authorizing a two-year supply agreement with Gajeske Inc. of Corpus Christi, Texas, in an amount not to exceed \$443,618.22 for the purchase of polyethylene pipe for the City Warehouse as a central distribution for Gas Operations, effective upon issuance of notice to proceed, with funding in the amount of \$147,872.74 available in the FY 2020 Stores Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-031

20. Motion authorizing a purchase of three Ford Interceptor sport utility vehicles (SUV) from Silsbee Ford, Inc. of Silsbee, Texas, as replacements to the fleet, for a total amount of \$109,868.25 through the GoodBuy Purchasing Cooperative to be used by City Marshals to conduct Municipal Court business, effective upon issuance of letter of acceptance with funding available through the FY 2020 Fleet Maintenance Service Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-032

22. Motion authorizing an amendment to Service Agreement with Siddons-Martin Emergency Group, LLC of Katy, Texas for a total amount not to exceed \$150,000.00, increasing the service agreement value to \$750,000.00 for purchase of parts and services for Fire Department, with fiscal year 2020 funding available in the General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-034

General Consent Items

24. Resolution authorizing the execution of a Mutual Aid Agreement with the Corpus Christi Fire Department and the Coastal Plains Local Emergency Planning Committee that includes 14 municipalities in Aransas, Refugio, and San Patricio counties for the provision of firefighting assistance.

This Resolution was passed on the consent agenda.

Enactment No: 032000

Second Reading Ordinances - Consent

8. Ordinance approving a service agreement for repairs to the Airport storage building with Vertex Roofing, LLC of Corpus Christi, Texas, for an amount not to exceed \$84,652.00; appropriating \$45,016.99 from the Unreserved Fund Balance in the Airport Fund; and amending the operating budget.

Mayor McComb referred to Item 8

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 Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Roy and Council Member Smith

Abstained: 1 - Council Member Molina

Enactment No: 031997

Contract and Procurement - Consent

11. Motion authorizing the lease-purchase of one John Deere excavator, as an addition to the fleet for the Utilities Department to be used for construction work and emergency repairs of stormwater infrastructure throughout the City, to be purchased from Doggett Heavy Machinery Services, LLC of Corpus Christi, Texas, for a total amount of \$467,223.62 through the BuyBoard Cooperative, effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$62,296.48 available through the Stormwater Fund.

Mayor McComb referred to Item 11.

Council members and City Manager Peter Zanoni discussed the following topics: that lease-purchasing is a form of borrowing; that the City is studying how vehicles and equipment are purchased; the percentage of vehicles in the replacement fund; making an infusion of cash into the replacement fund; the cost of interest over time; and management of the replacement fund.

Council Member Smith made a motion to approve the motion, seconded by Council Member Garza.

Council members and City Manager Zanoni discussed the following topics: a request from a council member that City Manager Zanoni provide the Council with a comprehensive purchase plan and associated maintenance program; and that ad valorem taxes are not being paid on items lease-purchased by the City.

There were no comments from the public.

This Motion was passed and approved with 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

Enactment No: M2020-023

21.

Motion authorizing a three-year service agreement with Coastline Refrigeration and Service, LLC of Corpus Christi, TX for a total amount not to exceed \$2,013,940.00 for Heating, Ventilation and Air Conditioning (HVAC) preventative maintenance and repairs to 28 City facilities, effective upon issuance of notice to proceed, with funding in the amount of \$447,542.22 available through the FY 2020 Facility and Property Management Fund.

Mayor McComb referred to Item 21.

Council members, Deputy Director of Asset Management Charles Mendoza, Director of Asset Management Jim Davis and Director of Contracts and Procurement Kim Baker discussed the following topics: if the City's HVAC systems are in Maximo; if the City's HVAC systems will be put in Maximo for asset life cycle management purposes; that the purpose of this Item is servicing of HVAC units city wide; having only one bid; bid paperwork not turned in by Johnson Controls; and if the selected vendor has the ability to maintain gas chillers.

There were no comments from the public.

Council Member Hernandez made a motion to approve the motion, seconded by Council Member Barrera. 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: M2020-033

- 23.** Motion awarding Master Service Agreement (MSA) to Hanson Professional Services in an initial amount not to exceed \$150,000 with two optional renewals to provide professional services for roofing upgrades/replacement and building envelope improvements for Public Safety, Fire, and Health Departments, effective upon issuance of notice to proceed with current funding available from Bond 2018 Propositions E and F.

Mayor McComb referred to Item 23.

Council members, Director of Engineering Services Jeff Edmonds and Director of Contracts and Procurement Kim Baker discussed the following topics: inconsistencies in the fee per hour for various engineering costs submitted by engineering firms; achieving consistency in fees per hour for engineering services; the City's responsibilities in relation to professional service fees submitted by vendors; the amount per hour for various levels of engineering professionals in relation to the total amount proposed by vendors; the cost of passthrough costs; the quality of services provided in relation to overall project costs in relation to timelines; standardization of Master Service Agreements (MSAs); benchmarking other cities' MSAs and establishing best practices; cost benchmarks for construction contracts; and statutory requirements in relation to benchmarking professional services fees.

There were no comments from the public.

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

Abstained: 1 - Council Member Molina

Enactment No: M2020-035

N. PUBLIC HEARINGS: (ITEMS 25 - 27)

- 25.** Zoning Case No. 1119-01, SCCBH, LLC. (District 1). Ordinance rezoning property at or near 221 Kleberg Place from the "CR-1" Resort Commercial District to the "CR-3" Resort Commercial District. Planning Commission and Staff recommend approval.

Mayor McComb referred to Item 25.

Director of Development Services Al Raymond stated that the purpose of this item is to allow for the construction of a hotel.

Director Raymond presented information on the following topics: aerial overview, zoning pattern; and Planning Commission's and Staff's recommendation to approve.

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

public. Mayor McComb closed the public hearing.

There were no comments from the Council.

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

Aye: 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

26.

Zoning Case No. 1119-02, H&P North Beach, LLC (District 1). Ordinance rezoning property at or near 202, 229, and 230 Kleberg Place from the "RM-AT" Multifamily AT District to the "CR-3" Resort Commercial District. Planning Commission and Staff recommend approval.

Mayor McComb referred to Item 26.

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

There were no comments from the Council.

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

27.

Zoning Case No. 1219-01, Paula Gaut Properties, Inc. (District 5). Ordinance rezoning property at or near 6734 Saratoga Boulevard (State Highway 357) from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District. Planning Commission and Staff recommend Approval.

Mayor McComb referred to Item 27.

Council Member Hernandez made a motion to approve the ordinance, seconded by Council Member Hunter.

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

There were no comments from the Council.

This Ordinance was passed on first reading and approved with 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

R. EXECUTIVE SESSION: (ITEMS 35 - 36)

Mayor McComb deviated from the agenda and referred to Executive Session Items 35 and 36. The Council went into executive session at 1:34 p.m. The Council returned from executive session at 2:42 p.m.

- 35. 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 a proposed action determining public necessity and authorizing acquisition of real property adjacent to La Volla Creek and for the La Volla Creek Drainage and Box Culvert Project and the La Volla Creek Detention Pond Project, and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, lease, and/or value of real property interests adjacent to La Volla Creek and for the La Volla Creek Drainage and Box Culvert Project and the La Volla Creek Detention Pond Project when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with third person(s).

This E-Session Item was discussed in executive session.

- 36. 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 sanitary sewer overflows and the City's sanitary sewer system, water system, and/or drainage system, dissolved oxygen standards for Oso Bay, Texas Commission on Environmental Quality wastewater discharge permits, backflow protection matters, state and federal regulatory matters and potential litigation related to the City's water distribution system, and/or potential future litigation involving the U.S. Environmental Protection Agency, State of Texas, and/or U.S. Department of Justice and the potential approval of attorney's fees, expert fees, and expenses for negotiations and/or litigation with the aforesaid entities.

This E-Session Item was discussed in executive session.

M. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Items 35 and 36.

O. REGULAR AGENDA: (NONE)

P. FIRST READING ORDINANCES: (ITEMS 28 - 34)

- 28.** Ordinance accepting a grant from the Flint Hills Resources 2019 Helping Heroes Program in the amount of \$10,000 to purchase hazmat equipment; and appropriating the funds into the Fire Grant Fund.

Mayor McComb referred to Item 28.

Fire Chief Robert Rocha stated that the purpose of this Item is to accept a grant from Flint Hills Resources' 2019 Helping Heroes Program in the amount of \$10,000 to purchase hazardous material equipment and to appropriate the funds into the FY2020 Fire Grant Fund.

There were no comments from the Council or the public.

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

Aye: 9 - Mayor McComb, Council Member 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

- 29.** Ordinance appropriating (a) \$148,509.14 to Airport CIP Funds for City's match for future FAA Grant Projects; (b) \$3,119,110.54 to Bond Proceeds for Public Health and Safety, Public Facilities, Parks and Recreation, and Street bond projects; (c) \$3,312,230.28 to Utility Revenue Bond Funds for Utility projects (d) \$359,757.13 to Specialty Bond Funds for approved specialty projects; and (e) \$955,002.37 in other CIP funds for repairs of city streets and other street expenses and water development projects; changing the FY 2020 Capital Improvement Budget adopted by Ordinance No. 031870 to increase expenditures accordingly.

Mayor McComb referred to Item 29.

Capital Improvement Program Manager Kamil Taras stated that an amendment to the ordinance was required to amend the amount in Section 3 from \$3,312,230.28 to \$3,553,010.17 due to a reimbursement the City received from the Federal Emergency Management Agency (FEMA), which also requires appropriation with this ordinance.

There were no comments from the Council or the public.

Mayor McComb made a motion to amend the amount in Section 3 of the ordinance to \$3,553,010.17, seconded by Council Member Molina and passed unanimously.

Council Member Barrera made a motion to approve the ordinance as amended, seconded by Council Member Hunter. This Ordinance was passed

on first reading as amended and approved with 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

- 30.** Ordinance amending Corpus Christi Code of Ordinances to add Section 49-15 authorizing execution of easement encroachment licenses as an administrative remedy.

Mayor McComb referred to Items 30 - 34.

A council member discussed the plans to avoid construction during the spring break and peak summer season in Item 31.

In relation to Item 30, a council member and Director of Development Services Al Raymond discussed the following topics: when encroachments on easements are reviewed administratively and by City Council; and removing from the Unified Development Code (UDC) the requirement that encroachments on private easements be approved by City Council.

There were no comments from the public.

Council Member Roy made a motion to approve Items 30 - 34, seconded by Council Member Hunter. These Ordinances were passed on first reading and approved by one 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

- 31.** Ordinance awarding a construction contract to R.S. Parker Construction, LLC for reconstruction of Newport Pass Road and Zahn Road with new concrete pavement in the amount of \$1,337,185.02, located in Council District 4, effective upon issuance of notice to proceed, funding is available from Street Bond 2014, Proposition 2 and Water Utility Capital Program funds; and the FY 2020 Capital Budget is amended to add this project.

This Ordinance was passed on first reading and approved by one vote (see Item 30).

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

- 32.** Ordinance awarding a contract to HDR Engineering, Inc., for design, bid, and construction phase services for Packery Channel Dredging and Beach Nourishment in the amount of \$ 392,736, located in Council

District 4, effective upon issuance of notice to proceed, with funding available from Tax Increment Reinvestment Zone (TIRZ) No. 2 and State Hotel Occupancy Tax Reserve Funds upon approval of this ordinance to amend the budget.

This Ordinance was passed on first reading and approved by one vote (see Item 30).

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

- 33.** Ordinance awarding eight Master Services Agreements (MSAs) for Bond 2020 and FY 2021 CIP feasibility studies in an amount not to exceed \$3,600,000; three MSAs in the amount of \$650,000 each to Freese and Nichols, HDR Engineering, and Urban Engineering for Street projects; two MSAs in the amount of \$500,000 and \$250,000, to Urban Engineering and LAN respectively for Utility Projects; and three MSAs in the amount of \$300,000 each to Bath Engineering, LNV Inc. and Hanson Professional Services for Facility Projects, located city wide with funding available from Street Bond 2014 and FY 2020 Utility CIP; and amending the FY 2020 Capital Budget.

This Ordinance was passed on first reading and approved by one vote (see Item 30).

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

- 34.** Ordinance approving the Second Amended and Restated Stadium Lease Agreement with Corpus Christi Baseball Club, LP; appropriating funds in the amount of \$2,000,000.00 from the Business and Job Development Fund to match a \$1,000,000 allocation by Corpus Christi Baseball Club, LP, for improvements to Whataburger Field; and amending the operating and capital budget.

This Ordinance was passed on first reading and approved by one vote (see Item 30).

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

Q. BRIEFINGS: (NONE)

R. EXECUTIVE SESSION: (ITEMS 37 - 38)

Mayor McComb referred to Executive Session Items 37 and 38. The Council went into executive session at 2:51 p.m. The Council returned from executive session at 4:39 p.m.

37. **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 potential acquisition of property on/near Greenwood Dr., and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, lease, and/or value of real property interests when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with third person(s).

This E-Session Item was discussed in executive session.

38. **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 state regulatory issues and other legal matters related to potential desalination plant(s) and permits related to said plant(s) and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential lease, and/or value of real property interests for desalination plant(s) and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to 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.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. No items were discussed or identified.

T. ADJOURNMENT

The meeting was adjourned at 4:40 p.m.