



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
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Meeting Minutes

City Council

Tuesday, June 13, 2017

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 p.m.

B. Invocation to be given by Pastor Rick Barrera, Cornerstone Church.

Pastor Rick Barrera gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Keith Selman, Assistant City Manager.

Assistant City Manager Keith Selman 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:

City Manager Margie C. Rose, City Attorney Miles K. Risley, and City Secretary Rebecca L. Huerta.

Present: 9 - Mayor Joe McComb, Mayor Joe McComb, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Ben Molina, Council Member Lucy Rubio, Council Member Greg Smith, and Council Member Carolyn Vaughn

E. Proclamations / Commendations

1. Proclamation declaring June 9-19, 2017, "152nd Anniversary of the Juneteenth Celebration, The Spirit of Emancipation Days".
Proclamation declaring June 15-18, 2017, "88th League of United Latin American Citizens State Convention Week".
Commendation for Amador Ysassi Duran - Vietnam War Veteran Earns High School Diploma at Age 70.

Mayor McComb presented the proclamations and a Certificate of Commendation.

- 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.**

Mayor McComb deviated from the agenda and referred to comments from the public. Sammy Alcorta, 5002 Royalton and Diana Sepulveda, 4558 Silver Hollow, recognized Council Member Rubio for being the Mistress of Ceremonies and Council Member Vaughn for sponsorship of Alcorta's Compania de Danza Folklorica "Inolvidable 2017" performance. Leta Danneuey, 3322 IH 69 Access Road, Robstown, Texas, spoke regarding arrest warrants issued for her related to water service at 4702 Orchid Lane and requested assistance to have the Water Department and Municipal Court work with her to resolve the matter. Priscilla Tryon-Cambric, 2814 Rogers Street; Barbara F. Booker, 522 Hancock Avenue #326; Gloria Randal Scott, 4422 S. Alameda; Billy Sayles, 7209 Sugar Ridge; Dr. Pamela Sattiewhite, 1202 Sam Rankin; and Claude Axel, 741 Crestview; spoke in support of Sylvia Oliver Tryon to fill the vacant At-Large City Council position. Walter Brooks, 3925 Wagner Lee, spoke in opposition to carport regulations and asked the City Council to consider the burden additional costs will have on citizens. Susie Luna Saldana, 4710 Hakel, spoke on behalf of LULAC Council #1 and invited the public to attend the state convention workshops and events. Robert Huff, 5818 St. Andrews, asked the City Council to get serious about making Corpus Christi a clean city and issuing fines to individuals violating the law. Rodney Page, 1519 Leopard, requested assistance from the City to address wastewater problems on his property. Margareta Fratila, 3606 Tripoli, spoke regarding an ordinance requiring street signs and addresses on building and requested that the City address fixing potholes in private parking lots.

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

Mayor McComb deviated from the agenda and referred to City Manager's Comments. City Manager Margie C. Rose reported on the following topics:

a. OTHER

1) The Commission for Accreditation of Parks and Recreation Agencies is on site this week to determine how well the City of Corpus Christi's Parks and Recreation Department meets 151 standards of excellence. The accreditation assures policy makers, department staff, the public, and taxpayers that the Parks and Recreation Department has been independently evaluated against established benchmarks as delivering a high level of quality. The results of the accreditation process should be expected within the next several months. 2) The City has partnered with Reliant and NRG Retail to provide two Beat the Heat Cooling Centers in Corpus Christi. The centers are located at Lindale Senior Center on Lindale Street and Oveal Williams Senior Center on Martin Luther King Drive. The hours of operation are Monday through Friday from 8:00 a.m. to 4:00 p.m. through September 29, 2017. 3) The public is invited to attend a tour of the new Holly Road Elevated Water Storage Tank on Thursday, June 15, 2017 at 1:30 p.m. at 4917 Holly Road. City Staff will detail the design of the new tank, how it will impact citizens and why it is needed.

G. MINUTES:**2. Regular Meeting of May 30, 2017 and Workshops of June 1, 2017 and June 6, 2017.**

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

H. BOARD & COMMITTEE APPOINTMENTS:**3. Airport Board
Animal Care Advisory Committee
Marina Advisory Committee
Mechanical Plumbing Advisory Board**

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

Airport Board

Council Member Hunter made a motion to appoint Donald M. Feferman (Advisory, Non-Voting member) to a one-year term, seconded by Council Member Vaughn and passed unanimously.

Animal Care Advisory Committee

Council Member Vaughn made a motion to appoint Margaret R. Obregon

(Community At-Large), seconded by Council Member Rubio and passed unanimously.

Marina Advisory Committee

Council Member Garza made a motion to reappoint Sharon Emerson (Community At-Large), Clare Lee (Scientist), and Robert "Bob" Paulison (Community At-Large), seconded by Council Member Molina and passed unanimously.

Mechanical/Plumbing Advisory Board

Council Member Garza made a motion to reappoint Carl Suding (Irrigator) and Mike Wanzer (Heating, Ventilation, Air Conditioning and Refrigeration), seconded by Council Member Vaughn and passed unanimously.

Council Member Garza made a motion to appoint Benny M. Franklin (Master Plumber), seconded by Council Member Rubio and passed unanimously.

Council Member Rubio made a motion to appoint Stacy Gallagher (Home Building Industry), seconded by Council Member Hunter and passed unanimously.

Council Member Molina made a motion to appoint Travis M. Yearly (Heating, Ventilation, Air Conditioning & Refrigeration), seconded by Council Member Hunter and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 9)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. There were no comments from the public. A council member requested that Items 4 and 7 be pulled for individual consideration.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

5. Supply Agreement for Saddle Service Taps for Waterlines

Motion authorizing City Manager, or designee, to execute a supply agreement with HD Supply Waterworks of Corpus Christi, Texas for

the purchase of saddle service taps for waterlines in response to RFB 1069 based on the lowest, responsive, responsible bid for a total amount not to exceed \$35,559.17, with an estimated expenditure of \$11,853.00 in FY2016-2017 and funded by the Warehouse Stores Fund. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

This Motion was passed on the consent agenda.

Enactment No: M2017-078

6. Service Agreement for Electrical Repair for Sunrise Beach, Rincon Pump Station and Wesley Seale Dam (Council Priority - Water)

Motion authorizing City Manager, or designee, to execute a service agreement with Advantage Electrical Contracting & Maintenance, Inc., of Corpus Christi, Texas for the Electrical Services for Sunrise Beach, Rincon Pump Station and Wesley Seale Dam in response to RFB 1056 based on the lowest, responsive, responsible bid for a total amount not to exceed \$49,475 with an estimated expenditure of \$16,492 in FY2016-2017 and funded by the Water Fund. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

This Motion was passed on the consent agenda.

Enactment No: M2017-079

8. Amendment of Subscription Service Licenses for the Human Resources Department - Elearning

Motion authorizing the City Manager or designee to execute an amendment for the continuation of subscription service licenses with OpenSesame, Inc., of Portland Oregon, based on a sole source for a total amount not-to-exceed \$203,400 for the subscription service of three years. Funds are available in the Human Resources FY 2016-2017 budget for the first of three annual expenditures of \$67,800.

This Motion was passed on the consent agenda.

Enactment No: M2017-081

9. Second Reading Ordinance - Amending the Unified Development Code - Adding a Non-Voting Ex-Officio Navy Representative to the Planning Commission (1st Reading 5/30/17)

Ordinance amending the Unified Development Code by adding a

non-voting ex-officio Navy representative to the Planning Commission; providing for severance; providing for penalty; providing for publication; and effective date.

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

Enactment No: 031165

4. Purchase of Wavetronix Radar Detection Systems for Traffic Signal Systems (Council Priority - Streets)

Motion authorizing City Manager, or designee, to execute a purchase from Twincrest Technologies, of Fort Worth, Texas for six Wavetronix radar detection systems in accordance with the cooperative purchasing agreement with the Houston-Galveston Area Council for a total amount of \$99,400.00 and funded by the Redlight Photo Fund. This item is a one-time purchase.

Mayor McComb referred to Item 4, a purchase for six Wavetronix radar detection systems for traffic signal systems. Director of Street Operations Andy Leal addressed a council member's questions related to the following: when the current system was installed; upgrading the current video system to radar detection systems; and the new radar detection systems ability to improve traffic flow and synchORIZATION of lights.

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: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Rubio, Council Member Smith and Council Member Vaughn

Absent: 1 - Council Member Molina

Abstained: 0

Enactment No: M2017-077

7. Purchase of four Kubota RTV 900 Series for Parks and Recreation and Utilities

Motion approving the purchase of four Kubota RTV 900 Series from Kubota Tractor Corporation, from Torrance, California, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$62,923.16. Funds are budgeted in FY2016-2017.

Mayor McComb referred to item 7, the purchase of four Kubota RTV 900 Series for the Parks and Recreation Department. Director of Fleet Maintenance Jim Davis responded and a council member discussed the following topics: concern with replacing a four-year old unit; whether the new unit will need to be replaced in four years; and storage location and maintenance of the equipment.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: M2017-080

M. PUBLIC HEARINGS: (ITEMS 10 - 11)

10. Public Hearing and First Reading Ordinance - Rezoning property located at 4540 Tribble Lane

Case No. 0517-03 Magellan Terminal Holdings, LP.: A change of zoning from the "CG-1" General Commercial District to the "IH" Heavy Industrial District. The property is described as Webb Tract Port View 101.58 acres, located along the west side of Poth Lane, south of Tribble Lane, and north of Interstate 37.

Planning Commission and Staff Recommendation (May 17, 2017): Approval of the change of zoning from the "CG-1" General Commercial District to the "IH" Heavy Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Magellan Terminal Holdings, LP. ("Owner"), by changing the UDC Zoning Map in reference to Webb Tract Port View 101.58 acres, from the "CG-1" General Commercial District to the "IH" Heavy Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 10. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property to allow for above-ground fuel tanks. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change.

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

Council members and staff discussed the following topics: above-ground fuel tanks currently in use at the subject property; the zoning request to build additional above ground fuel tanks; whether the zoning request could be achieved with a special permit on the subject property; clarification of the location of the subject property; the purpose of the berms on the subject property; and the ability to amend the Unified Development Code (UDC).

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Vaughn. This Ordinance was passed on first reading and

approved with the following vote:

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

11. Public Hearing and First Reading Ordinance - Rezoning property located at 2121 Rand Morgan Road

Case No. 0517-04 MPM Development, LP: A change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District. The property is described as being a Roberts Tract 2.064 acres out of Lots 3, 6, 11, 14 and 15 also known as Tract 1F, Roberts Tract 31.119 acres out of Lots 3, 6, and 11, and Roberts Tract 6.517 acres out of Lots 3, 6, 11, and 14, and Roberts Tract 4.391 acres out of Lots 3, 6, 11, 14 and 15 also known as Tract 1F, located along the west side of Rand Morgan Road, south of Leopard Street, and north of Oregon Trail.

Planning Commission and Staff Recommendation (March 19, 2017): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by MPM Development, LP. ("Owner"), by changing the UDC Zoning Map in reference to Roberts Tract 2.064 acres out of Lots 3, 6, 11, 14 and 15 also known as Tract 1F, Roberts Tract 31.119 acres out of Lots 3, 6, and 11, and Roberts Tract 6.517 acres out of Lots 3, 6, 11, and 14, and Roberts Tract 4.391 acres out of Lots 3, 6, 11, 14 and 15 also known as Tract 1F, from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 11. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property to allow for the construction of single-family homes on approximately 167 lots ranging from 5,500 to 10,000 square foot lots. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change.

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

Council members and staff discussed the following topics: consideration in a future bond election to include improvements to Rand Morgan Road to accommodate increased traffic; and the differences between the "RS-4.5" Single-Family 4.5 District and "RS-6" Single-family 6 District.

Council Member Vaughn 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: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

N. REGULAR AGENDA: (ITEMS 12 - 13)

12. Resolution supporting the Downtown Management District's application for Cultural District Designation (Council Priority - Economic Development)

Resolution supporting the Downtown Management District's application for the designation of a Cultural District and authorizing the certification of a Cultural District to be named Downtown Corpus Christi Cultural District for at least ten (10) years.

Mayor McComb referred to Item 12. **Business Liaison Alyssa Barrera** stated that the purpose of this item is to support the Downtown Management District's (DMD) application for the designation of a Cultural District through a program operated by the State of Texas. There were no comments from the public.

Council members and staff discussed the following topics: the reason the DMD is applying for cultural designation; the City is not obligated to any funding beyond what is budgeted annually for the DMD; and clarification on the language related to preserving and restoring historic buildings.

Council Member Vaughn made a motion to approve the resolution, seconded by **Council Member Hunter**. This Resolution was passed and approved with the following vote:

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: 031166

13. Lease-Purchase One Peterbilt 320 Chassis with Roll-Off and Three Peterbilt 367 Transfer Tractors for Solid Waste Operations

Motion authorizing the City Manager, or designee, to lease-purchase one Peterbilt 320 chassis, with a roll-off and three Peterbilt 367 transfer tractors from Rush Truck Centers of Texas, L.P., of Houston, Texas, based on the cooperative purchasing agreement with Houston-Galveston Area Council, for a total amount not to exceed \$799,455 of which \$13,274 is budgeted in General Fund for FY2016-17. Remaining payments will be requested in future years

during the normal budget process.

Mayor McComb referred to Item 13. Director of Fleet Maintenance Jim Davis stated that the purpose of this item is to authorize the lease-purchase of one Peterbilt 320 Chassis with roll-off and three Peterbilt 367 transfer tractors for the Solid Waste Department for a total amount not to exceed \$799,455 of which \$13,274 is budgeted in the General Fund for FY2016-2017. There were no comments from the public.

Council members and staff discussed the following topics: the transfer of solid waste from the J.C. Elliott Transfer Station to the Cefe Valenzuela Landfill; whether the public is allowed at the Cefe Valenzuela Landfill; a comparison of miles to hours ratio on the vehicles; whether these vehicles are replacements to the fleet; maintenance on the vehicles; the auction process and the estimated residual value of existing tractors to be auctioned; and that the funding is from the Solid Waste Operating budget.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: M2017-082

L. RECESS FOR LUNCH

Mayor McComb recessed the Council meeting at 1:26 p.m. Mayor McComb reconvened the Council meeting at 2:01 p.m.

N. REGULAR AGENDA: (ITEMS 14 - 15)

14. Resolution approving the Wastewater Management Plan

Resolution approving the City of Corpus Christi Wastewater Management Plan Final Report ("Final Report") regarding options for improvements to the City's wastewater treatment plants ("WWTPs") and adopting Option 1 as stated by City Council on May 23, 2017, which provides for maintaining all existing WWTPs, not relocating the Greenwood WWTP, and flood proofing Greenwood WWTP instead.

Mayor McComb referred to Item 14. Interim Director of Water Utilities Dan Grimsbo stated that the purpose of this item is to approve the City of Corpus Christi Wastewater Management Plan Final Report and adopt the modified Option 1 as stated by the City Council on May 23, 2017 which provides for maintaining all existing WWTPs, not relocating the Greenwood WWTP, and flood-proofing the Greenwood WWTP instead. Interim Director of Wastewater Temple Williamson and Assistant City Manager Mark Van Vleck were available to respond to questions.

Mayor McComb called for comments from the public. Susie Luna Saldana, 4710

Hakel, asked for reconsideration to relocate the Greenwood WWTP.

Council members and staff discussed the following topics: reconsideration to relocate the Greenwood WWTP; flooding issues for residents near the Greenwood WWTP; the current condition of the Greenwood WWTP; consideration to look at a 60-day plan on how to operate, maintain and to consolidate using the Stantec Option 4D plan with options as defined by the council after the 60-day report; odor problems and solutions to improve odor at the Greenwood WWTP; new technology that would protect from flooding near the Greenwood WWTP; concern with the cost associated with the Stantec Option 4D; a Texas Municipal League report on statewide residential and commercial wastewater costs; Greenwood WWTP currently being the most efficient plant; the reason the City has the highest wastewater rates in Texas; the cost to consolidate the WWTPs; a plan to address the collection system; low cost benefits of dredging Oso Creek; consideration to develop a Request for Proposal (RFP) for a public/private partnership to address the collection system and plants moving forward; cleanout of Oso Creek brush to address flooding issues; whether Option 1 will address flooding issues and odor control; the cost to repair the plants; concerns with discharge permits; the original costs to build Greenwood WWTP; the lifecycle of a WWTP; updating the plant versus building a brand new structure; whether the City is under an agreed order for the WWTPs; when the Oso WWTP was originally built; financial errors in the Stantec report; clarification on the timeframe for the Option 1; the cities of San Antonio and Dallas having lower wastewater rates because there are fewer plants and much larger populations and volume; development of the subdivision located near the Greenwood WWTP; wastewater rates increasing regardless of repairing or consolidating the WWTPs; statistics related to compliance at the WWTPs for 2014 and 2015; the cost to build the new Broadway WWTP; building a retaining wall at the Greenwood WWTP; Option 1 being the least expensive option; and current engineering projects related to upgrades to collection system.

MOTION OF DIRECTION

Council Member Rubio made a motion directing the City Manager to delay the plan for 60 days to issue an RFP on how to operate, maintain or consolidate using the Stantec plan with options as defined by this council after receiving the 60-day report, seconded by Council Member Vaughn.

The motion of direction failed with the following vote: Council Members Vaughn and Rubio voting "Aye"; Mayor McComb and Council Members Smith, Garza, Guajardo, Hunter, and Molina voting "No".

Mayor McComb requested that the City Council consider approving the existing resolution with amendments to include language related to optimized implementation, odor control, floodproofing and the potential for a private/public partnership.

Mayor McComb called for a brief recess at 4:29 p.m. Mayor McComb reconvened the Council meeting at 4:41 p.m.

Mayor McComb returned to the discussion on Item 14. City Secretary Huerta read the proposed amendments to the resolution, Section 2 as follows:

Section 2. That the City Council adopts optimized implementation of the Final

Report's Option 1 (the "base case option") with modifications as directed by the City Council on May 23, 2017, with Option 1 modified to eliminate construction of new 10 MGD facility at Greenwood WWTP and provide for more extensive Greenwood WWTP repairs (over 20 years) with flood proofing and odor control, and with the following key infrastructure components:

Section 2. (3) Greenwood WWTP: Repair over next 20 years including expeditious 'flood proofing and odor control'; Provide effluent reuse facilities for industry in next 10 years (subject to industry participation);

Section 2. (8) Staff is directed to pursue future improvements to be delivered through the most cost-effective financing and delivery plan to minimize the overall impact to ratepayers while meeting the needs of the City, including, but not limited to, a public private partnership (P3) approach.

Council Member Smith made a motion to amend the resolution, seconded by Council Member Guajardo. The motion to amend passed with the following vote: Mayor McComb and Council Members Smith, Garza, Guajardo, Hunter, and Molina, voting "Aye"; Council Members Vaughn and Rubio voting "No"

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

Aye: 6 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina and Council Member Smith

Nay: 2 - Council Member Rubio and Council Member Vaughn

Abstained: 0

Enactment No: 031167

15. Approving an Extension to the Agreement with Valero Refining - Texas, L.P. for recycled water (Council Priority - Water)

Motion authorizing the City Manager or designee to execute a Sixty-day Extension to the Agreement for Exclusive Reservation of Recycled Water with Valero Refining - Texas, L.P. (Valero) for 4 million gallons per day (mgd).

Mayor McComb referred to Item 15. Dan Grimsbo, Interim Executive Director of Utilities, stated that the purpose of this item is to execute a sixty-day extension to the agreement for exclusive reservation of Recycled Water with Valero Refining - Texas, L.P. There were no comments from the Council or the public.

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

Aye: 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 1 - Council Member Hunter

Enactment No: M2017-083**O. FIRST READING ORDINANCES: (ITEMS 16 - 20)****20. First Reading Ordinance - Approval for the resale of 26 foreclosed properties**

Ordinance authorizing the resale of 26 properties for \$96,850.00 which were foreclosed upon for failure to pay ad valorem taxes, of which the City shall receive \$8,213.35 plus \$15,790.35 for partial payment of City paving and demolition liens.

Mayor McComb deviated from the agenda and referred to Item 20. City Secretary Rebecca L. Huerta announced that Council Member Garza was abstaining on this item. Director of Financial Services Constance Sanchez stated that the purpose of this item is to authorize the resale of 26 properties which were foreclosed upon for failure to pay ad valorem taxes for \$96,850 of which the City will receive \$8,213.35 plus \$15,790.35 for partial payment of city paving and demolition liens. There were no comments from the public.

In response to a council member, Martin Leary, Linebarger, Goggan, Blair, & Sampson, L.L.P., provided information on the public auction at the "Sheriff's Sale" and advertisement of properties. A council member requested that the list of properties and auction information be placed on the City's website.

Council Member Vaughn 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: 7 - Mayor McComb, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 1 - Council Member Garza

16. First Reading Ordinance - Billish Park Agreement for construction of park improvements and ongoing park maintenance

Ordinance authorizing the City Manager or designee to execute an Agreement with the Padre Isles Property Owners Association ("PIPOA") for the Lease, Construction of Improvements and Operation of Billish Park located at 15601 Gypsy Street, to allow construction of park improvements, with City funding not to exceed \$400,000 and PIPOA funding not to exceed \$200,000, and providing for ongoing park maintenance by PIPOA.

Mayor McComb referred to Item 16. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to execute an agreement for the lease, construction of improvements and operation of Billish Park with the Padre Isles Property Owners Association (PIPOA) for construction of park improvements and ongoing park maintenance with City funding not to exceed \$400,000 and PIPOA funding not to exceed \$200,000.

Mayor McComb called for comments from the public. Debbie Lindsey-Opel 15862 Cuttysark, provided history on the development of Billish Park.

Council members and staff discussed the following topics: the schedule of improvements; the Bond 2012 language to provide funding for Billish Park; the list of improvements to the park; funding that has already been provided for Billish Park; other parks that have a maintenance budget of \$14,000 per year; a plan to maintain community parks and associated costs; neighborhood parks where equipment was removed and not replaced; whether Billish Park has a sprinkler system; the number of community parks; other park improvements included in bond packages; and adopting a policy to encourage neighborhood associations to enter into park agreements.

Council Member Smith 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: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

17. First Reading Ordinance - Approval of agreement and appropriating funds for developer for the construction of a water grid main extension line located at the southeast corner of Fred's Folly Drive and Yorktown Boulevard

Ordinance authorizing City Manager or designee to execute a Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement ("Agreement") with Oso Bend Development Company ("Developer"), for the construction of a water grid main extension line and appropriating \$117,667.45 from the No. 4030 Water Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Mayor McComb referred to Item 17. Interim Director of Development Services Bill Green stated that the purpose of this item is to fund approximately \$117,667.45 for the construction of 1,927 linear feet of water arterial grid main extension necessary for the development of River Bend Subdivision Unit 1. There were no comments from the Council or the public.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

18. First Reading Ordinance - for the acquisition of real property rights by eminent domain for the Rodd Field Expansion Project

(Bond 2014, Proposition 2) (Council Priority - Streets)

An ordinance of the City Council of the City of Corpus Christi, Texas (1) determining the public necessity and public use for the acquisition of Right-of-Way Easements, Temporary Construction Easements and fee simple property rights for a street improvement project known as the Rodd Field Road Expansion Project, generally from Saratoga Boulevard to Yorktown Boulevard (Bond 2014); (2) authorizing the City Manager or designee to negotiate and execute all documents necessary to acquire the property interests subject to availability of funds appropriated for such purposes; (3) authorizing the City Manager to institute condemnation by eminent domain proceedings to acquire easement and fee simple property interests in the properties within the project area depicted on the Project Location Map; (4) authorizing payment pursuant to an award by special commissioners; (5) authorizing acceptance and recording of appropriate legal instruments; and (6) approving condemnation for all units of property to be acquired by condemnation herein by a single record vote of the City Council.

Mayor McComb referred to item 18. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to authorize the City Manager or her designee to negotiate the acquisition of property rights, to execute real estate purchase contracts, and proceed with eminent domain proceedings for negotiations for acquisitions if an impasse is reached for the Bond 2014, Proposition 2, Rodd Field Road Expansion Project. There were no comments from the Council or the public.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

19. First Reading Ordinance - Adjusting Speed Zone on Ocean Drive from Sand Dollar Boulevard to North Gate of Air Station Corpus Christi

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-254 Schedule V, Increase of State Speed Limit in Certain Zones to update portions of Ocean Drive and increase the speed limit on Ocean Drive, from Sand Dollar Boulevard to Naval Air Station Corpus Christi North Gate; providing for severance; and providing for publication.

Mayor McComb referred to Item 19. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the City's Code of Ordinances, Section 53-254, Increase of State Speed Limit in Certain Zones, by adding Ocean Drive from Sand Dollar Boulevard at Texas A&M University -

Corpus Christi to the north gate of Naval Air Station - Corpus Christi with a speed limit zone of 50 miles per hour. There were no comments from the public.

In response to council members, Ms. Gray stated that the current speed limit signs reflect a speed of 50 miles per hour and this action will add the language to the City's Code of Ordinances.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 21 - 23)

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had a planned presentation on Item 23.

21. Purchase of Public Art for Fire Station 18 located at 6226 Ayers Street

Motion authorizing the City Manager or designee to execute an agreement to purchase a work of art created in mosaic tile, by artist Jeremiah Heye, owner of Heye Mosaics LLC, in the amount of \$22,000.00 for Fire Station #18 to fulfill the public art requirement of Public Art Ordinance No. 21435, Sec 2-109. (Bond 2008)

This Motion was recommended to the consent agenda.

22. Construction Contract and Real Estate Contract for Creek View Drive extension (Bond 2014, Proposition 2)(Council Priority - Streets)

Motion authorizing the City Manager, or designee, to execute a construction contract with Max Underground Construction, LLC. of Corpus Christi, Texas in the amount of \$308,720.50 for the Creek View Drive Extension project for the base bid and to execute a land acquisition purchase agreement for \$94,000 with William E. McKinzie, Jr. Family Limited Partnership, and closing costs of \$3,000. (Bond 2014 Proposition 2)

This Motion was recommended to the consent agenda.

23. Construction Contract and Testing Agreement for Carroll Lane from Houston Street to McArdle Road (Bond 2014, Proposition 1) (Council Priority - Streets)

Motion authorizing the City Manager, or designee, to execute a construction contract with Haas-Anderson Construction, Ltd. of Corpus Christi, Texas in the amount of \$6,192,097.55 for Carroll Lane from Houston Street to McArdle Road for a total Base Bid plus Additive Alternate No. 1 and to execute a construction materials testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$59,515 for Carroll Lane from Houston Street to McArdle Road. (Bond 2014 Proposition 1)

This Motion was recommended to the consent agenda.

Q. BRIEFINGS: (NONE)

R. LEGISLATIVE UPDATE:

None.

S. EXECUTIVE SESSION: (ITEMS 24 - 25)

- 24. 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 and litigation including, but not limited to, the case of *Graziella G. Mesa vs. City of Corpus Christi, Texas*.

This E-Session Item was discussed in executive session.

- 25. Executive Session pursuant to Texas Government Code § 551.074** (Personnel Matters) to discuss the appointment, employment, and duties of public officers or employees, including, but not limited to, members of the City Council.

Mayor McComb referred to Item 25 and the following motion was considered:

Motion naming the four (4) finalists for the vacant City Council Member At-Large position: Sylvia Tyron Oliver; Debbie Lindsey-Opel; John Brandon Martinez; and Kamlesh Bhula Bhikha.

City Secretary Rebecca L. Huerta stated that the public interviews would be conducted at approximately 1:00 p.m. during the June 20, 2017 City Council meeting. The City Council will deliberate in closed session and will take action on their decision in open session.

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

Aye: 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: M2017-084

T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

U. ADJOURNMENT

The meeting was adjourned at 7:33 p.m.