



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
forward.cctexas.com

Meeting Minutes

City Council

Tuesday, August 22, 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 11:31 a.m.

B. Invocation to be given by Pastor David Bendett, Rock City Church.

Pastor David Bendett gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Gilbert Trevino, Roy Miller High School Senior.

Mr. Gilbert Trevino 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, Senior Assistant City Attorney Lisa Aguilar and City Secretary Rebecca L. Huerta.

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

E. Proclamations / Commendations

1. Proclamation declaring August 23, 2017, "Inspire Coastal Bend Magazine's Celebration 100 Day".
Proclamation declaring August 26, 2017, "Women's Equality Day" in Honor of The League of Women Voters of Corpus Christi and the 97th Anniversary of Women's Right To Vote.
Proclamation declaring August 2017, "National Breastfeeding Month".
Proclamation declaring September 9, 2017, "Operation K.E.Y.S. - Keeping Every Youth in School Day".

Mayor McComb presented the proclamations.

- 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. Susie Luna Saldana, 4710 Hakel, invited City Council and the public to the "We Are One" Solidarity March on September 4, 2017 beginning at 8:00 a.m. at the Peoples Street T-Head to Heritage Park. Mimosa Thomas, 710 Ponder, and Nikita Gupta, 7633 Outreau Drive, spoke regarding Agenda Item 14, approval of the FY2017-2018 Crime Control and Prevention District's budget, and opposed the elimination of funding for the Juvenile Assessment Center. Margareta Fratila, 3606 Tripoli, spoke regarding work being performed near her residence by a contractor for AT&T and the City's ability to ensure that the area affected by construction is returned to its original state.

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

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

b. OTHER

- 1) The Budget and Management Department will conduct the last virtual meeting on the City's proposed budget on Monday, August 28, 2017. The public is encouraged to ask questions and make comments using #ccbudget on social media. The entire meeting will be conducted via social media and on CCTV Channel 20. Information is available at www.cctexas.com/balancer. 2) The City

of Corpus Christi will be holding a public demonstration of the storm water system protection using a basket inlet system on Thursday, August 24, 2017 at 10:00 a.m. in the 1800 block of Baldwin Boulevard. The basket inlet system is used in target areas to collect debris before it can go into local bays. Citizens will see what is being used to capture trash as well as what type of litter accumulates in City storm water inlets. 3) The Street Operations Department is hosting a Traffic Management Center Open House and Public Tour on Wednesday, August 30, 2017 at 3:30 p.m. at 2525 Hygeia. The newly constructed facility houses the City's Traffic Operations Center which controls and maintains Traffic Signals and Signs and Marking Division.

a. T. C. AYERS POOL

City Manager Rose referred to the T.C. Ayers Pool discussion. Mayor McComb recused himself from this discussion. Director of Engineering Services Jeff Edmonds provided a briefing on the T.C. Ayers Pool Repair Project in response to recent media coverage including: the repair project timeline; pre-construction images; the scope of work that was procured; payment history on project; change order summary; the total project budget; statistics provided by the Parks and Recreation Department regarding the usage of the pool; photographs illustrating the difference in the project as-built and what was anticipated related to the ADA issues; and photographs of the finished pool.

Council members and staff discussed the following topics: perception and transparency; the usage of the pools being high based on the other City pools being closed; whether the sidewalk was included in the original project scope; engineering projects generally having drawings for projects; at what point the change order was done stating that the sidewalks were not part of the project and whether the change order was done after the investigative report was aired by KRIS 6 news; whether the rails were replaced; the ADA solution to address access to the pool; changes made to the project including the improvements made to the restrooms in lieu of potable restrooms and the ADA access in lieu of sidewalks and rails; when the project was original discussed; the commitment made to the Texas Department of Transportation (TXDOT) and the Federal Highway Administration (FHWA); the current City Council inheriting this project and the commitment to complete the project; the cost per square foot for the roof and the actual roof costs; whether the City paid premium prices to the contractor to complete the project in a short timeframe; the issues that resulted after the pool was opened; staff engaging the contractor on daily maintenance and operation of the pool; how TXDOT and FHWA can to the conclusion to repair the pool; a master list of all City contractual obligations; and inspection of the pool.

G. MINUTES:

2. Regular Meeting of August 15, 2017 and Workshop of August 15, 2017.

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

H. BOARD & COMMITTEE APPOINTMENTS:

**3. Corpus Christi Regional Transportation Authority
Human Relations Commission**

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

Corpus Christi Regional Transportation Authority

Council Member Garza made a motion to realign Abel Alonzo from the category of Regular Member to Transportation Disadvantaged, seconded by Council Member Lindsey-Opel and passed unanimously.

Council Member Vaughn made a motion to reschedule the appointment of a new member to September 12, 2017, seconded by Council Member Rubio and passed unanimously.

Human Relations Commission

Mayor McComb made a motion to reappoint Laura Commons (Selling of Dwellings), Melody T. Guerrero (Youth), Rene Saenz (Regular Member), and Zoya S. Surani (Youth); to appoint Jeremy L. Coleman (Regular Member), Thomas Rosalas (Regular Member) and John D. Williamson (Youth); and to appoint William "Mickey" Kramer, Jr. as Chair for a one-year term, seconded by Council Member Lindsey-Opel and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 10)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. There were no comments from the public. Council members requested that Items 4 and 7 be pulled for individual consideration. City Secretary Rebecca L. Huerta announced that Council Member Lindsey-Opel was abstaining on Items 6 and 8.

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

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

Abstained: 0

5. Resolution to execute Advance Funding Agreement for a High-Intensity Crosswalk at the intersection of Ocean Drive and Del Mar Boulevard (Bond 2012, Proposition 1)

Resolution authorizing the City Manager, or designee, to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for a High-Intensity Activated Cross Walk (HAWK) traffic signal, at the intersection on Ocean Drive and Del Mar Boulevard with the City's required payment to TxDOT in the amount of \$11,800 for reimbursement of direct state costs. This is related to the Ocean Drive from Buford to Louisiana Project (Bond 2012, Proposition 1).

This Resolution was passed on the consent agenda.

Enactment No: 031224

9. Second Reading Ordinance - Amending City Code to establish guidelines for license applicants with criminal convictions (1st Reading 8/15/17)

Ordinance amending Chapter 1 of the Corpus Christi Code of Ordinances by adding Section 1-14 to establish Guidelines for License Applicants with Criminal Convictions; and providing an effective date, for severance, and for publication.

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

Enactment No: 031226

10. Second Reading Ordinance - Approving Amendment to the Tax Increment Reinvestment Zone No. 3 Project & Financing Plan (1st Reading 8/15/17)

Ordinance approving the amendment to the Tax Increment Reinvestment Zone #3 Amended Project & Financing Plan approved by the Board of Directors of Reinvestment Zone Number Three, Corpus Christi, Texas on July 25, 2017.

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

Enactment No: 031227

4. Service Agreements for Temporary Staffing Services

Motion authorizing the City Manager or designee to execute service agreements with Advance'd Temporaries, Inc. of Corpus Christi, Texas and Genesis Professional Solutions of San Antonio, Texas for temporary staffing services in accordance with Request for Proposal (RFP) No. 1096, based on best value for a total amount not to exceed \$250,000 for each agreement for a grand total of \$500,000. The term of these agreements is for one year with option to extend for up to three additional one-year periods, subject to the sole discretion of the City.

Mayor McComb referred to Item 4, temporary staffing services. Director of Human Resources Steven Viera and council members discussed the following topics: the City's temporary staffing program and projected annual costs savings; and the need to continue the temporary staffing services agreements should Human Resources need to immediately fill positions that cannot be filled through the temporary staffing pool or for special projects.

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

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

Abstained: 0

Enactment No: M2017-123

6. Construction Contract for Chaparral Street Phase 2 Development Master Plan (Bond 2014, Proposition 2)

Motion authorizing the City Manager, or designee, to execute a construction contract with Reytec Construction Resources, Inc. of Houston, Texas in the amount of \$4,889,551.60 for the Chaparral Street Phase 2 Downtown Development Master Plan project for Base Bid 2 and Additive Alternate No. 1. (Bond 2014 Proposition 2)

Mayor McComb referred to Item 6. Council Member Lindsey-Opel abstained from this item.

Council Member Garza 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: 1 - Council Member Lindsey-Opel

Enactment No: M2017-124

8. Resolution supporting the approval of bonds and a project relative to Texas A&M University-Corpus Christi (TAMUCC)

A resolution of the City Council of the City of Corpus Christi, Texas, authorizing the Mayor to approve the issuance of (1) the New Hope Cultural Education Facilities Finance Corporation student housing revenue bonds (CHF - Collegiate Housing Island Campus, L.L.C. - Texas A&M University - Corpus Christi Island Campus Project) Series 2017a

and to approve the project to be acquired with the proceeds of such bonds.

Council Member Garza made a motion to approve the resolution, seconded by Council Member Vaughn. 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: 1 - Council Member Lindsey-Opel

Enactment No: 031225

7. Office Lease Extension Agreement for the City Detention Center

Motion to authorize the City Manager or designee to execute an Office Lease Extension Agreement for 2 years with Wilson Plaza Associates L.P. Corpus Christi, Texas as Landlord for the operation of the City Detention Center.

Mayor McComb referred to Item 7, execution of an Office Lease Extension Agreement for the City Detention Center. Director of Municipal Court Gilbert Hernandez, Detention Center Manager Captain Kaene Monroe, and council members discussed the following topics: the original lease agreement that has been in effect since 2004; the reason for not looking for a new facility; an agreement with Nueces County not being foreseen in the near future and who would initiate the discussion; a new facility not being recommended for funding in the Capital Improvement Program (CIP); the number of detained individuals housed per day at the Detention Center; whether the City has another facility that could house Municipal Court and the Detention Center; the current condition of the facility; and a history of the Detention Center.

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

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

Abstained: 0

Enactment No: M2017-125

M. PUBLIC HEARINGS: (ITEM 11)

11. Public Hearing on Fiscal Year 2018 Ad Valorem Tax Rate

Mayor McComb referred to Item 11. Director of Financial Services Constance Sanchez stated that the purpose of this item is to hold the first public hearing on the FY2018 ad valorem tax rate of \$0.606264 per \$100 valuation. The rate

being proposed is the same tax rate as the current tax rate. Since the proposed property tax rate of \$.606264 per \$100 valuation exceeds the effective tax rate, two public hearings are required. The first public hearing will be held today and the second public hearing will be held on Tuesday, August 29, 2017.

Council members and staff discussed the following topics: that the Operating Budget must be adopted by September 30, 2017; discussions regarding the voter-approved charter amendment to establish a dedicated fund for residential street reconstruction funded by a tax increase, not to exceed two cents per one hundred dollars assessed value per year; and the impact of a one cent or two cent tax increase.

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

Mayor McComb read the following statement: "During the September 12, 2017 City Council meeting beginning at 11:30 a.m. at City Hall, the City Council will vote on the proposed property tax rate."

L. RECESS FOR LUNCH

Mayor McComb called for a recess at 1:33 p.m. Mayor McComb reconvened the Council meeting at 2:09 p.m.

M. PUBLIC HEARINGS: (ITEM 12)

12. Public Hearing and First Reading for Fiscal Year 2017-2018 Capital Budget and Capital Improvement Planning Guide

Ordinance approving the Fiscal Year 2017 - 2018 Capital Budget and Capital Improvement Planning Guide in the amount of \$174,057,200.

Mayor McComb referred to Item 12, a public hearing on the FY2017-2018 Capital Budget and Capital Improvement Planning Guide. Mayor McComb clarified that the purpose of the item was to hold a public hearing and no action would be taken on this item.

Assistant City Manager Mark Van Vleck stated that the purpose of the Capital Budget and Capital Improvement Planning (CIP) Guide is to identify, prioritize, fund and construct capital improvement projects. It provides the scope and schedules for projects planned over the next ten years and details specific information on projects programmed within the next three years. Assistant City Manager Van Vleck provided the following information: a review of the document sections; examples of a summary sheet and project sheets; the current and FY2018 proposed CIP; and a breakdown of the year-one projects for the following: Airport, Parks and Recreation, Public Facilities, Public Health and Safety, Streets, Gas, Storm Water; Water Supply; Water; and Wastewater.

Council members and staff discussed the following topics: the purpose of the operation impact section; the unspent budget for wastewater, funding in year 2, and the reduction of the funds once budget is approved; cash management; funding to address the corrective action items related to the water boil in 2016; associated utilities with street projects; discussion on the water and

wastewater rate increases; cash funding of projects moving forward to diminish debt funds; and options to address wastewater improvements mandated by the federal government.

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

N. REGULAR AGENDA: (ITEMS 13 - 15)

13. Second Reading Ordinance - Adjusting Water and Wastewater Utility Rates (1st Reading 8/15/17)

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, Utilities, regarding water and wastewater rates; providing for publication and effective date of January 1, 2018.

Mayor McComb referred to Item 13, an ordinance adjusting water and wastewater utility rates. City Manager Margie C. Rose requested that this item be tabled to the August 29, 2017 City Council meeting to allow staff to continue to re-evaluate the rate model.

Mayor McComb spoke regarding a motion of direction from the July 19, 2017 City Council Workshop directing the City Manager to raise rates, to create zero operating deficit, with the percentage increase consistent with all rate classes, with the exception of the raw water rate.

Council Member Lindsey-Opel made a motion to table the ordinance to the August 29, 2017 City Council meeting, seconded by Council Member Vaughn. This Ordinance was tabled to the August 29, 2017 city council meeting with the following vote:

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

Abstained: 0

14. Resolution approving the FY 2017-2018 budget for the Corpus Christi Crime Control and Prevention District. (Public Hearing held 8/15/17)

Mayor McComb referred to Item 14. Police Chief Mike Markle stated that the purpose of this item is to approve the FY2017-2018 budget for the Crime Control and Prevention District.

Mayor McComb called for comments from the public. Joan Veith, 5701 Cain Drive, spoke regarding the need to fund police officers to protect the public's safety.

Council members and staff discussed the following topics: the fund balance of the budget; the cost associated with funding the Juvenile Assessment Center and marshals; Chief Markle's recommendation to eliminate funding of the

programs to pay for the police officers funded in the Crime Control and Prevention District's budget; decreases in sales tax revenue; providing a periodic metrics regarding whether there is an impact for eliminating the Juvenile Assessment Center; the reason the Juvenile Assessment Center is not being funded through the Parks and Recreation Department; and a mechanism to address the long-term funding of police officers.

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

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

Abstained: 0

Enactment No: 031228

15.

Contract Amendment for the North Beach Redevelopment Initiative

Motion authorizing the City Manager, or designee, to execute an amendment to a contract for planning services with Gateway Planning, Inc. of Dallas, Texas in an amount not to exceed \$10,000 for a total restated fee of \$59,900.

Mayor McComb referred to Item 15. Assistant Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to amend the existing contract with Gateway Planning, Inc. in an amount not to exceed \$10,000 to allow for additional work on the North Beach Redevelopment Plan. The work will include: an all-day technical workshop which will allow for modifications to the plan; the 3D model; and additional conference calls with stakeholders and interested developers.

Council members and staff discussed the following topics: addressing how the canals would be funded and maintenance; the timeframe for the proposed work; the ability to amend the plan in the future; and technical expertise to assist with the canal.

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

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

Abstained: 0

Enactment No: M2017-126

O. RECESS TO CORPORATION MEETING: (ITEM 16)**16. Special North Padre Island Development Corporation Meeting**

Mayor McComb recessed the regular City Council meeting to hold a special meeting of the North Padre Island Development Corporation.

P. RECONVENE CITY COUNCIL MEETING

Mayor McComb reconvened the regular Council meeting.

Q. FIRST READING ORDINANCES: (ITEMS 17 - 26)**17. First Reading Ordinance - Accepting and Appropriating the FY 2018 Texas Automobile Burglary Theft Prevention Authority (ABTPA) Grant**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Automobile Burglary Theft Prevention Authority (ABTPA) grant in the amount of \$410,973 to continue the motor vehicle theft enforcement grant within the Police Department for Year 17, with a City match of \$675,542, in-kind match of \$48,889 in the No. 1020 Police General Fund, and program income match of \$9,517 for a total project cost of \$1,144,924; designating the Chief of Police as Program Director and Director of Finance as financial officer for this ABTPA grant; appropriating \$410,973 from the ABTPA in the No. 1061 Police Grants Fund; and appropriating \$9,517 in program income match in the No. 1061 Police Grants Fund to continue the motor vehicle theft enforcement grant within the Police Department.

Mayor McComb referred to Item 17. Assistant Police Chief Mike Alanis stated that the purpose of this item is to accept and appropriate a grant from the Texas Automobile Burglary Theft Prevention Authority (ABTA) grant in the amount of \$410,973 to continue the motor vehicle theft enforcement grant with the Police Department for Year 17, with a City match of \$675,542, in-kind match of \$48,889, and program income match of \$9,517 for a total project costs of \$1,144,924. There were no comments from the public.

A council member commended the Police Department for continuously finding ways to fund Police Department activities.

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

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

Abstained: 0

18. First Reading Ordinance - Accepting and Appropriating the FY2017 Local Border Security Program (LBSP) Grant for the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$28,000 from the Texas Department of Public Safety, Texas Homeland Security State Administrative Agency for funding eligible under the FY2017 Local Border Security Program (LBSP) grant to reimburse overtime and fringe benefits; and appropriating the \$28,000 in the No. 1061 Police Grants Fund.

Mayor McComb referred to Item 18. Assistant Police Chief Mike Alanis stated that the purpose of this item is to accept and appropriate a grant in the amount of \$28,000 from the Texas Homeland Security State Administrative Agency for funding eligible under the FY2017 Local Board Security Program grant to reimburse overtime and fringe benefits for highway interdiction. There were no comments from the Council or the public.

Council Member Molina made a motion to approve Item 18, seconded by Council Member Hunter. This Ordinance was passed on first reading and approved by the following vote:

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

Abstained: 0

19. First Reading Ordinance - Accepting and Appropriating grant funds for the Tuberculosis Prevention and Control-State (TBPC-STATE) Grant

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Tuberculosis Prevention and Control-State (TB/PC-STATE) grant in the amount of \$61,645.00, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund with a City match of \$12,329.00, from 1020 General Fund to provide tuberculosis prevention and control services for the contract period September 1, 2017, through August 31, 2018 for a total project cost of \$73,974.00.

Mayor McComb referred to Item 19. Director of Public Health Annette Rodriguez stated that the purpose of this item is to accept, amend and appropriate a grant contract for the Tuberculosis Prevention and Control-State grant contract from the Texas Department of State Health Services in the amount of \$61,645, with a City match of \$12,329 for the contract period of September 1, 2017 through August 31, 2018. There were no comments from the Council or the public.

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

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

Abstained: 0

20. First Reading Ordinance - Accepting and Appropriating grant funds for the Laboratory Response Network Influenza Surveillance and Epidemiology Activities (LRN/FLU-LAB) grant

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Laboratory Response Network Influenza Surveillance and Epidemiology Activities (LRN/FLU-LAB) grant in the amount of \$10,000.00 from the Texas Department of State Health Services in the No. 1066 Health Grants Fund to provide flu testing for the contract period September 1, 2017, through August 31, 2019.

Mayor McComb referred to Item 20. Director of Public Health Annette Rodriguez stated that the purpose of this item is to accept, amend and appropriate a grant contract for the Laboratory Response Network Influenza Surveillance and Epidemiology Activities grant in the amount of \$10,000 from the Texas Department of State Health Services to provide flu testing for a two-year contract period from September 1, 2017 through August 31, 2019. There were no comments from the public.

A council member asked questions regarding predictions for the upcoming flu season.

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

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

Abstained: 0

21. First Reading Ordinance - Accepting and Appropriating grant funds for the Regional Local Services System/Local Public Health System (RLSS/LPHS) grant

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Regional Local Services System/Local Public Health System (RLSS/LPHS) grant in the amount of \$328,736.00, from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to provide essential public health services for the contract period September 1, 2017, through August 31, 2019; and appropriating related program income in the estimated amount of \$260,000.00 in the Health Grants Fund No. 1066.

Mayor McComb referred to Item 21. Director of Public Health Annette Rodriguez stated that the purpose of this item is to accept, amend and appropriate a grant contract for the Regional Local Services System/Local Public Health System grant in the amount of \$328,736 from the Texas Department of State Health Services to provide essential public health services for a two-year contract period from September 1, 2017 through August 31, 2017. There were no comments from the Council or the public.

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

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

Abstained: 0

22. First Reading Ordinance - Closing of a utility easement located at 7313 South Staples Street

Ordinance abandoning and vacating 0.137 acres of an existing utility easement out of a part of Roger's Subdivision, Block 1, Lot 1B, located at 7313 South Staples Street and requiring the owner, DOXA Enterprises, L.P., to comply with the specified conditions.

Mayor McComb referred to Item 22. Interim Director of Development Services Bill Green stated the purpose of this item is to abandon and vacate an existing utility easement out of a part of Roger's Subdivision located at 7313 South Staples Street on behalf of DOXA Enterprises, L.P. Mr. Green presented the following information: an aerial map of the subject property; the fair market value offset from plat layout; and staff's recommendation to approve the closure. There were no comments from the Council or the public.

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

Abstained: 0

23. First Reading Ordinance - Appropriating funds for the purchase of one waste handler wheel loader and one backhoe loader for use in Solid Waste Operations

Ordinance appropriating \$326,528.17 from the reserved future replacement account into the capital outlay expenditure account in Maintenance Services Fund No. 5110 for the purchase of one waste handler wheel loader and one backhoe loader; amending the FY2016-17 operating budget adopted by Ordinance No. 030965 by increasing expenditures by \$326,528.17; authorizing the City Manager or designee to execute all necessary documents to purchase a total of one ZBAR waste handler wheel loader for \$250,528.17 from Nueces Power Equipment, of Corpus Christi, Texas, and one backhoe loader for \$76,000.00 from Doggett Heavy Machinery Services, LLC., Corpus Christi, Texas, based on the cooperative purchasing agreements with Houston-Galveston Area Council and Local Government Purchasing Cooperative dba BuyBoard respectively, for a total amount not to exceed \$326,528.17, for use by Solid Waste Operations.

Mayor McComb referred to Item 23. Director of Fleet Maintenance Jim Davis stated that the purpose of this item is to purchase one ZBAR waste handler wheel loader and one backhoe loader for Solid Waste Operations. There were no comments from the public.

A council member requested that staff provide a list of replacement vehicles needed for next fiscal year.

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

Abstained: 0

24. First Reading Ordinance - Appropriating Funds for the Purchase of two Ford F-550 Trucks with Service Bodies for Solid Waste Operations

Ordinance appropriating \$210,058.00 from the reserved future replacement account into the capital outlay expenditure account in Maintenance Services Fund No. 5110 for the purchase of two 2017 Ford F-550 trucks with service bodies; amending the FY2016-17 operating budget adopted by Ordinance No. 030965 by increasing expenditures by \$210,058.00; authorizing the City Manager or designee to execute all necessary documents to purchase a total of two 2017 Ford F-550 trucks with service bodies for \$210,058.00 from Grande Truck Center, of San Antonio, Texas, through the Local Government Purchasing Cooperative dba Buyboard, for use by Solid Waste Operations.

Mayor McComb referred to Item 24. Director of Fleet Maintenance Jim Davis stated that the purpose of this item is to purchase two Ford F-550 trucks with service bodies for Solid Waste Operations. There were no comments from the public.

Council members and staff discussed the following topics: the units that are being replaced that were lost due to fire and involved in an accident and deemed unrepairable; whether the City received claim money for the vehicles; the City receiving salvage value for the vehicles; the reasons the vehicles were not insured; the new methane gas program; and the type of accident one of the vehicles was involved in.

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

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

Abstained: 0

25. First Reading Ordinance - Donating Surplus Property to Habitat for Humanity

Ordinance authorizing the conveyance of a tract of land located within the city at 1901 Brennan Street to Habitat for Humanity to be re-platted and rezoned by Habitat for Humanity for construction of a single-family affordable house at 1902 Lipan Street, subject to specified conditions; authorizing the City Manager or designee to execute all necessary documents related to the transaction; and providing for severance.

Mayor McComb referred to Item 25. Director of Housing and Community Development Rudy Bentancourt stated that the purpose of this item is to convey a tract of land of approximately 316 square feet located at 1901 Brennan Street to Habitat for Humanity to be re-platted and rezoned for the construction of a single-family home for a low-income family. Barbara Sweeney, Executive Director of Hbaitat for Humanity, responded to council

member questions. There were no comments from the public.

Council members spoke regarding the following topics: the Habitat for Humanity program to construct and sell the property; the last time the City conveyed property; and traffic access related to the new Harbor Bridge.

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

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

Abstained: 0

26. First Reading Ordinance - Authorizing the Issuance of Utility System Revenue Improvement Bonds for State Water Implementation Revenue Fund for Texas (SWIRFT) funding through the Texas Water Development Board (TWDB) for Seawater Desalination

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Utility System Junior Lien Revenue Improvement Bonds, Series 2017" in an amount not to exceed \$2,750,000; making provisions for the payment and security thereof by a junior and inferior lien on and pledge of the net revenues of the City's Utility System on a parity with certain currently outstanding utility system revenue obligations; stipulating the terms and conditions for the issuance of additional Revenue Bonds on a parity therewith; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Bonds; including the approval of an application to the Texas Water Development Board; authorizing the execution of a paying agent/registrar agreement, a financing agreement, and an escrow agreement; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; complying with the regulations promulgated by the Texas Water Development Board; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the bonds; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing an effective date.

Mayor McComb referred to Item 26. Director of Financial Services Constance Sanchez stated that Item 26 and Future Agenda Item 27 are related to a loan the City requested from the Texas Water Development Board for a seawater desalination project. The purpose of Item 26 is to authorize the issuance of Utility System Junior Lien Revenue Bonds in an amount not to exceed \$2,750,000 to fund the proposed planning work for the seawater desalination project. The City will receive funding from the Texas Water Development Board's State Water Implementation Revenue Fund for Texas (SWIRFT)

program. The City Council approved the submission of an application to the Texas Water Development Board on April 26, 2017. The applicant was approved on July 20, 2017. The loan is structure as an eight-year deferment with the entire \$2,750,000 being paid off in one payment on July 15, 2025. It is anticipated that funds will be received by November 30, 2017. Item 27 is the appointment of financial advisor. Water Resource Manager Esteban Ramos, Program Manager Larijai Frances, Assistant City Manager Mark Van Vleck, and Bond Counsel Clay Binford responded to council member questions. There were no comments from the public.

Council members and staff discussed the following topic: how the funding is expected to be spent; looking at aspects to take the engineering contract to trigger-ready components including site selection, water characterization, site selection and permitting; the contract to be approved by City Council; the requirement of bond counsel and financial advisor to issue the bonds; where the City's bond counsel represents Flint Hills Refining; the recommended financial advisor, M.E. Allison & Co., completed the work to structure the bond deal; clarification between the variable salinity study and the seawater desalination project; the creation of the Local Government Corporation; the timeframe for the project; the SWIRFT program process; the funding from the Port of Corpus Christi; discussion regarding the Port of Corpus Christi stopping their efforts on desalination and working with the City; the interest rate for the loans; the industrial stakeholder group; the obligation minimum; informing the City Council of the direction of the project throughout the entire process; discussion regarding the desalination project during previous executive sessions; providing a history listing previous actions and discussions for City Council; communications with the City Council; a request for every document related to desalination from the last four years; and periodic reporting from the City's appointees to the Port of Corpus Christi Authority.

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

Abstained: 0

R. FUTURE AGENDA ITEMS: (ITEMS 27 - 36)

Mayor McComb referred to Future Agenda Items and Corporation Meeting. City Manager Rose stated that staff had planned presentations on Items 28, 32, 35, and 36. A council member requested information on Item 37.

27. Appointing Financial Advisor for the Issuance of the City of Corpus Christi, Texas Utility System Junior Lien Revenue Improvement Bonds, Series 2017"

Motion authorizing the appointment of and approving the contract for M. E. Allison, & Co., as Financial Advisor for the issuance of the "City of

Corpus Christi, Texas Utility System Junior Lien Revenue Improvement Bonds, Series 2017", in an amount not to exceed \$2,750,000.

This Motion was recommended to the regular agenda.

28. Resolution amending the City's Financial Budgetary Policies

Resolution amending Financial Budgetary Policies adopted by Resolution 031189 and providing financial policy direction on preparation of the annual budgets.

MOTION OF DIRECTION

Council Member Guajardo made a motion directing the City Manager to amend the Financial Policies, 4. 1 Internal Service Funds by stating that the reserve in each Internal Service Fund maximum be an additional 2% for a total of 5%, seconded by Council Member Rubio and passed unanimously.

This Resolution was recommended to the regular agenda.

29. Resolution Authorizing Submission of a Grant Application for the Edward Byrne Memorial Justice, Bureau of Justice Assistance Grant (JAG) FY 2017 Local Solicitation within the Police Department

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$157,240 to the U.S. Department of Justice, Bureau of Justice Assistance for funding eligible under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2017 Local Solicitation with 50% of the funds to be distributed to Nueces County under an Interlocal Agreement; and authorizing the City Manager or designee to execute an Interlocal Agreement between the City of Corpus Christi and Nueces County to establish terms for the sharing of the Edward Byrne Memorial Justice Grant (JAG) Program FY 2017-18 Local Solicitation.

This Resolution was recommended to the consent agenda.

30. Vital Records Agreement that allows the Health District to Access the Texas Electronic Registration Remote System

Motion authorizing the City Manager or designee to execute all documents necessary to accept an amendment to a contract with the Department of State Health Services (DSHS) for the amended contract period 9/1/2015 through 8/31/2018 to provide the Corpus Christi-Nueces County Public Health District (CCNCPHD) access to the Texas Electronic Registration Remote System (TER Remote System) for the purpose of issuing individual birth certificates, and pay DSHS a fee of \$1.83 for each Certification of Vital Record printed as a result of

searches of the database.

This Motion was recommended to the consent agenda.

31. Supply Agreement for the Purchase of Traffic Control Thermoplastics Material

Motion authorizing City Manager, or designee, to execute a supply agreement with Flint Trading, Inc., of Charlotte, North Carolina, for the purchase of traffic control thermoplastics material, based on a cooperative purchasing agreement with The State of Texas SmartBuy (TX SmartBuy) for a total amount not to exceed \$80,689.20. The term of the agreement is for one-year, with the option to extend up to two one-year periods, subject to the sole discretion of the City.

This Motion was recommended to the consent agenda.

32. Construction Contract for O.N. Stevens Water Treatment Plant Intermediate Sludge Removal Phase 1 FY 2018 (Capital Improvement Program)

Motion authorizing the City Manager, or designee, to execute a construction contract with American Process Group, Inc., of Tacoma, Washington in the amount of \$3,750,000 for the O.N. Stevens Water Treatment Plant (ONSWTP) Intermediate Sludge Removal Phase 1 FY 2018 for Base Bid Part A plus Additive Alternate No. 1. (Capital Improvement Program) (CIP)

This Motion was recommended to the consent agenda.

33. Service Agreement for Unleaded Gasoline and Ultra-Low Sulfur Diesel (TXLED) Fuel Delivery Service

Motion authorizing City Manager, or designee, to execute a service agreement with Petroleum Traders Corporation, of Fort Wayne, Indiana for unleaded gasoline and ultra-low sulfur diesel (TX LED) fuel delivery services, in accordance with Request for Bid No. 1178, based on the lowest responsive, responsible bid for a total amount not to exceed \$2,559,424.88 with an estimated expenditure of \$427,000.00 in FY 2016-2017. The term of this contract will be for one year with options to extend for two additional one-year periods at the sole discretion of the City.

This Motion was recommended to the consent agenda.

34. Supply Agreement for Standard Gasoline and Ultra-Low sulfur Diesel with Fuel Cards

Motion authorizing City Manager, or designee, to execute an agreement with Valero Marketing and Supply Company, of San Antonio, Texas for the purchase of standard gasoline & ultra-low sulfur diesel with fuel cards in response to Request for Bid No. 701 based on the lowest responsive, responsible bid for a total amount not to exceed \$2,999,174.78, with an estimated expenditure of \$249,931.23 funded by various funds in FY 2016-2017. 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 recommended to the consent agenda.

35. Service Agreement for the Purchase and Installation of Six Air Condition Units at Oso Wastewater Treatment Plant

Motion approving a Service Agreement for the purchase and installation of six air condition units at Oso Wastewater Treatment Plant not to exceed \$67,136.00 from Pro Tech Mechanical, Inc. of Corpus Christi, Texas through the Local Government Purchasing Cooperative dba Buyboard, for use by the Facilities and Property Management Department for Oso Wastewater Treatment Plant. Funds budgeted in FY 2016-17.

This Motion was recommended to the consent agenda.

36. Resolution Amending City Council Policies Service on More Than One Board, Commission, Committee or Corporation.

MOTION OF DIRECTION

Council Member Garza made a motion of direction to bring back a resolution amending City Council Policy Number 14 to add language allowing te City Council to appoint a person to serve as a director of both a Type A and Type B Corporation, concurrently and advertise and bring back for appointment two additional representatives to serve on the Type B Corporation, seconded by Council Member Guajardo.

This Motion of Direction was passed and approved with the followng vote: Mayor McComb, Council Members Rubio, Smith, Vaughn, Garza, Guajardo, Hunter, Molina, voting "Aye"; Council Member Lindsey-Opel voting "No".

This Resolution was recommended to regular agenda.

S. FUTURE CORPORATION MEETING: (ITEM 37)

37. Annual Board of Directors Meeting of the Corpus Christi Community Improvement Corporation (CCCIC)

This Corporation Meeting was recommended to be held.

T. BRIEFINGS: (NONE)

U. EXECUTIVE SESSION: (ITEMS 38 - 40)

Mayor McComb referred to the day's executive sessions. The Council went into executive session at 6:09 p.m. The Council returned from executive session at 8:23 p.m.

- 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 water supplies for industrial and other development, existing or potential agreements with water districts and other governmental entities involving the sale or purchase of water, wastewater, water rights or other utility services, potential economic development agreement(s) with business prospects that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and/or wastewater services, potential creation of entities that could provide or assist in the provision of the aforementioned services, desalination, water reuse, and state regulations related to the aforementioned topics, and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s), including, but not limited to, the provision of water to said business prospect(s) and the management, sale, or acquisition of rights to water for said business prospect(s).

This E-Session Item was discussed in executive session.

- 39. 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 provision of incentives pursuant to any previously executed or proposed economic development / business incentive agreement(s) between the City and/or related entities and Upper Padre Partners, LP, Gulf Shores Ventures, and/or North Padre Waterpark Holdings, Ltd. and possible development agreements or other funding mechanisms related to the construction of Park Road 22 bridge and related infrastructure, including, but not limited to, bridges, culverts, canals, sewers, lift stations, pump stations, revetments, pilings, and ditches, 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.

40. **Executive session pursuant to Texas Government Code § 551.074**
(Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

This E-Session Item was discussed in executive session.

V. **IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

Mayor McComb referred to Identifying Future Agenda Items.

MOTION OF DIRECTION

Council Member Guajardo made a motion directing the City Manager to place an item on the August 29, 2017 regarding a discussion on the Al Kruse Tennis Center, seconded by Council Member Vaughn and passed unanimously.

W. **ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.