



City of Corpus Christi

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

Meeting Minutes

City Council

Tuesday, September 19, 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 Brian Hill, First Baptist Church.**

Pastor Brian Hill gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Peter Davidson, Marina Superintendent.**

Marina Superintendent Peter Davidson 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, 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 September 23, 2017, "Girls in Aviation Day".
Proclamation declaring September 2017, "Pediatric Cancer Awareness Month".
Proclamation declaring September 2017, "Texas Strong Month".
Swearing-In ceremony for newly appointed board, commission and committee members.

Mayor McComb presented the proclamations and conducted the swearing-in ceremony for newly appointed board and committee members.

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:

a. OTHER

1) The Texas Department of Health and Human Services will open a Disaster Supplement Nutrition Assistance Program beginning today through September 25, 2017 at the American Bank Center from 8:00 a.m. to 7:00 p.m. to serve Nueces and San Patricio counties. The program will provide short-term food benefits for eligible families recovering from the disaster. Information can be obtained by calling 2-1-1, selecting Option 6 or at www.hhs.texas.gov. 2) The City of Corpus Christi Public Libraries have partnered with the Coastal Bend Food Bank for the "Food-for-Fines Program". The program allows citizens to clear overdue fines by donating non-perishable food items that will be used to assist victims of Hurricane Harvey. Each non-perishable item is worth a \$1.00 towards an outstanding library fine. The "Food-for-Fines" Event will continue through Saturday, September 30, 2017. 3) The City of Corpus Christi and the Texas Commission on Environmental Quality (TCEQ) have implemented the "Don't Mess with Texas Water" Program. The goal of the program is to provide the public with a way to report illegal dumping that can be harmful to surface water. Five partner signs are located at the following locations within the City: IH 37 and Nueces River; Highway 286 and Oso Creek; Staples and Oso Creek; JFK Causeway and Park Road 22; and Highway 361 and Packery Channel.

G. MINUTES:

2. Regular Meeting of September 12, 2017 and Special Meeting of September 8, 2017.

Mayor McComb referred to approval of the minutes. Council Member Garza made a motion to approve the minutes, seconded by Council Member Rubio

and passed unanimously.

S. BRIEFINGS: (ITEM 34)

34. Nueces County Appraisal District (NCAD) Update by Ronnie Canales, Chief Appraiser

Mayor McComb deviated from the agenda and referred to Item 34. Chief Appraiser Ronnie Canales with the Nueces County Appraisal District (NCAD) stated that the purpose of this item is to provide an update on the impact of Hurricane Harvey on property taxes and the process for property owners to report damages to the NCAD. Mr. Canales reported that NCAD personnel will be onsite in Port Aransas and Mustang Island to evaluate the properties and assess the damages in these areas. The NCAD has been working closely with the City of Port Aransas and Port Aransas Independent School District. Mr. Canales stated that Hurricane Harvey's impact on the City of Corpus Christi was minimal and damage are associated with broken fences, trees, and roof damage. Any changes to property assessments will be applied to next year's valuations.

Mr. Canales provided a preliminary totals report of net taxable values from 2012 to 2017. Mr. Canales stated that the numbers reflect the economy is slowing down and construction is stabilizing.

Council members and Mr. Canales discussed the following topics: whether Flint Hills will prevail in its lawsuit regarding valuations; the impact to the City should Flint Hills prevail in its lawsuit; that no changes will be applied to this year's valuations for properties impacted by Hurricane Harvey; and the extensive damage on Mustang Island impacting next year's net taxable values.

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. Triana Serbu, 14310 Playa del Rey, encouraged the City Council to not consider a property tax increase. Shirley Thornton, 1917 Woodcrest, spoke regarding the following: the Flour Bluff Citizens Council's town hall meeting with the Corpus Christi Police Department (CCPD) and the coordination by CCPD; support for Agenda Item 37, funding for Old Bayview Cemetery; and expressed opposition to a tax increase. Margareta Fratila, 3606 Tripoli, requested more police officers and consideration of a hotel tax to fund public

safety instead of raising taxes. Colin Sykes, 309 Aberdeen Avenue, spoke regarding his request at the August 15, 2017 City Council meeting for the mayor to participate in the Mayor's National Climate Agenda. Carolyn Moon, 4902 Calvin, spoke regarding climate change and requested the City of Corpus Christi support the Paris Climate Accord. Rick Milby, 4412 High Ridge Drive, encouraged the City Council not to support a tax increase.

H. BOARD & COMMITTEE APPOINTMENTS:

3. Corpus Christi Convention and Visitors Bureau
Corpus Christi Regional Transportation Authority
Transportation Advisory Commission
Tree Advisory Committee

Mayor McComb deviated from the agenda and referred to Item 3. The following appointments were made:

Corpus Christi Convention and Visitors Bureau

Council Member Vaughn made a motion to reappoint Kamlesh Bhikha (Hotel Industry), Melody Nixon-Bice (Hotel Industry), Johnny Philipello (Attraction Industry), and Fred F. Soward III (Restaurant Industry), seconded by Council Member Lindsey-Opel and passed unanimously.

Council Member Smith made a motion to table the remaining appointments, seconded by Council Member Lindsey-Opel and passed unanimously.

Corpus Christi Regional Transportation Authority

Council Member Lindsey-Opel nominated Patricia B. Dominguez. Council Member Paulette Guajardo nominated Gabi S. Canales. Council Member Michael Hunter nominated Robbin C. Goodman.

Patricia B. Dominguez was appointed with Mayor McComb, Council Members Lindsey-Opel, Molina, Smith, and Vaughn voting for Patricia B. Dominguez; Council Members Garza, Rubio, and Guajardo voting for Gabi S. Canales; and Council Member Hunter voting for Robbin C. Goodman.

Transportation Advisory Commission

Council Member Garza made a motion to appoint Phillip Davis (Bicycling Community Representative), seconded by Council Member Rubio and passed unanimously.

Council Member Vaughn made a motion to appoint Larry L. White, seconded by Council Member Hunter and passed unanimously.

Tree Advisory Committee

Council Member Garza made a motion to reappoint Sylvia Campos (At-Large) and Phillip Christian (Arborist or Urban Forester), seconded by Council Member

Molina and passed unanimously.

Council Member Lindsey-Opel made a motion to appoint Donald C. Fields (AEP Texas), seconded by Council Member Hunter and passed unanimously.

Council Member Smith made a motion to appoint Kevin Gibbs (At-Large), seconded by Council Member Lindsey-Opel and passed unanimously.

S. BRIEFINGS: (ITEM 35)

35. Texas State Aquarium by Tom Schmid, President and CEO

Mayor McComb deviated from the agenda and referred to Item 35. President & CEO of the Texas State Aquarium Tom Schmid stated that the purpose of this item is to provide an update on the Texas State Aquarium. Mr. Schmid reported on the Aquarium's action plan during Hurricane Harvey and post-storm recovery efforts to open the aquarium to visitors. Mr. Schmid provided background on the new Caribbean Journey exhibit and information regarding attendance and the economic impact on the City and region. Mr. Schmid presented results from the Corpus Christi Convention and Visitors Bureau's Brand Health Study reflecting the Texas State Aquarium as one of the top attractions that motivate visitors to travel to Corpus Christi. Mr. Schmid thanked the City of Corpus Christi for their continued partnership; investment of hotel occupancy tax (HOT) funding related to the Texas State Aquarium; and improvements made to North Beach.

Council members and Mr. Schmid discussed the following topics: the addition of the Caribbean Journey; the use of HOT funds to market additional tourism; Mr. Schmid's leadership; room rental for events and efforts to advertise; the efforts made to identify community support to enhance the Texas State Aquarium; and the partnership between the City and the Texas State Aquarium.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (4 - 12)

Approval of the Consent Agenda

Mayor McComb deviated from the agenda and referred to the Consent Agenda. There were no comments from the public. A council member requested that Items 4, 6, 7 and 8 be pulled for individual consideration.

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

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

Abstained: 0

5. Resolution to Execute an Advance Funding Agreement (AFA) for the Sports, Entertainment, and Arts (SEA) District Pedestrian Improvements project (Bond 2012, Proposition 8)

Resolution authorizing the City Manager, or designee, to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the Sports, Entertainment, and Arts (SEA) District Pedestrian Improvements project with City's required payment to TxDOT in the amount of \$21,000 for reimbursement of direct state costs. (Bond 2012, Proposition 8)

This Resolution was passed on the consent agenda.

Enactment No: 031245

9. Approving funds subject to reimbursement for services provided by Texas A&M Health Science Center (Coastal Bend Health Education Center) [CBHEC] utilizing Diabetes Care Team for the Corpus Christi-Nueces County Public Health District (CCNCPHD)

Motion approving up to but not to exceed \$250,000.00 to pay for services provided by Texas A&M Health Science Center (Coastal Bend Health Education Center) [CBHEC] utilizing Diabetes Care Team for the Corpus Christi-Nueces County Public Health District (CCNCPHD) for the City contract period that ended May 2, 2017 and invoices between the City contract and the County contract that begins in August 1, 2017. Nueces County to reimburse full amount of paid funds per interlocal agreement.

This Motion was approved on the consent agenda.

Enactment No: M2017-148

10. Second Reading Ordinance - Rezoning property located at 325 North Staples Street (1st Reading 9/12/17)

Case No. 0717-04 J R Electric Company: A change of zoning from the "IL" Light Industrial District to "CI" Intensive Commercial District. The property is described as Bluff, Block B, Lot 6, located at the intersection of North Staples Street and Comanche Street on the southwest corner, south of Lipan Street, and north of Caldwell Street.

Planning Commission and Staff Recommendation (August 9, 2017): Approval of the change of zoning from the "IL" Light Industrial District to the "CI" Intensive Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon

application by J R Electric Company ("Owner"), by changing the UDC Zoning Map in reference to the property described as Bluff, Block B, Lot 6, from the "IL" Light Industrial District to "CI" Intensive Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 031246

11. Second Reading Ordinance - Adopting the 2017 National Electrical Code (1st Reading 9/12/17)

Ordinance amending Corpus Christi Code of Ordinance, Chapter 14, Sections 14-201 & 14-241 to adopt the National Electrical Code, 2017 Edition, with local amendments, amending sections 14-1306, 14-1316, 14-1311, & 14-1313 to remove electrician licensing, registration, and special fee and clarifying building permit fees; providing for penalties, severance, effective date and publication.

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

Enactment No: 031247

12. Second Reading Ordinance - Accepting and appropriating funds for the 2018 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department (1st Reading 9/12/17)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Transportation (TXDOT) in the amount of \$155,000.09 for the 2018 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for Driving While Intoxicated (DWI), speed enforcement, and distracted driving overtime, with a city match of \$47,166.67, for a total project cost of \$202,166.76 and appropriating \$155,000.09 in the No. 1061 Police Grants Fund.

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

Enactment No: 031248

4. Service Agreement for Tire Repair and Replacement Services for the Corpus Christi Fire Department

Motion authorizing City Manager, or designee, to execute an agreement with Beasley Tire Services, Inc. of Houston, Texas for the repair and replacement services of tires for the Corpus Christi Fire Department in response to Request for Bid No. 978 based on the lowest responsive, responsible bid for a total amount not to exceed \$116,510.00, and

budgeted in FY2017-18. 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.

Mayor McComb referred to Item 4. Fire Chief Robert Rocha, Assistant Director of Financial Services Kim Baker and Director of Engineering Jeff Edmonds and council member discussed the following topics related to Agenda Items 4, 6, and 7: the term of the agreements providing the City Manager with an option to extend the contract administratively for additional periods; providing transparency to the public by reflecting in the agenda caption the full amount the City Council is obligating the City to when approving the action and the option years; the City Council requesting that option years not be approved administratively and brought back to the City Council for consideration or ratification yearly; the need for staff to re-evaluate the procurement process; the difference between the competitive bid process for Purchasing and Engineering contracts; whether the bid price is dependent on options to extend the term of the contracts; whether staff is checking alternate prices prior to exercising the renewal option; and the financial benefit of reviewing the renewal options yearly.

Council Member Lindsey-Opel made a motion to amend the motion by adding language "subject to City Council authorization prior to renewal hereof", seconded by Council Member Hunter and passed unanimously.

Council Member Lindsey-Opel made a motion to approve the motion as amended, seconded by Council Member Garza. This Motion was passed and approved as amended 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: M2017-144

6.

Construction Contract for Citywide Collection System Pipe Bursting Indefinite Delivery/Indefinite Quantity (IDIQ) Part C (Capital Improvement Program)

Motion authorizing the City Manager, or designee, to execute a multi-year ID/IQ construction contract with PM Construction & Rehab, LLC dba IPR South Central, LLC, of Pasadena, Texas in the amount of \$2,000,000 for Citywide Collection System Pipe Bursting ID/IQ Part C. This is a one (1) year base contract with four (4) optional one (1) year renewals to be approved administratively subject to availability of funding and satisfactory contractor performance. (Capital Improvement Program) (CIP)

Mayor McComb referred to Item 6, execution of a multi-year ID/IQ construction contract for Citywide Collection System Pipe Bursting ID/IQ Part C. Director of Engineering Services Jeff Edmonds explained the bidding process for the

multi-year construction contract and the ability for prices to be adjusted.

Council Member Lindsey-Opel made a motion to amend the motion by adding language "subject to City Council authorization prior to renewal hereof", seconded by Council Member Garza and passed unanimously.

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

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

Abstained: 0

Enactment No: M2017-145

7.

Service Agreement for Preventative and Emergency Maintenance for Various Lift Stations for Wastewater

Motion authorizing City Manager, or designee, to execute a service agreement with ADK Environmental, Inc., of Odem, Texas for preventative and emergency maintenance for various lift stations for Wastewater Division in response to Request for Bid No. 1247 based on the lowest responsive, responsible bid for a total amount not to exceed \$158,362.50, and budgeted in FY2017-18. 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.

Mayor McComb referred to Item 7, execution of a service agreement for preventative and emergency maintenance for various lift stations for the Wastewater Division.

Council Member Lindsey-Opel made a motion to amend the motion by adding language "subject to City Council authorization prior to renewal hereof", seconded by Council Member Garza and passed unanimously.

Council Member Lindsey-Opel made a motion to approve the motion as amended, seconded by Council Member Garza. his Motion was passed and approved as amended 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: M2017-146

8.

Annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS)

Motion authorizing the City Manager or designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of stream flows for rivers associated with the City's reservoirs, with the City's cost to be \$157,060. This Contract runs from October 1, 2017 to September 30, 2018.

Mayor McComb referred to Item 8, renewal of an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey. A council member referred to a transmittal letter in the agenda packet and questioned the process for handling and tracking official documents received by the City of Corpus Christi. There were no comments from the public.

Council Member Lindsey-Opel made a motion to approve the motion, seconded by Council Member Hunter. 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: M2017-147

L. RECESS FOR LUNCH

Mayor McComb recessed the Council meeting at 1:33 p.m. Mayor McComb recovered the Council meeting at 2:05 p.m.

S. BRIEFINGS: (ITEM 36)

36. Update - Port of Corpus Christi Authority by City Council Appointees

Mayor McComb deviated from the agenda and referred to Item 36. Charlie Zahn, Chairman of the Port of Corpus Christi Authority (Port), stated that the purpose of this item is to allow the City Council's Port appointees to provide an update on Port operations and activities related to Hurricane Harvey. Mr. Zahn said the presentation will conclude with an update on desalination.

Port Commissioner David Engel presented the statement of revenues and expenses; a chart reflecting tonnage; and investments at the Port. Port Commissioner Wayne Squires reported on the Port's long-range focuses including: deepening and widening the Ship Channel; the total project cost for widening and the approval of accelerated payments; land purchases; and consideration for public/private partnerships. Port Commissioner Richard Valls provided a timeline of emergency management team operations, in conjunction with the Coast Guard, to prepare for the storm including: halting incoming traffic to the Port, removing vessels, and securing barges.

Commissioner Valls praised the efforts of the recovery team post-storm and stated that the Port should receive full clearance of restrictions by the end of the week.

Chairman Zahn presented information on the Port's participation in the regional desalination efforts including: attendance and participation in industry stakeholder meetings; the Port's offering of available property, La Quinta and Harbor Island, with waterfront access for outfall and intake structures; direction to staff to look into permit applications for both sites; and reaching out to companies to interview and evaluate experience with permitting a desalination plant. Chairman Zahn presented the timeline for the desalination permit application process and the Port's intent to have a permit available should the City need to consider an alternate water source.

Council members and Chairman Zahn discussed the following topics: reassurance regarding the Port's participation in desalination efforts; the Port being instrumental in growing the economy; the Port's long-term focus for widening and deepening the channel; and the Port's commitment to environmental efforts in Corpus Christi.

M. PUBLIC HEARINGS: (ITEMS 13 - 14)

13. Public Hearing and First Reading Ordinance - Rezoning property located at 1840 Saratoga Boulevard

Case No. 0717-02 Bradley W. Shirley and Valerie V. Shirley: A change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District. The property is described as being Bohemian Colony Lands 6.379 acres out of Section 7, Lot 5, located north of Saratoga Boulevard and east of Greenwood Drive.

Planning Commission and Staff Recommendation (July 26, 2017): Approval of the change of zoning from the "RS-6" Single-Family District to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Bradley W. Shirley and Valerie V. Shirley Cox ("Owner"), by changing the UDC Zoning Map in reference to Bohemian Colony Lands 6.379 acres out of Sec. 7, Lot 5, from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb deviated from the agenda and referred to Item 13. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property for the sale of the property. 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: the public notice posted on July 26, 2017; the public hearing relating to the zoning change being delayed due to Hurricane Harvey; the plans for the property; the zoning of the surrounding property; and requesting that staff expedite the process of presenting items to City Council.

Council Member Garza 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

14.

Public Hearing and First Reading Ordinance - Rezoning property located at 6802 Weber Road

Case No. 0617-03 CC Ventures Equities IV, LP: A change of zoning from the "CN-1" Neighborhood Commercial District to "CG-2" General Commercial District. The property is described as being 0.839 acres out of the west 170 feet of Foxwood Estates Phase III, Block 11, Lot 2, located along the east side of Weber Road, north of Bratton Road, and south of Saratoga Boulevard.

Planning Commission and Staff Recommendation (July 26, 2017): Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by CC Ventures Equities ("Owner"), by changing the UDC Zoning Map in reference to the west 170 feet of Foxwood Estates Phase III, Block 11, Lot 2, from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 14. 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 a carwash. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change.

Council members and staff discussed the following topics: the location of the subject property and its proximity to Turning Point Church.

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

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

Aye: 9 - Mayor McComb, Council Member 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

N. REGULAR AGENDA: (ITEMS 15 - 18)

15. Action Setting the City Council Meeting Date to Adopt the Property Tax Rate

Motion setting October 17, 2017 as the date of the adoption of the ad valorem tax rate of \$0.626264 per \$100 valuation.

Mayor McComb referred to Item 15, action setting the City Council meeting date to adopt the property tax rate. City Attorney Miles K. Risley stated that Items 15 and 16 are related and explained that based on the City Council action to increase the tax rate to \$0.626264 and the extension of the timeline, due to Hurricane Harvey, granted by Governor Greg Abbott regarding adoption of the property tax rate, staff reviewed regulations under the Texas Tax Code and the Texas Local Government Code necessary for the City to be in compliance. City Attorney Risley stated that the City Council will need to adopt a budget to include the increased rate of \$0.626264. The revised budget was filed in the City Secretary's Office on September 15, 2017 and the law requires that the budget must be on file for 30 days before it can be adopted. The tax rate can be adopted as early as October 17, 2017. Staff is recommending setting October 17, 2017 as the date of adoption of the ad valorem tax rate of \$0.626264 per \$100 valuation.

Council members and staff discussed the following topics: concern with adopting the tax rate after the September 28, 2017, which will result in the City's taxes not being included in the consolidated tax statements issued by the Nueces County Tax Assessor; the cost associated with the City providing a separate tax statement; whether the ballot language regarding the voter-approved charter amendment to establish a dedicated fund to address residential street reconstruction funded by a tax increase included reference the rollback rate; the reason Legal Department staff were unaware of applicable legal requirements when prior action was taken by the City Council to increase the tax rate; whether the vote to increase the tax rate can be reversed; the provision in Section 102.55 of the Texas Local Government Code requiring the budget that is to be adopted be on file for 30 days; the City Council's ability to amend the proposed budget; the City would be in compliance should the City Council decide at the Special Meeting on September 22, 2017 to not increase the tax rate; staff's recommendation to adopt the proposed timeline to reduce potential risk and protect the City to the maximum extent; the date the original budget with the \$0.606264 tax rate was

filed; request to begin Council budget discussions earlier in the year; clarification that the timeline previously presented to the City Council was prior to the extension granted by the Governor; the action taken at the September 12, 2017 City Council meeting to adopt the tax rate of \$0.606264; the impact of not approving Agenda Items 15 and 16; and identifying funding in the FY2017-2018 budget for residential streets.

Mayor McComb called for a brief recess at 3:55 p.m. Mayor McComb reconvened the Council meeting at 4:04 p.m.

Council Member Garza made a substitute motion on Item 15 setting September 28, 2017 as the date of the adoption of the ad valorem tax rate of \$0.606264 per \$100 valuation, seconded by Council Member Smith.

In response to a council member, staff verified the timeline associated with this action: two public hearings to be held on Friday, September 22, 2017 at 11:30 a.m. and Monday, September 25, 2017 at 11:30 a.m. with final action taken by City Council on Thursday, September 28, 2017 at 4:00 p.m.

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: M2017-149

16. Action to Schedule Two Public Hearings Related to Fiscal Year 2017-2018 Property Tax

Motion to consider a tax increase and setting public hearings on the ad valorem tax rate for October 6, 2017 and a second public hearing for October 10, 2017 during the City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

No action taken on this item.

17. Second Reading Ordinance - Approving the Fiscal Year 2017-2018 Capital Budget and Capital Improvement Planning Guide (1st Reading 9/12/17)

Ordinance approving the Fiscal Year 2017 - 2018 Capital Budget and Capital Improvement Planning Guide in the amount of \$142,224,600.

Mayor McComb referred to Item 17. Assistant City Manager Mark Van Vleck stated that the purpose of this item is to approve the FY2017-2018 Capital Budget and Capital Improvement Planning (CIP) Guide. There were no comments from the public.

Council members and staff discussed the following topics: plans for

improvements to City Hall and the funding mechanism; and the Greenwood Wastewater Treatment Plant's UV System.

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

Aye: 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: 031249

18. Professional Services Contract for Tourist Area Amenities - Wayfinding Initiative Project

Motion authorizing the City Manager or designee to execute a professional services contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$251,860 for the Tourist Area Amenities - Wayfinding Initiative project.

Mayor McComb referred to Item 18. Business Liaison Alyssa Barrera stated that the purpose of this item is to execute a professional services contract for the Tourist Area Amenities - Wayfinding Initiative project funded by hotel occupancy tax (HOT) funds. Ms. Barrera provided the following information: project background; the project location; the project scope; an example of the project scope for the Downtown Streetscape bond project, including wayfinding signage and gateways; examples of best practices in Texas; examples of existing wayfinding signage in Corpus Christi; the project schedule; and statistics on the downtown area.

Ms. Barrera explained that the manual and implementation plan would incorporate elements for the entire community and could be applied to other parts of the City. The presentation team consisted of: Director of Engineering Services Jeff Edmonds; President of the Corpus Christi Convention and Visitors Bureau Paulette Kluge; and consultants Shane Torno with Freese and Nichols, Inc. and Peter Reed, Focus EDG.

Council members and the presentation team discussed the following topics: funding sources; the ability to coordinate wayfinding with the new Harbor Bridge; the use of technology to locate destinations; whether specific businesses will be identified on wayfinding signage and if so, consideration that those businesses contribute to funding; packaging wayfinding encourage visitors to explore the area; concern with the cost of the project; decline of ad valorem tax revenue in the downtown area; whether HOT funds can be used to enhance safety; who designed the Park and Recreation signs at Oleander Point; a mechanism to address the maintenance of the wayfinding signage to include in-house staff; concern with the professional services contract not being competitively procured; funding options for implementation; the number of buildings considered historical in the downtown area; the need for design services work to develop a wayfinding plan; the difference between the

Request for Qualifications (RFQ) and Request for Proposal (RFP) process; and the criteria for use of HOT funds.

MOTION OF DIRECTION

Council Member Vaughn made a motion directing the City Manager to go out for a RFQ for a professional services agreement for Tourist Area Amenities - Wayfinding Initiative Project, seconded by Council Member Guajardo and passed unanimously.

Q. FIRST READING ORDINANCES: (ITEMS 19 - 22)

19. First Reading Ordinance - Adopting the City of Corpus Christi Operating Budget for Fiscal Year 2017-2018

Ordinance adopting the City of Corpus Christi operating budget for the fiscal year 2017-2018 beginning October 1, 2017; to be filed with the County Clerk; appropriating monies as provided in the budget; and providing for severance.

Mayor McComb referred to Item 19. Director of Management and Budget Eddie Houlihan stated that the purpose of this item is to adopt the City of Corpus Christi Operating Budget for FY2017-2018 on first reading. Mr. Houlihan presented the following information: the number of full-time employees; revenues and total expenditures; the summary of proposed amendments; and key dates. City Manager Margie C. Rose provided an overview of the service level changes in the proposed budget.

Council members and staff discussed the following topics: identifying \$3 million for residential streets; the transfer to the arena fund in the amount of \$1,222,916; the number of sworn police officers and firefighters; and consideration to reduce the number of additional backflow prevention positions from four to one.

Council Member Garza made a motion to amend the budget by reducing the number of additional backflow prevention program positions from four to one, reducing \$226,000 from the \$306,576 originally allotted, seconded by Council Member Rubio.

Discussion on the motion to amend included: the current number of backflow prevention program positions; consideration to fund two positions; and the other inspection roles of the Development Services Department.

This motion to amend was passed and approved with the following vote: Mayor McComb, Council Members Garza, Guajardo, Hunter, Lindsey-Opel, Molina, Rubio, Smith, and Vaughn voting "Aye".

Council Member Vaughn referred to a motion of direction passed at the August 15, 2017 Council Workshop directing the City Manager to appropriate the \$2,575,022 from the Internal Services Unreserved Fund Balances to fund the following one-time General Fund costs recommended in a FY2017-2018 decision package: Municipal Court Reporting Software \$140,000; Parks and Recreation - Corpus Christi Independent School District (CCISD) Natatorium \$500,000; Police replacement vehicles \$390,294; facility repairs at Animal

Control for \$150,000; and \$650,000 for purchase of a fire truck for Fire Station 18. Council Member Vaughn stated that she would like to make a motion to allocate a portion of these funds to public safety.

City Manager Rose explained that of the \$2,575,022, only \$1,694,863 can be allocated to the General Fund and \$1,030,294 of those funds can be used for public safety. However, in order to ensure funding for Animal Control repairs and the purchase of the fire truck, \$135,431 is needed. Staff is recommending the use of the contingency account to fully cover the recommended items.

Council Member Vaughn made a motion to amend the budget by using the General Fund Revenues previously recommended to fund the one-time costs of Municipal Court Reporting Software, Parks and Recreation - Corpus Christi Independent School District (CCISD) Natatorium, and Police replacement vehicles \$390,294 for a total of \$1,030,294 to fund additional police officers, seconded by Council Member Guajardo.

The following topics were discussed: an acknowledgement to utility customers that the use of the funds for public safety is coming from utilities; the number of police officers this motion would fund; the rebate of internal service funds to fund Municipal Court Reporting Software, Parks and Recreation - CCISD Natatorium, and police replacement vehicles; whether Municipal Court Reporting Software is a one-time expense; the amount of ad valorem and sales tax that goes into the General Fund to fund Police and Fire; the cost of Police and Fire contractual obligations for one year which are funded through the General Fund; the average annual cost per police officer, including equipment, for a first-year officer and increases each year thereafter associated with the collective bargaining agreements; concern with using funds identified for one-time expenditures as a sustainable source of funding; the percentage of the Police and Fire budgets allocated to personnel; clarification that the costs per Police officer funded by Crime Control does not include equipment, which is funded by the General Fund; use of technology to support public safety efforts; staffing for Fire Station 18; and ensuring that staffing and equipment costs are considered for bond projects.

The motion to amend was passed and approved with the following vote: Council Members Garza, Guajardo, Hunter, Lindsey-Opel, Molina, Rubio, Smith, and Vaughn, voting "Aye"; Mayor McComb voting "No".

In response to council members discussions related to the use of Texas Ambulance Supplement Payment Program (TASPP) reimbursements as a source of funding to staff firefighters at Fire Station 18, City Manager Rose stated that her research indicates that the TASPP reimbursement is not a sustainable funding source for Fire personnel and she recommended that funding from the reimbursements be used to address one-time expenditures for equipment.

Council members, Fire Chief Robert Rocha, and Assistant Fire Chief Kenneth Erben discussed the following topics: the standard related to staffing a fire engine truck and the City's current staffing levels; the factors considered in staff's recommendation to shift existing personnel from Fire Station 1 to man Fire Station 18; the current service levels at Fire Station 1; liability concerns with understaffing Fire Station 1; the use of generated revenues to staff Fire Station 18; the stability of EMS billing; communications with the Downtown

Management District and the Port of Corpus Christi regarding the reduction of staffing at Fire Station 1; the cost associated with funding 15 additional firefighters; whether stipulations can be made to ensure that excess revenue generated from TASPP can be maintained in the fund should funding be eliminated; the fee study to update fee schedules; a request to provide a table illustrating the projected increase in revenue generated by TASPP and EMS billing and the timetable for staffing Fire Station 18; the number of cities currently participating in TASPP; Fire's contractual collective bargaining obligations; and how to address a reduction-in-force should funding not be available in the future.

Council Member Guajardo made a motion to amend the budget to provide that revenue generated from TASPP go directly into the Fire Department budget, seconded by Council Member Molina.

Discussion on the motion to amend included: use of the funds to staff Fire Station 18; the number of years necessary before firefighters can be placed in the field; challenges with limiting the funds to Fire Station 18; and information related to potential EMS revenue.

The motion to amend was passed and approved with the following vote: Council Members Garza, Guajardo, Hunter, Lindsey-Opel, Molina, Rubio, Smith, and Vaughn, voting "Aye"; Mayor McComb voting "No".

Council Member Lindsey-Opel made a motion to amend the budget related to Special Revenue Funds expenditures including Reinvestment Zone No. 2 with a reduction of \$89,500 and a transfer to the arena fund in the amount of \$1,222,916, seconded by Council Member Rubio and passed unanimously.

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

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

Nay: 2 - Council Member Hunter and Council Member Smith

Abstained: 0

Mayor McComb made a motion to ratify the property tax increase reflected in FY2017-2018 Operating Budget, that will raise more revenue from property taxes than in the previous fiscal year, as reflected in the adopted budget, seconded by Council Member Garza. This Motion was passed and approved with the following vote: Mayor McComb, Council Members Garza, Guajardo, Hunter, Lindsey-Opel, Molina, Rubio, Smith, and Vaughn, voting "Aye".

20.

First Reading Ordinance - Accepting and appropriating State grant for Violence Against Women Act (VAWA) Program within the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$51,920.42 for the Violence Against Women Act (VAWA) Program within the Police Department with a cash match of \$12,926.93 and an in-kind match of \$8,280.00 for a total project cost of \$73,127.34; appropriating the \$51,920.42 in the No. 1061 Police Grants Fund for the VAWA grant in the Police Department; and authorizing the transfer of \$12,926.93 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$73,127.34.

Mayor McComb referred to Item 20. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant from the State of Texas, Criminal Justice Division in the amount of \$51,920.42 for the Violence Against Women Act (VAWA) Program within the Police Department with a cash match of \$12,926.93 and an in-kind match of \$8,280 for a total project cost of \$73,127.34. There were no comments from the Council or the public.

Council Member Hunter made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on 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 State grant funds for the FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program within the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Office of the Governor, Criminal Justice Division through the U. S. Department of Justice, Bureau of Justice Assistance, in the amount of \$11,241.00 for the State FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and appropriating the \$11,241.00 in the No. 1061 Police Grants Fund to fund the enhancement of law enforcement efforts by the Police Department.

Mayor McComb referred to Item 21. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant from the Texas Office of the Governor, Criminal Justice Division through the U.S. Department of Justice in the amount of \$11,241 for the State FY2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. There were no comments from the Council or the public.

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

22. First Reading Ordinance - Appropriating Fund Proceeds for Fiscal Year 2016-2017

Ordinance appropriating amounts of: (a) \$29,800.19; (b) \$1,328,756.52; (c) \$1,822,527.28; (d) \$112,416.90; and (e) \$172,471.79; into the Airport CIP, Bond Proceeds, Utility Revenue Bond, Specialty Bond Proceeds and other Unappropriated Funds, respectively, for the following purposes: City's match for future FAA Grant Projects, Bayfront, Public Facilities, Fire, Police, Public Health and Safety, Sanitary Landfill, Library, Convention Center, Parks, and Streets, and as further detailed in Attachment 1; changing the FY 2017 Capital Improvement Budget adopted by Ordinance No. 030936 to increase expenditures accordingly.

Mayor McComb referred to Item 22. Director of Financial Services Constance Sanchez stated that the purpose of this item is to appropriate a total of \$3,465,972.68 of unappropriated interest earnings, reimbursements and miscellaneous revenue received during the year in the respective Capital Improvement Program funds from which they were earned. The funding can only be spent for purposes authorized. There were no comments from the public.

Council members and staff discussed the following topics: information on the restrictions for the use of street funds; future Council review to prioritize the funds; and review of the bond conveyance to determine if street funds could be used for residential streets.

Council Member Molina made a motion to approve the ordinance, seconded by Council Member Smith. 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 23 - 33)

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose recommended waiving the planned presentations by staff. Council members spoke regarding Item 24.

23. Service Agreement for Document Scanning Services for Development Services

Motion authorizing City Manager, or designee, to execute a service agreement with MCCi, LLC of Tallahassee, Florida for document scanning services based on the Local Government Purchasing Cooperative dba Buyboard for a total amount not to exceed \$135,000. The term of this services agreement is for six months. Funds are budgeted in the Development Services Fund for FY 2016-2017.

This Motion was recommended to the consent agenda.

24. Lease-Purchase of Two Motor Graders for Beach Operations and Ratifying Payments for Additional Monthly Rental of Existing Equipment

Resolution authorizing City Manager, or designee, to authorize all documents necessary for the lease-purchase of three loaders and two motor graders from Doggett Heavy Machinery Services, LLC of Corpus Christi, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative dba BuyBoard, with the total amount not to exceed is \$1,201,629.50; and ratifying the monthly rental of beach operations equipment for the months of November 2015 through January 2016, and November 2016 through January 2017 from Doggett Heavy Machinery Services, LLC and authorizing extension of the current rental agreement through December 2017.

This Resolution was recommended to regular agenda.

25. Construction Contract for North Padre Island Beach Access Road 2 (Bond 2014, Proposition 2)

Motion authorizing the City Manager, or designee, to execute a construction contract with Mo-Con Services, Inc. of Corpus Christi, Texas in the amount of \$446,996.46 for North Padre Island Beach Access Road 2 for Total Base bid plus Additive Alternate No.1 and Additive Alternate No. 2. (Bond 2014, Proposition 2)

This Motion was recommended to regular agenda.

26. Construction Contract for Staples Street from Alameda Drive to Morgan Avenue (Bond 2014, Proposition 1)

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 \$3,844,135.12 for Staples Street from Alameda Drive to Morgan Avenue for a total Base Bid 2 (flexible pavement). (Bond 2014 Proposition 1)

This Motion was recommended to regular agenda.

27. Master Service Agreement for Indefinite Delivery/Indefinite Quantity (IDIQ) Major Ditch Improvements (Capital Improvement Program)

Motion authorizing the City Manager, or designee, to execute a Master Service Agreement (MSA) with Lockwood, Andrews and Newnam, Inc. (LAN) of Corpus Christi, Texas in the amount of \$300,000 for IDIQ (Indefinite Delivery/Indefinite Quantity) Major Ditch Improvements. (Capital Improvement Program)

This Motion was recommended to regular agenda.

28. Engineering Testing Agreement for Cefé Valenzuela Landfill Groundwater Monitoring FY 2017-2018

Motion authorizing the City Manager, or designee, to execute an engineering testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$138,900 for the Cefé Valenzuela Landfill Groundwater Monitoring FY 2017-2018.

This Motion was recommended to the consent agenda.

29. Engineering Testing Agreement for J.C. Elliott Landfill Groundwater Monitoring FY 2017-2018

Motion authorizing the City Manager, or designee, to execute an engineering testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$131,500 for the J.C. Elliott Landfill Groundwater Monitoring FY 2017-2018.

This Motion was recommended to the consent agenda.

30. Service Agreement for Software and Equipment Upgrades for Solid Waste Scale Systems at Landfills

Resolution finding that the purchase and upgrade of software and equipment for the Solid Waste Department's scale systems is a sole source procurement; and authorizing the City Manager, or designee, to execute a service agreement with A-1 Scale Service, Inc., of San Antonio, Texas, for upgrades of the scale system software and equipment for a total amount not to exceed \$85,600.00, with funding available in the FY2016-2017 General Fund.

This Resolution was recommended to the consent agenda.

31. Contract Amendment for Employee Assistance Program Services

Motion authorizing the City Manager or designee to execute an amendment to the contract with Family Counseling Services of Corpus Christi, Texas, not to exceed \$20,000. The value of the service agreement for the full contract period of September 26, 2013 through September 30, 2017 is a not-to-exceed amount of \$69,958.

This Motion was recommended to regular agenda.

32. Service Agreement for Employee Assistance Program for a not to exceed amount of \$15,840 and a total potential multi-year amount of up to \$79,200.

Motion authorizing City Manager, or designee, to execute an agreement with Family Counseling Service of Corpus Christi, Texas to provide employee assistance program services for the Corpus Christi City employees and their families in response to Request for Bid No. 1244 based on the lowest responsive, responsible bid for a total amount not to exceed \$15,840, and is being budgeted in FY2017-18 through the annual budget appropriations. The term of the agreement is for one year with an option to extend for up to four additional one-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of up to \$79,200.

This Motion was recommended to regular agenda.

33. Service Agreement for Workers' Compensation Third-Party Administrator Services for one year at \$132,000 with four one-year options and a total potential multi-year amount of \$660,000.

Motion authorizing the City Manager or designee to execute a service agreement with York Risk Services Group, Inc. of Parsippany, New Jersey for workers' compensation third-party administrator services in accordance with Request for Proposal (RFP) No. 1133, based on best value for a total amount not to exceed \$132,000, budgeted in FY2017-18. The term of this agreement is for one year with option to extend for up to four additional one-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of up to \$660,000.

This Motion was recommended to the consent agenda.

S. BRIEFINGS: (ITEM 37)

37. Funding for Old Bayview Cemetery

Mayor McComb referred to Item 37, funding for Old Bayview Cemetery. Council Member Vaughn informed the City Council that Director of Parks and Recreation Jay Ellington and representatives of the Historical Society met to discuss funding for Old Bayview Cemetery. Council Member Vaughn reported

that funding was promised for Old Bayview Cemetery in the amount of \$50,000 until President of the Corpus Christi Convention and Visitors Bureau (CVB) Paulette Kluge chose to not support the funding. Council Member Vaughn requesting funding Old Bayview Cemetery in the amount of \$50,000 for FY16-17 and FY17-18 to be used for the reenactment and capital expenditures.

In response to Council Member Vaughn, Mr. Ellington stated that staff is researching whether capital expenditures is an authorized use of HOT funds. Funding for the programmatic portion of the request is being provided.

MOTION OF DIRECTION

Council Member Vaughn made a motion directing the City Manager to appropriate \$50,000 from HOT funds for Old Bayview Cemetery for FY16-17, seconded by Council Member Rubio.

Discussion on the Motion of Direction included: collection of HOT funds; clarification on restoration of historical buildings; the HOT fund budget; an examination of the HOT fund expenditures; challenges with funding from the current fiscal year; and the need for a contract to transfer funds to next fiscal year.

City Manager Rose stated that she will investigate this issue further and will bring back for discussion.

Council Member Vaughn withdrew her motion; Council Member Rubio withdrew her second.

T. EXECUTIVE SESSION: (ITEMS 38 - 40)

Mayor McComb referred to the day's executive sessions. The Council went into executive session at 8:18 p.m. The Council returned from executive session at 9:50 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, desalination, potential interlocal agreements with water districts and other governmental entities involving water or other utility services, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential agreements for the 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, including, but not limited to local government corporation(s), 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, potential contracts for the provision of water to 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 Auditor.

Mayor McComb referred to Item 40 and the following motion was considered:

Motion to dismiss City Internal Auditor Arlena Sones.

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

Aye: 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: M2017-150

U. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. City Manager Margie C. Rose referred to the scheduled City Council meetings: Friday, September 22, 2017 at 11:30 a.m., First Public Hearing on the Property Tax Rate; Monday, September 25, 2017 at 11:30 a.m., Second Public Hearing on the Property Tax Rate; Thursday, September 28, 2017 at 4:00 p.m., Adoption of the Property Tax Rate; and Tuesday, September 26, 2017 at 11:30 a.m., Regular City Council Meeting and Adoption of the Operating Budget.

V. ADJOURNMENT

The meeting was adjourned at 9:54 p.m.