



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, October 10, 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 11:36 a.m.

B. Invocation to be given by Deacon Michael Mantz, Diocese of Corpus Christi.

Mayor McComb announced the passing of former city council member Betty Black.

Deacon Michael Mantz gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Sylvia Wilson, Human Relations Administrator.

Human Relations Administrator Sylvia Wilson 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 Officer 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 October 8 - 14, 2017, "Court Observance Week".
Proclamation declaring October 12, 2017, "Hispanic Women's Network of Texas - Corpus Christi Chapter 'Carnaval de las Estrellas Gala' Day".
Mayor McComb presented the proclamations.

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. STREETS RELATED TO NEW HARBOR BRIDGE

Executive Director of Public Works Valerie Gray provided an update on the streets impacted by the new Harbor Bridge Project. The Harbor Bridge Project is a design-build-maintain project, developed by Flatiron/Dragados LLC., and will require schedule changes through construction of the project. Ms. Gray presented the following information: background on the immediate streets identified to be impacted: Comanche Street, Lipan Street, Timon Boulevard and Surfside Boulevard; the revised accelerated schedules; a map of the impacted streets; and projected timeline. Senior Engineering Sarah Munoz was available to respond to questions.

b. OTHER

1) City Manager Rose reported that 78% of the commercial backflow devices have been inspected and tested by the eight companies contracted to perform the assessment. The Development Services Department anticipates all of the contracts to be completed at or below the initial budget expenditure of \$300,000. 2) The Corpus Christi Public Libraries Summer Reading Program was successful with approximately 12,000 children attending events and 119,000 books checked out. The Summer Reading Program is a wonderful opportunity for the youth in the community to increase literacy skills and prevent the loss of academic progress during the summer break. 3) The Marina's occupancy is at 80% capacity, an increase from 63% last month, as a result of other area marinas located in Rockport, Aransas Pass, Ingleside and Port Aransas undergoing repairs from Hurricane Harvey. Many of the vessels in the Marina for safe harbor include families that live aboard their boats. 4) The Human Resources Department's City Champions Program received the 2017 Municipal Excellence Award, in the management innovations category, at the Texas Municipal League Annual Conference. The honor acknowledges the City Champions Program which provides employee customer services training, staff recognition awards, continuing education resources, and skill development. City Manager Rose congratulated Learning and Development Manager Liza Wisner, Learning and Organizational Development Analyst Megan Ysassi, and Director of Human Resources Steven Viera.

- 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. Jack Gordy, 4118 Bray, spoke regarding blocked sidewalks and his previous requests for the City Council or staff to place this item on the agenda for discussion. Romero Meza, 4530 Odem Drive, spoke regarding the street and sidewalk conditions on Odem Drive and the need for improvements to the neighborhood park. Kevin Burke, 350 Haroldson, presented a check to the Mayor's Hurricane Harvey Relief Fund on behalf of the Buckeye Texas Partners - Corpus Christi.

Mayor McComb requested that staff bring back an item related to the water management system, the combined reservoir levels of Lake Corpus Christi and Choke Canyon, and water releases. Mayor McComb provided a brief update on Governor Greg Abbott's recent visit, including funding for area school districts impacted by Hurricane Harvey and collection of the hotel occupancy tax (HOT).

G. MINUTES:

- 2.** Regular Meeting of September 26, 2017 and Special Meetings of September 22, 25 and 28, 2017.

Mayor McComb called for approval of the minutes. Council Member Vaughn made a motion to approve the minutes, seconded by Council Member Hunter and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS:

- 3.** Corpus Christi B Corporation
Corpus Christi Convention and Visitors Bureau
Ethics Commission
Nueces County Tax Appraisal District

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

Corpus Christi B Corporation

Council Member Garza made a motion to appoint Type A Board members Bart Braselton, Gabriel Guerra, Scott Harris, Randy Maldonado and Lee Trujillo, seconded by Council Member Lindsey-Opel and passed unanimously.

Council members discussed filling the remaining vacant positions with council members or members from the public. Mayor McComb directed staff to bring back an item for discussion regarding the composition of the board.

Mayor McComb made a motion to table the remaining appointments, seconded by Council Member Molina and passed unanimously.

Corpus Christi Convention and Visitors Bureau

Council Member Vaughn nominated Lynn Frasier (At-Large). Council Member Smith nominated Edwin (Trey) A. McCampbell III (At-Large).

Lynn Frazier (At-Large) was appointed with Mayor McComb, Council Members Lindsey-Opel, Vaughn, Rubio, and Hunter voting for Lynn Frazier and Council Members Garza, Smith, Guajardo, and Molina voting for Edwin (Trey) A. McCampbell III.

Council Member Smith nominated Kendra L. Kinnison (Hotel Industry). Council Member Garza nominated Raju G. Bhagat.

Kendra L. Kinnison (Hotel Industry) was appointed with Mayor McComb, Council Members Hunter, Molina, Rubio, Vaughn, Smith, and Lindsey-Opel voting for Kendra L. Kinnison and Council Members Guajardo and Garza voting for Raju G. Bhagat.

Ethics Commission

Council Member Vaughn made a motion to reappoint Drue Jones, seconded by Council Member Lindsey-Opel and passed unanimously.

Council Member Molina made a motion to appoint Claude C. Axel and Keith Heavilin, seconded by Council Member Lindsey-Opel and passed unanimously.

Nueces County Tax Appraisal District

Council Member Lindsey-Opel made a motion to reappoint Robert Adler (Place 3) and Gerardo "Jerry" Garcia (Place 4), seconded by Council Member Garza and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 12)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. City Manager Margie C. Rose

stated that Item 9 reflected an incorrect total amount not to exceed of \$350,941. The correct amount for the two year period is \$701,882. Item 12 is listed as a first reading and should state second reading. City Secretary Rebecca L. Huerta announced that Council Member Lindsey-Opel was abstaining on Items 5 and 8. Council members requested that Items 9 and 10 be pulled for individual consideration. There were no comments from the public.

A motion was made by Council Member Lindsey-Opel, seconded by Council Member Garza, 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

4. Small Business Agreement for Del Mar College Internship Program

Resolution to approve a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide grant up to \$150,000 for their internship program to assist small businesses.

This Resolution was passed on the consent agenda.

Enactment No: 031259

6. Small Business Agreement for LiftFund, Inc.

Resolution to approve the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and LiftFund, Inc. (LiftFund) to provide a grant up to \$250,000 for their loan buy-down program to assist small business.

This Resolution was passed on the consent agenda.

Enactment No: 031261

7. Small Business Agreement for Service Corps of Retired Executives (SCORE) Chapter 221

Resolution to approve a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Service Corps of Retired Executives (SCORE) Chapter 221 to provide a grant up to \$52,600 for their small business assistance program.

This Resolution was passed on the consent agenda.

Enactment No: 031262

11. Resolution authorizing the submission of a grant application for

the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of up to five million dollars (\$5,000,000) to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program.

This Resolution was passed on the consent agenda.

Enactment No: 031265

12. Second Reading Ordinance - Closing of a utility easement located at 6024 Crosstown Expressway (1st Reading 9/26/17)

Ordinance abandoning and vacating 0.303 acre of an existing utility easement out of a part of Bohemian Colony Lands, Block 7, Lot 2, located at 6024 Crosstown Expressway and requiring the owner, AEP Texas Central Company, to comply with the specified conditions.

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

Enactment No: 031266

5. Small Business Agreement for Texas A&M University - Corpus Christi Internship Program

Resolution to approve a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Texas A&M University - Corpus Christi (TAMU-CC) to provide grant up to \$150,000 for their internship program to assist small businesses.

Mayor McComb referred to Item 5. Council Member Garza made a motion to approve the resolution, seconded by Council Member Rubio. 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: 031260

8. Small Business Agreement for Del Mar College Procurement Technical Assistance Center

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide a grant up to \$48,490 for their

Procurement Technical Assistance Center (PTAC) to assist small business.

Mayor McComb referred to Item 8. Council Member Garza made a motion to approve the resolution, seconded by Council Member Rubio. 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: 031263

9. Supply Agreement for the Purchase of Liquid Ammonium Sulfate Solution for the O.N. Stevens Water Treatment Plant for a not to exceed amount of \$350,941.00 with a potential multi-year amount of up to \$2,105,646.00

Motion authorizing the City Manager, or designee, to execute a supply agreement with Chemtrade Chemicals US, LLC, of Parsippany, New Jersey for the purchase of liquid ammonium sulfate solution in response to Request for Bid (RFB) No. 1261, based on the lowest responsive, responsible bid, for a total amount not to exceed \$ 350,941.00, of which \$175,470.50 will be funded by the Water Fund in FY2017-18. The term of the agreement is for two years with an option to extend for two additional two-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of up to \$2,105,646.00.

Mayor McComb referred to Item 9, a supply agreement for the purchase of liquid ammonium sulfate solution. In response to a council member, City Manager Margie C. Rose reported that staff will provide a recommendation on how to address contracts that are potentially impacted by a renewal clause and will clarify the term "the City" when referring to authorization. There were no comments from the public.

Council Member Lindsey-Opel made a motion to amend the motion by changing the total amount not to exceed from \$350,941 to \$701,882, seconded by Council Member Garza and passed unanimously.

Council Member Garza made a motion to approve the motion as amended, seconded by Council Member Hunter. 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: M2017-161

10. Resolution for a Supply Agreement for the Purchase of Chemkeys and Reagents for O.N. Stevens Water Treatment Plant for a total not to exceed amount of \$825,780.23 for the three-year term

Resolution finding that the purchase of chemkeys and reagents for O.N. Stevens Water Treatment Plant is a sole source procurement; and authorizing the City Manager, or designee, to execute a supply agreement with Hach Company of Loveland, Colorado, for the purchase of chemkeys and reagents for a total amount not to exceed \$825,780.23 for a three-year term, with an annual step price increase.

Mayor McComb referred to Item 10, the purchase of chemkeys and reagents for the O.N. Stevens Water Treatment Plant. Executive Director of Utilities Dan Grimsbo and council members discussed the following topics: whether chemkeys are currently being used; the cost comparison between chemkeys and the older optical method; an example of the chemkey; the chemkey system would allow for immediate test results and accuracy; and whether the purchase was budgeted. There were no comments from the public.

Council Member Rubio made a motion to approve the Resolution, seconded by Council Member Molina. 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: 031264

M. PUBLIC HEARINGS: (ITEMS 13 - 15)

13. Public Hearing and First Reading Ordinance - Rezoning property located at 7601 Yorktown Boulevard

Case No. 0617-04 Gulfway Shopping Center: A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single Family 4.5 District. The property is described as being 27.20 acres out of Lot 5, Section 24 and Lots 21 and 28, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Yorktown Boulevard, east of Rodd Field Road, and west of Starry Road.

Planning Commission and Staff Recommendation (August 23, 2017): Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

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

application by Gulfway Shopping Center ("Owner"), by changing the UDC Zoning Map in reference to 27.20 acres out of Lot 5, Section 24 and Lots 21 and 28, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District to the "RS-4.5" Single Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 13. 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 medium residential housing with the continuation of the Rancho Vista Subdivision. 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.

Mayor McComb and staff discussed the following topics: whether Starry Road was inside the city limits; the gun range located on Starry Road; and a request that the developer disclose the proximity of the gun range to homeowners.

Council Member Garza 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

14. Public Hearing and First Reading Ordinance - Rezoning property located at 4502 Kasper Street

Case No. 0317-03 Bruce Callaway: A change from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District. The property is described as a 2.95 acre tract of land being the Easterly 205 feet of Lot Two (2), W. C. Lowery Park, a Subdivision of Corpus Christi, Nueces County, Texas, located along the south side of Gollihar Road east of the intersection with Kasper Street, east of Carroll Lane, and west of Weber Road.

Planning Commission and Staff Recommendation (May 3, 2017):
Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, in lieu thereof approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit (SP) with conditions.

Ordinance:
Ordinance amending the Unified Development Code ("UDC"), upon application by Bruce Callaway ("Owner"), by changing the UDC Zoning

Map in reference to a 2.95 acre tract of land being the Easterly 205 feet of Lot Two (2), W. C. Lowery Park, from the "RS-6" Single-Family 6 District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit; 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 mini-storage business. Mr. Green stated that the Planning Commission and staff recommend denial of the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, and in lieu thereof, approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit. Mr. Green reported that the applicant is in agreement with the recommendation.

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

Council Member Molina 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

15. Public Hearing and First Reading Ordinance - Rezoning property located at 5801 Patton Street

Case No. 0817-01 Plains Capital Bank: A change of zoning from "IL" Light Industrial District to the "CG-1" General Commercial District. The property is described as Wooldridge Creek Center, Block 4, Lot 1D, located on the west side of Patton Street, south of Holly Road, and north of Wooldridge Road.

Planning Commission and Staff Recommendation (August 23, 2017):
Approval of the change of zoning from the "IL" Light Industrial District to the "CG-1" General Commercial District

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Plains Capital Bank ("Owner"), by changing the UDC Zoning Map in reference to Wooldridge Creek Center, Block 4, Lot 1D, from the "IL" Light Industrial District to the "CG-1" 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 15. Interim Director of Development Services

Bill Green stated that purpose of this item is to rezone the subject property to allow for the operation of an alternative high school. 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 Council or the public. Mayor McComb closed the public hearing.

Council Member Garza 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

N. REGULAR AGENDA: (ITEMS 16 - 17)

16. Resolution Adopting the Nueces County Multi-Jurisdictional Hazard Mitigation Action Plan

A resolution of the City Council of the City of Corpus Christi, Texas adopting the Nueces County Multi-Jurisdictional Hazard Mitigation Action Plan.

Mayor McComb referred to Item 16. Interim Director of Development Services Bill Green stated that the purpose of this item is to adopt the Nueces County Multi-Jurisdictional Hazard Mitigation Action Plan. Floodplain Manager Yvette Dodd responded to questions.

Council members and staff discussed the following topics: whether adopting the plan automatically approves the mitigation projects; the City Council's ability to modify or amend the plan to include other projects; and projects identified in the plan are currently approved in the Capital Improvement Program (CIP).

Council Member Garza made a motion to approve the resolution, seconded by Council Member Molina. 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: 031267

17. Ordinance - Appropriating Program Income for the Regional Local Services System/Local Public Health System (RLSS/LPHS) grant for use by the Health Department

Ordinance appropriating \$200,000.00 from the estimated program revenue in Health Grants Fund No. 1066 as State fiscal year 2016-17 program revenue to fund laboratory and public health services at the Corpus Christi-Nueces County Public Health District for the contract period September 1, 2016 through August 31, 2017; and declaring an emergency.

Mayor McComb referred to Item 17. Director of Public Health Annette Rodriguez stated that the purpose of this item is to appropriate \$200,000 from estimated program revenue from a grant awarded by the Texas Department of State Health Services to fund laboratory and public health services. There were no comments from the Council or the public.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on emergency 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: 031268

O. FIRST READING ORDINANCES: (ITEMS 18 - 20)

19. First Reading Ordinance - Approval of the amendment to the previously approved agreement and appropriating Water Distribution Main Trust funds for Vantage at Corpus Christi, LLC.

Ordinance authorizing the City Manager or designee to execute an amendment to the previously approved Distribution Main Extension Construction and Reimbursement Agreement ("agreement") with Vantage at Corpus Christi, LLC., ("developer"); and appropriating \$34,551.83 from the No. 4030 Distribution Main Trust Fund to reimburse the developer in accordance with the amendment to the agreement.

Mayor McComb deviated from the agenda and referred to Item 19. Interim Director of Development Services Bill Green stated that the purpose of this item is to amend an existing Distribution Main Extension Construction and Reimbursement agreement with Vantage at Corpus Christi, LLC. There were no comments from the public.

In response to a council member, Mr. Green stated that staff identified an error in the calculation of the credit.

Council Member Garza 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 - Approval of the amendment to the agreement and appropriating additional Water Distribution Main Trust funds for Peterson Properties, Ltd.

Ordinance authorizing the City Manager or designee to execute an amendment to the Distribution Main Extension Construction and Reimbursement Agreement ("Agreement") with Peterson Properties, Ltd., ("Developer"), for the additional construction cost of a distribution main line; and appropriating \$64,035.73 from the No.4030 Distribution Main Trust fund to reimburse the developer in accordance with the amendment to the original agreement.

Mayor McComb referred to Item 20. Interim Director of Development Services Bill Green stated that the purpose of this item is to approve an amendment to an existing Distribution Main Extension Construction and Reimbursement Agreement with Peterson Properties, Ltd. for the development of Westpoint Crossing. There were no comments from the public.

Council members and staff discussed the following topics: the reimbursement being funded by developer funds; extension of the distribution main line will provide the opportunity for additional development; the need for additional work to be added due to differing site conditions encountered during construction; and staff's review of contracts.

Council Member Rubio 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

18. First Reading Ordinance - Accepting and appropriating grant funds for the Victims of Crime Act (VOCA) grant 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 \$281,860.18 to continue the Victims of Crime Act (VOCA) Grant within the Police Department for Year 18 and 19 with a City match of \$60,865.04 and an in-kind match of \$9,600 from

the No. 1020 Police General Fund; appropriating the \$281,860.18 in the No. 1061 Police Grants Fund to continue the VOCA grant in the Police Department; and authorizing the transfer of \$60,865.04 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$352,325.22.

Mayor McComb deviated from the agenda and referred to Item 18. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant in the amount of \$281,860 from the State of Texas, Criminal Justice Division to continue the Victims of Crime Act (VOCA) Grant within the Police Department. 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 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

L. RECESS FOR LUNCH

Mayor McComb called for recess at 1:28 p.m. The Council returned from recess at 2:02 p.m.

P. FUTURE AGENDA ITEMS: (ITEMS 21 - 26)

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that staff did not have any planned presentations. Council members requested information on Item 22.

21. Purchase of Tactical Gear for the Special Weapons and Tactics (S.W.A.T.) Team within the Police Department

Motion approving the purchase of various types of tactical gear for the S.W.A.T. team from GT Distributors, Inc., from Austin, Texas, based on a cooperative purchasing agreement with Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$181,871.66. Funds are budgeted in FY2017-18 Fund 1062 Fire Grant.

This Motion was recommended to the consent agenda.

22. Service Agreement for School Crossing Guard Services within the Police Department

Motion authorizing City Manager, or designee, to execute a service agreement with All City Management Services, Inc., Santa Fe Springs, California for school crossing guard services, in accordance with Request for Bid No. 1148, based on the lowest responsive, responsible

bid for a total amount not to exceed \$360,864, of which \$333,105 is funded in FY2017-18 Red Light Photo Fund. The term of this contract will be for 13 months.

This Motion was recommended to the consent agenda.

23. Purchase of a HazMat Elite Handheld Detection System for the Fire Department

Motion approving the purchase of a HazMat Elite Handheld Detection System from FarrWest Environmental Supply, Inc., from Schertz, Texas, based on a cooperative purchasing agreement with Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$59,950.00. Funds are budgeted in FY 17-18 Fund 1062 Fire Grant.

This Motion was recommended to the consent agenda.

24. Resolution authorizing Oso Golf Course Claim Settlement

Resolution authorizing payment to Foresight Corpus Christi Golf LLC for claim settlement of \$74,653.67 in replacement expenses for the Oso Golf Course cart barn damaged by fire on September 30, 2016.

This Resolution was recommended to the consent agenda.

25. Engineering Design Contract for Corpus Christi Museum of Science and History Floodwall from Type A Funds

Motion authorizing the City Manager, or designee, to execute a professional services contract with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$216,871 for the Corpus Christi Museum of Science and History Floodwall project for survey, design, permitting, bid and construction phase services.

This Motion was recommended to the consent agenda.

26. Disbursement of Council Member Paulette M. Guajardo's FY2017/2018 Salary

Motion authorizing the City Manager or designee to execute an agreement with 911 Park Place d.b.a. Mission 911, a Texas non-profit corporation, of Corpus Christi Texas, in the amount of \$6,459.00, to be funded by Council Member Paulette M. Guajardo's FY2017/2018 budgeted city council salary and associated payroll taxes, which are not to be received by Council Member Guajardo, in support of programs provided by 911 Park Place d.b.a. Mission 911 in the City of Corpus Christi, Texas.

This Motion was recommended to the consent agenda.

Q. BRIEFINGS: (ITEM 27)

27. Control Network Architecture Upgrade for ONSWTP High Service Number 3

Mayor McComb referred to Item 27. Executive Director of Water Utilities Dan Grimsbo stated tha the purpose of this item is to discuss a design and construction amendment for the O.N. Stevens Water Treatment Plant High Service Pump No. 3 Project and address the pump logic control system. The High Service Pump No. 3 Project began in October 2016 and will be completed in September 2019. The project budget is approximately \$23.5 million. The project will provide for six new pumps and replaces the existing High Service Pump No. 1 constructed in 1954 as part of the original treatment plant. Mr. Grimsbo presented the following information: a background on the project; the current control design components; the proposed controls design; the benefits of the upgrades; schedule impact; and actions moving forward. Mr. Grimsbo stated that since the project bid was nearly \$2 million under budget, staff is recommending moving forward with the original design to provide for a control system with the highest reliability. The design cost is approximately \$50,000 and construction cost is approximately \$200,000.

Council members and staff discussed the following topics: the cost of design; the age of the current control system; the reason the design integration and programming of software for each controller were not included in the original scope of work; the procurement process for selecting the engineer for the project; ensuring compatibility of all system improvements; when the project originally began; and an explanation of the power outage during Hurricane Harvey and the water boil notice.

R. EXECUTIVE SESSION: (ITEMS 28 - 29)

Mayor McComb referred to the day's executive sessions. The Council went into executive session at 2:39 p.m. The Council returned from executive session at 3:28 p.m.

28. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning claims, pending litigation, potential settlement, attorney's fees, and/or other potential legal matters regarding lawsuit of Ray Rosas, Virginia Rosas, Individually and on Behalf of Brenda Rosas, Isabel Rocha And Jose Maria Pena, vs. The City of Corpus Christi, Andy Trevino, Justin Sanders, Adam Villarreal, Ross Murray, Heriberto Martinez, Michael Landino, Roger Arevalo, Yezenia Banuelos and John Villarreal.

Mayor McComb referred to Item 28 and the following motion was considered:

Motion to authorize the City Manager or designee to amend the contract with the Law Office of McKibben, Martinez, Jarvis & Wood, LLP to defend City police officers in the lawsuit of Ray Rosas, Virginia Rosas, individually and on

behalf of Brenda Rosas, Isabel Rocha, and Jose Maria Pena vs. City of Corpus Christi, Andy Trevino, Justin Sanders, Adam Villarreal, Ross Murray, Heriberto Martinez, Roger Arevalo, Michael Landino, Yezenia Banuelos and John Villarreal to provide an additional \$100,000 of funding for said defense.

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

Aye: 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: M2017-162

- 29. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the representation of the City for issuance of debt, including, but not limited to, potential conflict of interest matters related to bond counsel duties.**

This E-Session Item was discussed in executive session.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items.

MOTION OF DIRECTION

Council Member Smith made a motion directing the City Manager to bring back an item regarding the establishment of a council committee to address the budget, seconded by Council Hunter. This Motion of Direction was passed unanimously.

Council Member Rubio requested an item regarding the digitization of documents at the Public Health District. This item was approved by consent of the City Council.

MOTION OF DIRECTION

Council Member Lindsey-Opel made a motion directing the City Manager to bring back a discussion item regarding a policy on the City Council's utilization of public access resources including the use of the studio, staffing, structured public service announcement; and communications, seconded by Council Member Molina. This Motion of Direction was passed unanimously.

Council Member Lindsey-Opel requested an after-action regarding lessons learned and communication related to Hurricane Harvey. City Manager Margie C. Rose stated that she would add this item to a future agenda.

T. ADJOURNMENT

The meeting was adjourned at 3:41 p.m.