



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, October 17, 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 Reverend Bruce Wilson, Church of Reconciliation.

Mayor McComb asked for a moment of silence in remembrance of community activist Abel Alonzo.

Reverend Bruce Wilson gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by William Broyles, Captain, Police/Program Manager Animal Care Services.

Police Captain William Broyles 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 October 20-22, "57th Annual Texas Jazz Festival" Days.
Proclamation declaring October 25, 2017, "HELP Hits the High Notes Day".
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. STATUS OF DROUGHT CONTINGENCY PLAN AND WATER RELEASES

City Manager Margie C. Rose stated that the purpose of this report is to provide an update on the Drought Contingency Plan and Water Releases. Assistant City Manager Mark Van Vleck reported that Lake Corpus Christi is at 100% capacity and the current combined capacity for Choke Canyon Reservoir and Lake Corpus Christi is 51.4%. The City will remain in Stage 1 of the Drought Contingency Plan until there is a combined capacity above 60% for 15 consecutive days. Pass-through targets have been met through a combination of flows over the salt-water barrier in Calallen and the Rincon Bayou Pump Station. There is a surplus of 11,000 acre feet. The November pass-through target is 4,000 acre feet. Two thousand acre feet from this month's surplus can be applied toward half of next month's requirements. Two floodgates are open at Lake Corpus Christi and will remain open for a few more days which will provide additional flooding downstream. Additional flooding downstream could occur should the City receive additional rain in the next few months.

Council members and staff discussed the following topics: an explanation of the credit received from the pass-through of surplus; a future discussion on the terms of the agreed order; whether installation of a pump system at Three Rivers to pump water from Nueces River to Choke Canyon was considered; alternatives to water release requirements; modifications to the Drought Contingency Plan to include Lake Texana in the combined system totals; whether the Drought Contingency Plan inaccurately reflected the amount of available water; the number of water sheds; communications to the public regarding the water index; notification to residents before water is released; and whether wastewater is being pumped into the Rincon Bayou as part of the release requirements.

b. STORM DEBRIS REMOVAL UPDATE

City Manager Margie C. Rose stated that the purpose of this report is to provide an update on the storm debris removal from Hurricane Harvey. Director of Solid Waste Operations Lawrence Mikolajczyk presented the following information: the Multi-Hazard Disaster Debris Management Plan; the debris recovery contract with CrowderGulf; the debris monitoring contract with Tetra Tech; the debris management sites; the current storm brush collection areas; photographs of the challenges impacting debris collection; and the second/final collection sweep.

Council members and staff discussed the following topics: completion dates of the final sweep; areas in the City where debris was not been collected in first sweep; how areas to begin the debris collection process were determined; the contact information to provide to the public to report where collection has not occurred; the reason that only half a street would have been addressed; collection of debris blocked by vehicles; comments from council members commending the Solid Waste Department for their work on storm debris removal; clarification on press releases related to debris removal; and future consideration to require contractors that are trimming trees after a storm to remove and haul away the limbs that are trimmed.

c. OTHER

1) City Manager Rose presented a video related to the completion of the Bond 2012 Staples Street Improvement Project from Morgan Avenue to IH 37. City Manager Rose invited the City Council and public to attend an event on Friday, October 27, 2017 at 9:00 a.m. at the corner of Staples Street and Morgan Avenue for the completion of the Bond 2012 Staples Street Improvement Project, from Morgan Avenue to IH 37, and to kickoff the Bond 2014 Staples Street Improvement Project, from Morgan Avenue to Alameda Street. 2) City Manager Rose recognized the Parks and Recreation Department for earning national accreditation through the Commission for Accreditation of Park and Recreation Agencies and the National Recreation and Park Association.

Mayor McComb requested that staff bring back a discussion on the City's Municipal Solid Waste fee.

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. Flo East, 1605 Yorktown; James Danglade, Laguna Reef Restaurant; and Nick Manaris, Bluff's Landing, spoke in support of Agenda Item 16, a

rezoning of property located at 101 Caribbean Drive to allow for the construction of a Recreational Vehicle (RV) Resort. Bobby Petty, U.S. Small Business Administration, provided an update on the recovery process after Hurricane Harvey to assist small businesses, homeowners, and renters in the area and informed residents that the deadline for filing with FEMA or the SBA is Tuesday, October 24, 2017. Kathy Wemer, 518 Peerrman Place and on behalf of the Nueces County Historical Commission, invited the City Council to attend a marker dedication for Snapka's Drive Inn, located at 4760 Leopard, on Friday, October 27, 2017 at 5:00 p.m. Allison Franklin, 3221 Nassau; Kevin Grote, 3201 Nassau; Dylan Grote, 3201 Nassau; Cindy Hamilton, 3230 Nassau; John Damecourt, 3143 Nassau; and Sandra Gideon, 3217 Nassau, spoke in opposition to Agenda Item 16, a rezoning of property located at 101 Caribbean Drive to allow for the construction of a Recreational Vehicle (RV) Resort, and expressed concerns regarding: infrastructure; decreases in water pressure; the environmental impact; the development's participation in the maintenance of canals; the number of lots; the public notification; and incompatibility with the adjacent residential neighborhood. Susie Luna Saldana, 4710 Hakel, stated that funeral services for Abel Alonzo will be held Thursday, October 19, 2017 at 7:00 p.m. at Iglesia Nueva Esperanza located at 226 Old Robstown Road and thanked Council Member Guajardo for being present during Mr. Alonzo's illness. Ray Lucas, Lucas and Associates, spoke on behalf of Prospera Housing/TG 110 and extended an informal invitation to the City Council for the grand opening of Glenoak Apartments in Flour Bluff at a date to be determined between December 5-7, 2017. Joan Veith, 5701 Cain Drive, spoke regarding the lack of customer service by fencing companies in Corpus Christi. Bobby Garcia, referred to Agenda Item 16, a rezoning of property located at 101 Caribbean Drive to allow for the construction of a Recreational Vehicle(RV) Resort, and expressed that he supported development on the property, but not necessarily an RV park.

G. MINUTES:

2. Regular Meeting of October 10, 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.

H. BOARD & COMMITTEE APPOINTMENTS:

3. Committee for Persons with Disabilities
Regional Health Awareness Board

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

Committee for Persons with Disabilities

Council Member Vaughn nominated Sabrina Ramirez. Council Member Guajardo nominated Jose Chapa. Council Member Lindsey-Opel nominated Vanessa P. Nisbet.

Sabrina Ramirez was appointed with Mayor McComb, Council Members

Hunter, Rubio, Vaughn, Smith, and Garza voting for Sabrina Ramirez; Council Members Molina and Lindsey-Opel voting for Vanessa P. Nisbet; and Council Member Guajardo voting for Jose Chapa.

Regional Health Awareness Board

Council Member Vaughn made a motion to reappoint Ambar Qureshi (City Community Representative), seconded by Council Member Rubio and passed unanimously.

L. RECESS FOR LUNCH

Mayor McComb recessed the meeting at 1:34 p.m. Mayor McComb reconvened the meeting at 2:08 p.m.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 15)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. There were no comments from the public. Council members requested that Items 5, 8 and 11 be pulled for individual consideration.

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

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

Abstained: 0

4. 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 passed on the consent agenda.

Enactment No: M2017-163

6. 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 passed on the consent agenda.

Enactment No: M2017-165

7. 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 passed on the consent agenda.

Enactment No: 031269

9. 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 passed on the consent agenda.

Enactment No: M2017-167

10. Second Reading Ordinance - Rezoning property located at 7601 Yorktown Boulevard (1st Reading 10/10/17)

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.

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

Enactment No: 031270

12.

Second Reading Ordinance - Rezoning property located at 5801 Patton Street (1st Reading 10/10/17)

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.

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

Enactment No: 031272

13.

Second Reading Ordinance - Accepting and appropriating grant funds for the Victims of Crime Act (VOCA) grant within the Police Department (1st Reading 10/10/17)

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.

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

Enactment No: 031273

14. Second Reading Ordinance - Approval of the amendment to the previously approved agreement and appropriating Water Distribution Main Trust funds for Vantage at Corpus Christi, LLC (1st Reading 10/10/17)

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.

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

Enactment No: 031274

15. Second Reading Ordinance - Approval of the amendment to the agreement and appropriating additional Water Distribution Main Trust funds for Peterson Properties, Ltd (1st Reading 10/10/17)

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.

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

Enactment No: 031275

5. 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.

Mayor McComb referred to Item 5, a service agreement for school crossing guard services. Police Chief Mike Markle, City Manager Margie C. Rose, and council members discussed the following topics: Corpus Christi Independent School District (CCISD) and Flour Bluff Independent School District's (FBISD) responsibility to fund crossing guards and provide for the safety of their students; whether crossing guards are authorized to issue citations for traffic violations; the Police Department assisting with the training of crossing guards regarding properly directing traffic; the number of school zone accidents; and ensuring the safety of the children. There were no comments from the public.

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

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

Abstained: 0

Enactment No: M2017-164

8.

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.

Mayor McComb referred to Item 8, a professional services contract for the Corpus Christi Museum of Science and History Floodwall (Type A). Director of Engineering Services Jeff Edmonds and council members discussed the following topics: the total estimated project budget; the project site located on property owned by the Port of Corpus Christi Authority (POCCA); the project scope, to include building a retaining wall with backfill between the new wall and existing wall location; the Museum Floodwall identified as the highest vulnerability to the downtown flood protection system; concerns relating to the construction of the new Harbor Bridge; discussions with the POCCA regarding use of the property and possible contributions to the project; use of dredging materials from dredging performed by POCCA to fill the bulkhead structure; the urgency of the project; whether engineering fees are based on the total project scope; approval of the project by the Type A Board and the project being identified in the Capital Improvement Program (CIP); the completion of the vulnerability assessment; FEMA's review of the flood projection system and identifying the downtown area as a Zone X exclusion zone; whether there was consideration to reinforce the existing structure; a request to provide the City

Council with projects that are completed under estimated budget; the time invested by the Engineering Services Department on the Museum Floodwall; the height of the new floodwall; the condition of the floodwall after Hurricane Harvey; use of concrete debris to reinforce the existing wall; and a request to bring back an update on the project in the future.

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

Aye: 6 - Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Rubio, Council Member Smith and Council Member Vaughn

Nay: 2 - Mayor McComb and Council Member Garza

Absent: 1 - Council Member Molina

Abstained: 0

Enactment No: M2017-166

11.

Second Reading Ordinance - Rezoning property located at 4502 Kasper Street (1st Reading 10/10/17)

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 11, Zoning Case No. 0317-03, Bruce Callaway for rezoning of property located at 4502 Kasper Street. In response to a council member, Interim Director of Development Services Bill Green stated that the developer is aware that the property is currently being used by the Gollihar

Road Project contractor as a lay-down yard and will not be moving forward until Gollihar Road construction is complete. There were no comments from the public.

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

Aye: 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: 031271

M. PUBLIC HEARINGS: (ITEM 16)

16. Public Hearing and First Reading Ordinance - Rezoning property located at 101 Caribbean Drive

Case No. 0717-03 B.L. Marina Properties, LP: A change of zoning from the "CG-2" General Commercial District to the "RV" Recreational Vehicle Park District. The property is described as being 7.95 acres out of Lots 22 and 23, Section 53, Flour Bluff & Encinal Farm & Garden Tracts, located east of Laguna Shores Road, on the south side of Caribbean Drive at the Laguna Madre.

Planning Commission and Staff Recommendation (August 9, 2017): Approval of the change of zoning from the "CG-2" General Commercial District to the "RV" Recreational Vehicle Park District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by B.L. Marina Properties, LP ("Owner"), by changing the UDC Zoning Map in reference to the property being 7.95 acres out of Lots 22 and 23, Section 53, Flour Bluff & Encinal Farm & Garden Tracts, from the "CG-2" General Commercial District to the "RV" Recreational Vehicle Park District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 16. Interim Director of Development Services Bill Green stated that the purpose of the item is to rezone the subject property to allow for the construction of a 60-pad Recreational Vehicle (RV) Resort. Mr. Green stated that the Planning Commission and staff recommended approval of the zoning change.

Mayor McComb opened the public hearing. Shirley Thornton, 1917 Woodcrest Drive, presented comments provided to the Flour Bluff Citizens Council in support of the zoning change. Anderson Price, spoke on behalf of the

applicant, and stated that the plan for the RV resort is to provide a high-end, luxury facility. Mr. Price referred to the applicant's development of Bluff's Landing and provided before and after photographs of the improvements and continued commitment to the property. Mayor McComb closed the public hearing.

Council members discussed the following topics: the allowable uses in "CG-2" General Commercial District; the age restrictions and requirements of coaches and trailers; the distance of Laguna Shores to the park entrance; the operations of the RV resort and ability to manage tenants; the lot size; the proposed zoning is more restrictive than the current zoning; traffic impact; clarification regarding the notification area; and the number of RV parks in the area.

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

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

Abstained: 0

N. REGULAR AGENDA: (ITEM 17)

17. Lease-Purchase of Three Loaders and Two Motor Graders for Beach Operations

Motion 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.

Mayor McComb referred to Item 17. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to lease-purchase three loaders and two motor graders for beach operations. Mr. Ellington stated that staff's recommendation is that this is an on-going operational expense and should not be purchased from reserves. Mr. Ellington explained that future items coming forward include: ratifying the extension to the lease of current equipment and a request to provide funding from reserves for emergency purchases for equipment lost during Hurricane Harvey. There were no comments from the public.

Council members and staff discussed the following topics: whether the funding for emergency purchases will be reimbursed by FEMA; the use of local HOT funds and State HOT funds to lease-purchase the equipment; the savings of \$105,000 in interest cost from purchasing the equipment; and the amount of funds in reserves.

Council Member Smith made a motion to amend the motion to purchase the equipment out of reserves instead of lease-purchasing, seconded by Council Member Hunter and passed unanimously.

Mayor McComb made a motion to approve the motion as amended, seconded by Council Member Lindsey-Opel. 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: M2017-168

O. FIRST READING ORDINANCES: (ITEMS 18 - 19)

18. First Reading Ordinance - Ordinance authorizing the City Manager or designee to execute a Use Privilege Agreement with Flowserve Corp. / Flowserve US, Inc. located at 299 Gilliam Street

Ordinance authorizing City Manager or designee to execute a Use Privilege Agreement with Flowserve Corp. / Flowserve US Inc. ("Permittee") to install a private wastewater collection system and conveyance system force main. Subject to the Permittee' compliance with specified conditions.

Mayor McComb referred to Item 18. Interim Director of Development Services Bill Green stated that the purpose of this item is to execute a Use Privilege Agreement with Flowserve Corp./Flowserve US Inc. to install a private wastewater collection system for property located at 299 Gilliam Street. There were no comments from the public.

Council members and staff discussed the following topics: whether the City could utilize the collection system for additional development; the collection system only being sized for this development; the downside of authorizing the installation of a private wastewater collection system; and whether the entity is responsible for damaging the City's infrastructure.

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

19. First Reading Ordinance - Approval of agreement and

appropriating funds for MPM Development, LP, for the construction of a Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement

Ordinance authorizing City Manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, LP. ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$109,354.20 from the No. 4030 Water Arterial Transmission & Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Mayor McComb referred to Item 19. Interim Director of Development Services Bill Green stated that the purpose of this item is to execute a Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement with MPM Development for construction of a water arterial transmission and grid main line. 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 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

P. FUTURE AGENDA ITEMS: (ITEMS 20 - 22)

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had a planned presentation on Item 22.

20. Resolution authorizing the City Manager or designee to execute a Developer Participation Agreement with MPM Development, LP., for Royal Creek Estates Unit 7, in the amount of \$207,386.85, for the City's share of the cost to extend Oso Parkway. (south of Yorktown Boulevard & east of Cimarron Boulevard)

Resolution authorizing city manager or designee to execute a developer participation agreement with MPM Development, LP., for Royal Creek Estates Unit 7, in the amount of \$207,386.85 for the City's share of the cost to extend Oso Parkway. (South of Yorktown Boulevard & East of Cimarron Boulevard).

This Resolution was recommended to the consent agenda.

21. Service Agreement for Bailiff and Security Guard Services for Municipal Court for a not to exceed amount of \$209,352 with a

potential multi-year amount of up to \$628,056

Motion authorizing the City Manager or designee to execute a service agreement with Sec-Ops, Inc. of Corpus Christi, Texas for bailiffs and security guard services for Municipal Courts in accordance with Request for Proposal (RFP) No. 1151, based on best value for a total amount not to exceed \$209,352, which \$191,906 is budgeted in FY2017-18. The term of this agreement is for one year with option to extend for up to two additional one-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of up to \$628,056.

This Motion was recommended to the consent agenda.

22. Approval of the 2017 Tax Levy

Motion approving the 2017 Property Tax Levy of \$119,297,025.33 based on the adopted property tax rate of \$0.606264 per \$100 valuation, in accordance with Section 26.09 (e) of the Texas Tax Code.

This Motion was recommended to the consent agenda.

Q. BRIEFINGS: (ITEMS 23 - 24)**23. Affordable Housing and Housing Tax Credits**

Mayor McComb referred to Item 23. Director of Housing and Community Development Rudy Bentancourt stated that the purpose of this item is to provide information on the Affordable Housing Tax Credits and qualified allocation plan for 2018. Sharon Gamble, Texas Department of Housing and Community Affairs (TDHCA), presented the following information: an overview of the Low Income Housing Tax Credit Program (LIHTC); non-competitive and competitive LIHTC; a graph illustrating the difference between 4% and 9% credit financing structures; an understanding of tax credit financing; how the sources of funds flow; housing de-concentration factors; competitive LIHTC scoring items; local government scoring items; local government threshold issues; proposed rule changes; and legal reference for programs. Developers Henry Flores, Dan Allgeier, and Ray Lucas, responded to council member questions related to tax credit financing; how credits are used; and credit scoring items.

Council members and the presentation team discussed the following topics: how levels of credit are determined; how credits are used; whether 4% and 9% credit finances are based on the 60% income threshold; the elimination of scoring for educational quality; and the ability to develop a policy to identify target areas for affordable housing developments.

24. Homeless Update

Mayor McComb referred to Item 24. Director of Housing and Community Development Rudy Bentancourt stated that the purpose of this item is to provide an update on homelessness. Amy Granberry, Homeless Advisory

Council, presented the following information: the Advisory Council's priorities and accomplishments; statistics on homelessness; the roles of the community partners; and recommendations: 1) Coordinated Entry, 2) Parks & Recreation Homeless Workers Program, 3) Tent City/Tiny Homes, and 4) Family Reunification Program.

After Ms. Granberry's presentation, the following topics were discussed: the status of the implementation of the Parks & Recreation Homeless Workers Program; the City of Houston's Housing First Initiative; discussions with Workforce Solutions assisting with employment; addressing treatment for mental health and substance abuse; and a consensus of the City Council to bring back an action plan and timetable for the recommendations.

S. EXECUTIVE SESSION: (ITEMS 25 - 26)

Mayor McComb referred to the day's executive sessions. The Council went into executive session at 5:09 p.m. The Council returned from executive session at 6:46 p.m.

- 25. 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 City's professional service management agreement for the Corpus Christi Museum of Science and History and potential claims related to repairs to said museum.

This E-Session Item was discussed in executive session.

- 26. 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.

T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Future Council Agenda Items. Council Member Lindsey-Opel requested that staff bring back options to include a section on the agenda for Council Reports. The request was approved by consent of the City Council.

U. ADJOURNMENT

The meeting was adjourned at 6:51 p.m.