City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, November 7, 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 11:30 a.m.

B. **Invocation to be given by Elder Jimmy Perez, New Life Church.**

Mayor McComb gave the invocation.

C. **Pledge of Allegiance to the Flag of the United States to be led by Jose A. Barrientes, Sergeant-at-Arms, Coastal Bend Marine Corps League #430.**

Mr. Jose A. Barrientes 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 November 5-11, 2017, "National Radiation Therapy Technician Week".
Proclamation declaring November 10, 2017, "United States Marine Corps Birthday", and declaring November 7-14, 2017, "The 242nd Marine Corps Birthday Week".
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

Council Member Rubio congratulated the family of Selena Quintanilla Perez for being granted a star on the Hollywood Walk of Fame.

Mayor McComb proclaimed November 7, 2017 as "Houston Astros Day".

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

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. Bobby Petty, U.S. Small Business Administration (SBA), provided an update on the application process and loans provided to assist small businesses, homeowners, and renters in the area impacted by Hurricane Harvey and informed residents that the deadline for filing with the SBA is November 30, 2017. Susie Luna Saldana, 4710 Hakel, spoke regarding recent comments made regarding the shortage of public safety officers and the fear those comments have placed in residents. Ms. Saldana expressed that the Police Department is currently doing a great job with the current number of officers. Gloria Randall Scott, 4422 S. Alameda, thanked the City Council for recognizing the Houston Astros for winning the World Series.

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) Over the next two months, citizens will see an emphasis from the City of Corpus Christi on community. This communication emphasis is to underscore ways the City organization and employees are an integral part of our community. Employees are neighbors as well as the people that clean wastewater pipes, protect families, care for children and much more. City employees love our community and City Manager Rose wants to take the time, during the holiday season, to illustrate the ways the City's 3,000 employees care for our community everyday, 24-hours a day, 7 days-a-week, 365 days-a-year. 2) City Manager Rose stated that once every month, she will highlight the previous month's items that focused on the City Council's goals: Water, Residential Streets and Economic Development. In the month of November, the following topics were discussed: Water: the Drought Contingency Plan, major supplies needed for the treatment plants, and the seawater desalination project; Economic Development: the small business programs, affordable housing and the associated tax credits, and the homeless issues; and Residential Streets: Comanche Street, Lipan Street, Timon Boulevard, and Surfside Boulevard regarding the new Harbor Bridge. 3) The City has secured a limited number of rain barrels for purchase as part of the City's on-going water conservation program. Residents can purchase up to two barrels per household at a discounted price of $47 plus tax. Beginning today, November 7, 2017, rain barrels can be purchased in-person at Central Cashiering located on the first floor of City Hall, 1201 Leopard. Customers will then pick up purchased containers at the City's Warehouse located at 5352 Ayers Street, Monday through Friday from 8:00 a.m. to 4:00 p.m. 4) Residents that dump fats, oil, and grease down the drain could end up with wastewater in their homes. The City is inviting the public to a demonstration to see the effects of dumping fats, oil and grease down the drain. Employees will use the wastewater rover, a remote camera system, to demonstrate how the City detects issues and how to prevent wastewater backups. The demonstration will take place on Thursday, November 9, 2017 at 10:00 a.m. at 3009 Alta Gigonella Street. 5) Collection of debris resulting from Hurricane Harvey began in Area 2 on Monday, November 6, 2017. The City is requesting that residents living in Area 3-A begin setting out debris for collection by 7:00 a.m. beginning Monday, November 13, 2017. 6) City Manager Rose recognized Fire Battalion Chief David Saenz and Firefighter Kelly Maiden who were recently deployed, as part of Texas Task Force 1, to Puerto Rico to assist with the post-Hurricane Maria response and recovery.

G. MINUTES:

2. Regular Meeting of October 31, 2017.

Mayor McComb referred to approval of the minutes. City Secretary Rebecca L. Huerta referred to the minutes of October 31, 2017, Page 4, the executive session related to the Municipal Solid Waste Fee (MSW). City Secretary Huerta clarified that Council Member Molina attended a portion of this executive session, until he recognized he had a potential conflict of interest, at which time Council Member Molina recused himself from the executive session.

Council Member Garza made a motion to approve the minutes as amended, seconded by Council Member Lindsey-Opel and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS:

3. Citizens Advisory Health Board
Commission on Children and Youth
Corpus Christi Regional Transportation Authority
Library Board
Planning Commission
Sister City Committee

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

Citizens Advisory Health Board

Council Member Lindsey-Opel made a motion to reappoint Aislynn E. Campbell (Joint - City and Nueces County), Hannah M. Chipman, Raymond Martin Johnson, and Elizabeth Sefcik, seconded by Council Member Molina and passed unanimously.

Council Member Rubio nominated Ashley Lucio. Council Member Smith nominated Tracy Davis. Council Member Molina nominated Patricia Ann Rotko. Ashley Lucio and Tracy Davis were appointed with Mayor McComb, Council Members Hunter, Rubio, Vaughn, Guajardo, Smith, Garza, and Lindsey-Opel voting for Ashley Lucio; Mayor McComb, Council Members Hunter, Molina, Rubio, Vaughn, Guajardo, Smith, Garza, and Lindsey-Opel voting for Tracy Davis; and Council Member Molina voting for Patricia Ann Rotko.

Commission on Children & Youth

Council Member Vaughn made a motion to appoint Laura N. Garcia (Law Enforcement) and Amanda Oster (Nueces County District Attorney's Office), seconded by Council Member Smith and passed unanimously.

Council Member Guajardo nominated Priscila Baldillez (At-Large). Council Member Garza nominated Ericka M. Ramirez (At-Large). Council Member Lindsey-Opel nominated Sherry L. Peterson. Council Members Guajardo, Vaughn and Rubio voted for Priscila Baldillez; Council Members Garza, Smith and Hunter voted for Ericka M. Ramirez; Mayor McComb and Council Members Molina and Lindsey-Opel voted for Sherry L. Peterson.

Since there was a three-way tie on the vote, a re-vote was conducted. Council Members Vaughn, Rubio, Guajardo, and Garza voted for Priscila Baldillez; Council Member Smith voted for Ericka M. Ramirez; and Mayor McComb, Council Members Hunter, Molina, and Lindsey-Opel voted for Sherry L. Peterson.

A run-off was conducted between the two individuals with the highest number of votes: Priscila Baldillez and Sherry L. Peterson. Priscila Baldillez (At-Large)

was appointed with Council Members Guajardo, Vaughn, Smith, Rubio, Garza, and Hunter voting for Priscila Baldillez and Mayor McComb and Council Members Molina and Lindsey-Opel voting for Sherry L. Peterson.

Corpus Christi Regional Transportation Authority

Council Member Vaughn nominated Anne Bauman (Transportation Disadvantaged). Council Member Guajardo nominated Donnie Contreras (Transportation Disadvantaged). Anne Bauman (Transportation Disadvantaged) was appointed with Mayor McComb, Council Members Lindsey-Opel, Garza, Smith, Vaughn, Molina, and Hunter voting for Anne Bauman and Council Members Guajardo and Rubio voting for Donnie Contreras.

Library Board

Council Member Lindsey-Opel made a motion to reappoint Zoraida J. Basaldu, Candace S. Hart, and Brian Solarek, seconded by Council Member Molina and passed (Council Members Smith and Hunter voting "No").

Council Member Smith made a motion to appoint Nicole Carroll and Julie T. Rogers, seconded by Council Member Vaughn and passed unanimously.

Planning Commission

Council Member Molina nominated Matthew C. Ezell. Council Member Smith appointed Gordon R. Robinson. Matthew C. Ezell was appointed with Mayor McComb, Council Members Hunter, Molina, Rubio, and Guajardo voting for Matthew C. Ezell and Council Members Vaughn, Smith, Garza and Lindsey-Opel voting for Gordon R. Robinson.

Sister City Committee

Council Member Hunter made a motion to appoint Cleofas Rodriguez, Jr. (Corpus Christi Chamber of Commerce), seconded by Council Member Lindsey-Opel and passed unanimously.

Council Member Hunter made a motion to appoint Susana Martinez (Higher Education Institution), seconded by Council member Rubio and passed unanimously.

Council Member Hunter made a motion to appoint Melody H. Cooper (Economic Development Sector), seconded by Council Member Molina and passed unanimously.

Council Member Rubio made a motion to appoint Almira Flores (Arts/Cultural), seconded by Council Member Guajardo and passed unanimously.

Council Member Vaughn made a motion to appoint Alan Thornburg (At-Large), seconded by Council Member Smith and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 10)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. There were no comments from the public. Mayor McComb requested that Item 6 be pulled for individual consideration.

A motion was made by Council Member Garza, seconded by Council Member Lindsey-Opel, 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. **Resolution approving Bond 2016 Residential Street Rebuild Program (RSRP) Project Work Plan.**

This Resolution was passed on the consent agenda.

Enactment No: 031285

5. **Contract Amendment No. 1 and Testing Agreement for Residential Street Rebuild Program (RSRP) Bond 2016**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to a contract for professional services with Hanson Professional Services, Inc. of Corpus Christi, Texas in the amount of $552,667 for a restated fee of $602,327; and to execute a geotechnical testing agreement with Professional Services Industries, Inc., of Corpus Christi, Texas in the amount of $56,211 for the Bond 2016 *Residential Street Rebuild Program (RSRP)* Project.

This Motion was passed on the consent agenda.

Enactment No: M2017-177

7. **Professional Services Contract for Allison Basin Wastewater Master Plan Update**

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 $67,450 for Allison Basin Wastewater Master Plan Update.

This Motion was passed on the consent agenda.

Enactment No: M2017-179

8. **Second Reading Ordinance - Accepting and appropriating Grant funds for Assistance to Firefighters Grant Program (1st Reading 10/31/17)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of $314,361 from the US Department of Homeland Security, Federal Emergency Management Agency for the Assistance to Firefighters Grant Program with a City hard match of $31,436; and appropriating $314,361 from the US Department of Homeland Security, Federal Emergency Management Agency into the No. 1062 Fire Grants Fund to carry out Assistance to Firefighters Grant Program.

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

Enactment No: 031286

9. **Second Reading Ordinance - Appropriating Utility Revenue Improvement Bond Funds and approving the Master Service Agreement for the Seawater Desalination Project (Capital Improvement Program) (1st Reading 10/31/17)**

Ordinance appropriating $2,750,000 of Series 2017 Utility Revenue Improvement Bonds in Fund No. 4482 for the Seawater Desalination Project #E15117; changing the FY 2018 Capital Improvement Program Budget adopted by Ordinance 031249 to increase revenues and expenditures by $2,750,000; authorizing the City Manager or designee to execute Amendment No. 1 of the Seawater Desalination Project #E15117 using a Master Service Agreement with Freese and Nichols, Inc., of Corpus Christi, Texas in the amount of $2,627,000 for a total restated fee of $2,974,745 for the Seawater Desalination project; and requiring further authorization to issue the Notice to Proceed for Task Order 1 under the Master Service Agreement. (Capital Improvement Program) (CIP)

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

Enactment No: 031287

10. **Second Reading Ordinance - Appropriating Funds and Authorizing a Construction Contract for the Corpus Christi International Airport (CCIA) East General Aviation (GA) and Terminal Apron Reconstruction (Airport Capital Improvement Program) (1st Reading 10/31/17)**

Ordinance appropriating $4,899,563.58 from a Federal Aviation Administration Grant; appropriating $544,395.98 from Airport Operating Reserve and transferring to Airport Capital Reserve for the Corpus Christi International Airport (CCIA) East General Aviation (GA) and Terminal Apron project; amending the FY '18 Capital Improvement Program (CIP) Budget by $5,443,959.56; and authorizing the City Manager, or designee, to execute a construction contract with SpawGlass Civil Construction, Inc., of Houston, Texas in the amount of $4,241,714.70 for the CCIA East GA and Terminal Apron project for the base bid plus three additive alternates.

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

Enactment No: 031288

6. Construction Contract for the O.N. Stevens Water Treatment Plant Maintenance Building (Capital Improvement Program)

Motion authorizing the City Manager, or designee, to execute a construction contract with Pepper Lawson Waterworks, LLC of The Woodlands, Texas in the amount of $1,662,390 for the O.N. Stevens Water Treatment Plant (ONSWTP) Maintenance Building for Total Base Bid. (Capital Improvement Program) (CIP)

Mayor McComb referred to Item 6, execution of a construction contract for the O.N. Stevens Water Treatment Plant Maintenance Building. In response to Mayor McComb, Executive Director of Water Utilities Dan Grimsbo provided an overview of the project scope and stated that the improvements will allow the plant to improve capacity and be more efficient. There were no comments from the public.

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

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

Absent: 1 - Council Member Hunter

Abstained: 0

Enactment No: M2017-178

M. PUBLIC HEARINGS: (ITEMS 11 - 12)

11. Public Hearing and First Reading Ordinance - Rezoning property located at 3413 South Staples Street

Case No. 0917-04 Guernsey: A change of zoning from the “RS-6” Single Family 6 District to the “ON” Neighborhood Office District. The property is described as being 0.655 acres out of 26.32 acres of U Lott Tract, located on the south side of Staples Street, east of Casa Linda Drive, and west of Hayward Drive.

Planning Commission and Staff Recommendation (October 4, 2017): Approval of the change of zoning from the “RS-6” Single Family 6 District to the “ON” Neighborhood Office District.

Ordinance:
Ordinance amending the Unified Development Code (“UDC”), upon application by Eugene Guernsey and Celeste Guernsey (“Owners”), by changing the UDC Zoning Map in reference to 0.655 acres out of 26.32 acres of U Lott Tract, from the “RS-6” Single Family 6 District to the “ON” Neighborhood Office District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 11. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property to allow for the development of two office buildings approximately 4,000 square feet in size. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change.

Mayor McComb opened the public hearing. Gloria Redding, 3405 S. Staples, spoke in support of an office use for the subject property. Mayor McComb closed the public hearing.

Council Member Molina 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

12. Public Hearing and First Reading Ordinance - Rezoning property located at 6686 South Padre Island Drive (SH 358)

Case No. 0917-05 AN Corpus Christi Chevrolet, LP.: A change of zoning from the “CG-1” General Commercial District to the “IL” Light Industrial District. The property is described as being 3.17 acres out of Lot 1-R, Block 2, Woodlawn Estates Unit 3, located on the north side of South Padre Island Drive (SH 358), east of Airline Road, and west of Nile Drive.

Planning Commission and Staff Recommendation (October 4, 2017):

Denial of the change of zoning from the “CG-1” General Commercial District to the “IL” Light Industrial District, in lieu thereof approval of the “CG-1” General Commercial District with a Special Permit (SP) with conditions.

Ordinance:
Ordinance amending the Unified Development Code (“UDC”), upon application by AN Corpus Christi Chevrolet, LP. (“Owner”), by changing the UDC Zoning Map in reference to the property described as being 3.17 acres out of Lot 1-R, Block 2, Woodlawn Estates Unit 3, from the “CG-1” General Commercial District to the “CG-1/SP” General 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 12. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property to allow for a vehicle repair facility including a paint and body shop accessory to the vehicle sales establishment. Mr. Green stated that the Planning Commission and staff recommend denial of the "IL" Light Industrial District, and in lieu thereof, approval of the "CG-1/SP" General Commercial District with a Special Permit.

Mayor McComb opened the public hearing. Cindy English asked questions regarding the conditions of the special permit and how noise compliance will be determined. Mayor McComb closed the public hearing.

Council members and staff discussed the following topics: the previous zoning change on the subject property in 2010 to allow for a special permit; consideration of a planned unit development for similar areas to reduce multiple zoning requests; and a text amendment to the Unified Development Code.

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

N. REGULAR AGENDA:

O. FIRST READING ORDINANCES: (ITEMS 13 - 15)

13. First Reading Ordinance - Five-Year Lease Agreement for Property Located Near McKenzie Road and Allison Drive

Ordinance authorizing the City Manager to execute a five-year Lease Agreement with Rotary Club of West Corpus Christi for the use of property near McKenzie Road and Allison Drive by Boy Scout troop sponsored by the Rotary Club, in consideration of the Rotary Club maintaining the premises and improvements.

Mayor McComb referred to Item 13. Executive Director of Utilities Dan Grimsbo stated that the purpose of this item is to enter into a five-year lease agreement with the Rotary Club of West Corpus Christi for the use of property near McKenzie Road and Allison Drive by the Boy Scout troop sponsored by the Rotary Club.

Mayor McComb called for comments from the public. Gloria Randall Scott, 4422 S. Alameda, spoke in support of the item.

Council members and staff discussed the following topics: documents protecting the City from liability; Section 11 of the contract regarding the lessee's responsibility for activities; and the proximity of the property to the Police Pistol Range and Tejas Bowman Archery Association.

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

Aye: 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. First Reading Ordinance - Amendment to Lease with Padre Island Yacht Club (28-Day Delay Required)

Ordinance authorizing the City Manager to execute an amendment to the Lease Agreement with Padre Island Yacht Club for expanded leased area near the Wastewater Treatment Plant on Whitecap Blvd to include additional area of 50 feet by 300 feet and amendment of renewal term provisions.

Mayor McComb referred to Item 14. Executive Director of Utilities Dan Grimsbo stated that the purpose of this item is to execute an amendment to the lease agreement with Padre Island Yacht Club for expanded leased area near the wastewater treatment plant located on Whitecap Boulevard. There were no comments from the public.

In response to Mayor McComb, City Attorney Miles K. Risley explained the 28-day delay City Charter requirement.

Council Member Smith 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

15. **First Reading Ordinance - Exemption from the Wastewater Lot or Acreage Fees for Summer Breeze Estate Phase 2 located west of Flour Bluff Drive and north of Yorktown Boulevard**

Ordinance exempting Summer Breeze Estate Phase 2, Block 1, Lots 1-10 located west of Flour Bluff Drive and north of Yorktown Boulevard from the payment of wastewater lot or acreage fees under Section 8.5.2.G.1 of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Mayor McComb referred to Item 15. Interim Director of Development Services Bill Green stated that the purpose of this item is to exempt the wastewater lot or acreage fees for the Summer Breeze Estate Phase 2, Block 1, Lots 1-10. Mr. Green presented: an aerial overview and the Wastewater Collection System Master Plan for the Laguna Madre Service Area. Mr. Green stated that the Planning Commission and staff are in favor of the exemption. There were no comments from the public.

Council members and staff discussed the following topics: the number of developments in the Flour Bluff area on septic sytems; Flour Bluff annexation in 1961; the area not likely to be served with wastewater services within the next 15 years; how to address getting properties off septic systems; state law requirements being amended in 1987 to require that municipalities provide wastewater services when annexing new areas; the distance from the development to the nearest manhole; the cost to provide wastewater services to the area; the conditions of the Sanitary Sewer Connection Agreement; tracking of payment when wastewater services become available; and reimbursement of developer trust funds.

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

T. EXECUTIVE SESSION: (ITEM 32)

Mayor McComb deviated from the agenda and referred to the day's executive session. The Council went into executive session at 1:34 p.m. The Council returned from executive session at 2:33 p.m.

32. **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 purchase, exchange, lease, or value of real property rights at or in the vicinity of Belden Street, Mesquite Street, Broadway Street, Highway 181/I-37, Tancahua Street, the intersections thereof, or blocks adjacent to those streets and/or intersections, and areas within one mile thereof, and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property rights at or in the vicinity of the aforementioned locations) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

This E-Session Item was discussed in executive session.

L. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 32.

P. FUTURE AGENDA ITEMS: (ITEM 20)

Mayor McComb deviated from the agenda and referred to Future Agenda Item 20. Assistant to the City Manager Esther Velazquez presented this item.

20. **Service Agreement for the management of the American Bank Center Complex Not-To-Exceed Amount of $16,557,171.15 with Three One-Year Options for a Total Potential Not-To-Exceed $24,978,169.39**

Motion authorizing the City Manager or designee to execute a service agreement with SMG, West Conshohocken, Pennsylvania, for the management of the American Bank Center complex, in accordance with RFP No. 1222, based on the best value proposal. The agreement will be for a not-to-exceed value of $16,557,171.15 excluding capital contributions to be determined, and approximately $2,759,528.52 will be funded in FY2017-2018. The term of the agreement is from February 1, 2018 to September 30, 2023, with three additional one year options subject to the sole discretion of the City, with a total for a potential multi-year not-to-exceed amount of $24,978,169.39.

This Motion was recommended to regular agenda.

O. FIRST READING ORDINANCES: (ITEMS 16 - 19)

16. **First Reading Ordinance - Exemption from the Wastewater Lot or Acreage Fees for Oso George Village Unit 2 located north of Yorktown Boulevard and west of Roscher Road**

Ordinance exempting Oso George Village Unit 2, located north of Yorktown Boulevard and west of Rocher Road from the payment of wastewater lot or acreage fees under Section 8.5.2.G.1 of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Mayor McComb referred to Item 16, exemption from the wastewater lot or acreage fees for Oso George Village Unit 2. There were no comments from the Council or the public.

Council Member Smith 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

17. **First Reading Ordinance - Nueces Electric Cooperative Electric Franchise**

Ordinance Granting To Nueces Electric Cooperative, Its Successors And Assigns, A Non-Exclusive Franchise To Construct, Maintain And Operate Lines And Appurtenances And Appliances For Conducting Electricity In, Over, Under And Through The Streets, Avenues, Alleys And Public Rights-Of-Way Of The City Of Corpus Christi, Texas.

Mayor McComb referred to Item 17. City Attorney Miles K. Risley stated that the purpose of this item is to grant Nueces Electric Cooperative, its successors and assigns, a non-exclusive franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity over public rights-of-way in the City of Corpus Christi. There were no comments from the public.

City Attorney Risley and a council member discussed the following topics: whether the City can require Nueces Electric Cooperative to place lines underground; the Public Utility Commission (PUC) not approving underground requirements as a mandate for existing lines; underground lines in new developments; and outside litigation with the PUC regarding this issue.

Council Member Smith 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

18. **First Reading Ordinance - Approving the 2018 Annual Audit Plan**

Ordinance to approve the 2018 Annual Audit Plan.

Mayor McComb referred to Item 18. Interim City Auditor Kimberly Houston stated that the purpose of this item is to approve the 2018 Annual Audit Plan. Ms. Houston provided a brief overview of the audit objectives and departments to be audited. There were no comments from the Council or the public.

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

19. **First Reading Ordinance - Appropriating Funds for Replacement of Vehicles Damaged by Hurricane and One Vehicle Totally Damaged in Automobile Accident for the Parks and Recreation Department**

Ordinance to appropriate $615,000 in the unreserved fund balance in the No. 1032 State Hotel Occupancy Tax Fund for purchase of replacement vehicles and equipment for beach operations damaged from Hurricane Harvey including 5 ATVS, 7 pickup trucks, 1 tractor, and 1 beach tech machine; including one vehicle declared totally damaged in an automobile accident; and amending the FY 2017-2018 Operating Budget adopted by Ordinance Number 031255 to increase expenditures by $615,000.

Mayor McComb referred to Item 19. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to appropriate $615,000 in the unreserved fund balance to purchase 7 pickup trucks, 5 ATVS, 1 tractor and 1 beach tech machine for beach operations that were damaged from Hurricane Harvey. There were no comments from the public.

Council members and staff discussed the following topics: the location where the vehicles were stored; the reason the vehicles were not removed prior to Hurricane Harvey; changes to emergency policies; and the estimated funding expected from the Federal Emergency Management Agency (FEMA) for the damages.

Council Member Rubio 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

P. FUTURE AGENDA ITEMS: (ITEMS 21 - 29)

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 22, 23, 25, 26, 28, and 29. Mayor McComb requested information on Item 27. City Secretary Rebecca L. Huerta announced that Council Member Lindsey-Opel recused herself from the discussion on Item 27.

21. Supply Agreement for Corpus Christi Fire Department Medications for Emergency Medical Services

Motion authorizing City Manager, or designee, to execute a supply agreement with Life-Assist, Inc., of Rancho Cordova, California to purchase medications for Corpus Christi Fire Department in response to Request for Bid (RFB) No. 1295 based on the lowest responsive, responsible bid for a total amount not to exceed $142,298.14, of which $118,581.78 is funded FY 2017-18 by the Fire Department. The term of this contract is for one year.

This Motion was recommended to the consent agenda.

22. Motion Authorizing two-years of Public Safety Software Maintenance and Support Agreement from Intergraph Corporation in the amount for a total potential multi-year amount of $577,898.17

Motion authorizing the City Manager, or designee, to execute all documents necessary to obtain two years of public safety software maintenance and support from Intergraph Corporation dba Hexagon Safety & Infrastructure for one year beginning November 1, 2017, in the amount of $246,612.28 for FY17-18 and for a second year for $259,661.48 in FY18-19 (subject to appropriation); and for payment from August 1, 2017, to October 31, 2017, in the amount of $71,624.41, for a total potential multi-year amount of $577,898.17.

This Motion was recommended to the consent agenda.

23. Motion Authorizing three one-year software maintenance and hosting agreements for electronic plan review, wastewater line modeling and project scheduling and customization support for a total amount not to exceed $137,547.65.

Motion authorizing the City Manager, or designee, to execute three

one-year software maintenance and hosting agreements, effective September 29, 2017, with Bentley Systems, Inc. of Exton, Pennsylvania, for electronic plan review ($60,000), wastewater line modeling and project scheduling ($23,547.65), and customization support ($54,000) for a total amount not to exceed $137,547.65.

This Motion was recommended to the consent agenda.

24. Authorize Horton Automatics to construct and donate Secure Exit Lane (SEL) improvements at Corpus Christi International Airport

Motion authorizing the City Manager or designee to execute a donation agreement with Horton Automatics for construction and installation of Secure Exit Lane (SEL) improvements in the terminal at Corpus Christi International Airport and, upon completion of installation, to accept the donation for the City.

This Motion was recommended to the consent agenda.

25. Resolution for the Purchase of Pumps, Motors, Rentals and Services for a One-Year Service Agreement for a Not to Exceed Amount of $153,025.00, With Two One-Year Extension Options and a Total Potential Multi-Year Not to Exceed Amount of $459,075.00

Resolution finding that the purchase of pumps, motors, rentals and services for the Utilities Department is necessary to preserve and protect the public health and safety of the city's residents, a sole source procurement, and consists of captive replacement parts and components for equipment; authorizing the City Manager, or designee, to execute a one-year service agreement, with two one-year extension options, with Xylem Dewatering Solutions, Inc., of Bridgeport, New Jersey, for a total amount not to exceed $153,025 of which $127,550 is funded in FY2017-18, with a total potential multi-year not to exceed amount of $459,075.

This Resolution was recommended to the consent agenda.

26. Resolution for the Purchase of Pump, Motor and Services for the Utilities Department, a One-year Service Agreement for a Total Amount not to Exceed $484,437.50, with Two One-year Extension Option Periods and a Total Potential Multi-year amount of $1,453,312.50

Resolution finding that the purchase of pumps, motors, and services for the Utilities Department is necessary to preserve and protect the public health and safety of the city's residents, is a sole source procurement, and consists of captive replacement parts and components for

equipment; authorizing the City Manager, or designee, to execute a one-year service agreement, with two one-year extension options, with Xylem Water Solutions USA, Inc. of Carrollton, Texas, for a total amount not to exceed $484,437.50, of which $403,697.92 is funded in FY2017-18 from the Wastewater and Storm Water Funds, with a total potential multi-year not-to-exceed amount of $1,453,312.50.

This Resolution was recommended to the consent agenda.

27. Interlocal Agreement with TAMU-CC for Environmental Monitoring, a one-year service agreement for a total amount not to exceed $170,134, with two one-year extension option periods and a total potential multi-year not to exceed amount of $525,867

Resolution authorizing the City Manager, or designee, to execute a one-year Interlocal Agreement, with two one-year extension options, with Texas A & M University - Corpus Christi for environmental monitoring, for a total amount not to exceed $170,134, with a total potential multi-year not to exceed amount of $525,867.

Council Member Lindsey-Opel recused herself from the discussion on this item.

This Resolution was recommended to the consent agenda.

28. Resolution authorizing service agreements for mowing and grounds maintenance

Resolution finding the lowest responsive, responsible bidder for mowing and grounds maintenance services for street rights-of-way, medians, and circles for Groups 3, 4, 5A, 5B, 5C, and 6 by group number in response to Bid No. 1232; awarding a 36-month service agreement to the lowest responsive, responsible bidder per group number; and authorizing the City Manager or designee to execute service agreements for a total amount not exceeding $512,400.00, of which $156,566.63 is funded for FY2017-18 by the Parks and Recreation Department.

CC Academy 12 Lawn Service	Cornerstone Lawn Service	Tony's Lawn Service
Corpus Christi, Texas	Aransas Pass, Texas	Rockport, Texas
Groups 3, 5B, and 6	Group 4	Groups 5A and 5C
$168,900.00	$150,000.00	$193,500.00

Grand Total: $512,400.00

This Resolution was recommended to the consent agenda.

29. Resolution authorizing service agreements for grounds maintenance and landscape

Resolution finding the lowest responsive, responsible bidder for grounds

maintenance and landscape services for Downtown Groups 2 and 3 by group number in response to Bid No. 1195; awarding a 36-month service agreement to the lowest responsive, responsible bidder per group number; and authorizing the City Manager or designee to execute service agreements for a total amount not exceeding $246,960.00, of which $75,460.00 is funded for FY2017-18 by the Parks and Recreation Department.

Dorame General Repair & Lawn, LLC	CC Academy 12 Lawn Service
Corpus Christi, Texas	Corpus Christi, Texas
Downtown Group 2	Downtown Group 3
$193,410.00	$53,550.00

Grand Total: $246,960.00

This Resolution was recommended to the consent agenda.

Q. BRIEFINGS: (ITEM 30)

30. Homeless Recommendations Update

Mayor McComb referred to Item 30. Director of Housing and Community Development Rudy Bentancourt stated that the purpose of this item is to provide an update on the homelessness recommendations. During the October 17, 2017 City Council meeting, The Advisory Council on Homelessness, Mental Health, and Substance Abuse presented four homelessness solution recommendations. Recommendation 1, Coordinated Entry, is a process developed to ensure that all people experiencing a housing crisis have fair and equal access. The four key components are: access, assessment, prioritization, and referral. The action plan for Recommendation 1 is to coordinate with Salvation Army and provide funding in the amount of $35,000 to serve as an entry point and develop a program. The timeline from December 2017 to September 2018. Recommendation 4, Family Reunification Program, would reunite homeless with supportive family outside of Corpus Christi. The goal would be to ensure that the individual would not experience homelessness in a new location. The action plan for Recommendation 4 is to coordinate with the Salvation Army and provide funding in the amount of $15,000 to develop case management. The funding would provide for small travel and bus fares. Staff will return to City Council with an update on Recommendation 2, Homeless Work Program, and Recommendation 3, Tent City/Tiny Homes at the December 12, 2017 City Council meeting.

After Mr. Bentancourt's presentation, the following was discussed: the deliverables of the program to measure success; Salvation Army's experience with coordinated entry; a list of items that lead to homelessness and ways to address; the use of other agencies to assist with recommendations; the Salvation Army being one of the only shelters that shelters families; how the coordinated entry would be implemented and the structure of the case management; and grant funding for family reunification.

R. RECESS TO CORPORATION MEETING: (ITEM 31)

Mayor McComb recessed the regular Council meeting at 4:46 p.m. to hold a Special Meeting of the Corpus Christi Housing Finance Corporation.

31. Special Board Meeting of the Corpus Christi Housing and Finance Corporation

This Corporation Meeting was held.

S. RECONVENE COUNCIL MEETING:

Mayor McComb reconvened the regular Council meeting at 5:11 p.m.

U. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. Council Member Molina requested a item be placed on the agenda to discuss the asphalt zipper demonstratation. City Manager Margie C. Rose said she would place the item on the December 12, 2017 Council meeting.

MOTION OF DIRECTION
Council Member Rubio made a motion directing the City Manager to place an item on the November 14, 2017 agenda to discuss an interview that was made on KIII News related to public safety funding levels, seconded by Council Member Lindsey-Opel and passed unanimously.

V. ADJOURNMENT

The meeting was adjourned at 5:16 p.m.