



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, January 16, 2018

11:30 AM

Council Chambers

Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

- A. Mayor Joe McComb to call the meeting to order.**

Mayor McComb called the meeting to order at 11:31 a.m.

- B. Invocation to be given by Pastor Adam Carrington, Brooks AME Worship Center.**

Pastor Adam Carrington gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Mike Markle, Chief of Police.**

Chief of Police Mike Markle 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 to 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 January 17, 2018, "Dr. Hector P. Garcia's 104th Birthday Celebration Day".
Commendation for Milton Corbin - In Honor of his Service to his Country on his 97th Birthday.
Commendation for Pedro C. Ramirez - Honoring Him for His Service to His Country & the City of Corpus Christi Upon His 97th Birthday.
Presentation donating to "Mayor's Hurricane Harvey Fund" by St. James Syrian Orthodox Church of Corpus Christi, on behalf of the Archdiocese of the Syrian Orthodox Church of North America.

Mayor McComb presented a proclamation and commendations and accepted a donation to the "Mayor's Hurricane Harvey Fund".

- 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 audience. Bobby Petty, U.S. Small Business Administration, provided an update on the amount of loans approved to assist small businesses, homeowners, and renters in the area impacted by Hurricane Harvey. Rick Milby, 4412 High Ridge Drive, requested that the City Council place an item on a future agenda granting an exemption or variance of permit fees for a cross structure. Shirley Thornton, 1917 Woodcrest, spoke on behalf of the Flour Bluff Citizens Council and thanked the council members who attended the town hall meeting on Monday, January 15, 2018 and City Manager Rose and staff for being well-prepared to respond to questions. Martin Flores, 1909 Tawakoni Street, spoke regarding Agenda Item 19, rezoning of property located at 8154 and 8128 Leopard, supporting the zoning change subject to the conditions that were agreed upon to satisfy the concerns of the neighborhood and raised concerns about noises coming from the business earlier that morning.

I. EXPLANATION OF COUNCIL ACTION:

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

Mayor McComb referred to City Manager's Comments. City Manager Margie C. Rose announced that she was postponing the elevated storage tank update to allow Fire Chief Robert Rocha to provide an update on the weather.

a. ELEVATED STORAGE TANKS UPDATE

This update was postponed.

b. OTHER

Fire Chief Robert Rocha provided an update on what to expect with today's weather. The City is currently under a winter advisory. The current temperature is 32 degrees. The City will experience freezing rain, if precipitation falls, and anticipated high winds today until 4:00 p.m. Texas Department of Transportation has treated all roadways with brine. Barricades have been pre-positioned to allow Fire and Police Department personnel to close roadways immediately if needed. The Emergency Operations Center (EOC) has been activated since 10:00 a.m. this morning and is working closing with the National Weather Service to provide the most updated information. Ice is anticipated and is going to affect elevated surfaces and overpasses, including the Harbor Bridge. Cold winter winds are anticipated at 35 to 40 miles an hour. The City will experience a hard freeze tonight between 20 and 30 degrees with possible black ice and slick roads. The homeless plan has been activated to transport homeless individuals to shelters. Trees and power lines may be impacted and the City will be working with AEP. There will be dangerous conditions tonight. Temperatures should raise back up over 32 degrees between 10:00 a.m. and 11:00 a.m. tomorrow.

City Manager Rose announced that due to the impending winter weather, the City of Corpus Christi will close most city offices including City Hall, Public Libraries and Municipal Court at 2:00 p.m. Latchkey has been cancelled today and is working with area school districts on closures. All trials and hearing schedule at Municipal Court will be rescheduled. The EOC has been activated and many departments including Streets and Utilities remain in operation to address issues as needed through the winter weather advisory. The Customer Call Center will maintain normal hours from 7:00 a.m. to 7:00 p.m. and transition to emergency utility calls overnight. The City will delay opening most operations tomorrow, including City Hall, until 11:00 a.m. This will include a delay of Solid Waste pickup beginning at 11:00 a.m.

Mayor McComb announced that the City Council agenda for today's meeting has been abbreviated due to a winter weather advisory. The following items of business will be conducted: Minutes; Consent Agenda Items 4-17; Public Hearing Item 18; Regular Agenda Item 19; and Executive Session Item 44. All other items will be rescheduled to January 23, 2018.

G. MINUTES:**2. Regular Meeting of January 9, 2018.**

Mayor McComb referred to 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. Ad Hoc Nominating Committee - City Auditor Selection Process

Mayor McComb referred to Item 3. City Secretary Rebecca L. Huerta stated that the purpose of this item is to appoint an Ad Hoc nominating committee for the vacant City Auditor position. City Secretary Huerta explained that per the City's Code of Ordinances, when a vacancy occurs in the office of the City Auditor, the City Council appoints an ad hoc nominating committee to recommend candidates for the position to the full Council. The committee is composed of five members: three (3) City Council members nominated by the Council Audit Committee; one (1) At-Large City of Corpus Christi resident, and the City Manager or designee.

Audit Committee Chairman Greg Smith stated that the Audit Committee is recommending the appointment of Council Members Carolyn Vaughn, Debbie Lindsey-Opel and Greg Smith and Captain Steven Banta, former Commander of Naval Air Station - Corpus Christi and current Executive Director of the U.S.S. Lexington, as the At-Large resident. City Secretary Huerta announced that City Manager Margie C. Rose is recommending the appointment of Director of Human Resources Steven Viera as her designee.

Council Member Garza made a motion supporting the recommendations as stated, seconded by Council Member Molina and passed unanimously.

K. CONSENT AGENDA: (ITEMS 4 - 17)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. There were no comments from the Council or the public.

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. Purchase of Police Vehicles

Motion approving the purchase of 45 police vehicles from Caldwell Country Ford dba Rockdale Country Ford, of Rockdale, Texas, based on the cooperative purchasing agreement with Texas Local Government

Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$1,389,685.00. Funds have been approved for FY2017-2018.

This Motion was passed on the consent agenda.

Enactment No: M2018-002

5. Purchase of Two 15-Passenger Vans for the Police Department

Motion approving the purchase of two 15-passenger vans from Caldwell Country Chevrolet from Caldwell, Texas, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$58,788.00, funded in FY2017-18.

This Motion was passed on the consent agenda.

Enactment No: M2018-003

6. Purchase of three 2018 Medic Units for the Fire Department

Motion approving the purchase of three 2018 Medic Units from Knapp Chevrolet, of Houston, Texas, based on the cooperative purchasing agreement with Local Government Purchasing Cooperative dba BuyBoard, for a total amount not to exceed \$669,725.00, for which funds are budgeted for FY2017-18 in the Fleet Maintenance Service Fund.

This Motion was passed on the consent agenda.

Enactment No: M2018-004

7. Resolution amending the Reformed Cooperative Agreement with Nueces County for operation of the Corpus Christi-Nueces County Public Health District

Resolution authorizing the City Manager or designee to execute a Second Amendment to the Reformed Cooperative Agreement between the City of Corpus Christi and the County of Nueces County, Texas to Operate a Public Health District, to provide for additional cost-shares of expenditures from the County to the City.

This Resolution was passed on the consent agenda.

Enactment No: 031337

8. Professional Services agreements for Geotechnical and Construction Materials Testing (Council Priority - Streets)

Motion authorizing the City Manager, or designee, to execute three (3) separate two-year Master Services Agreements (MSAs) with not-to-exceed amounts of \$800,000 each with Professional Service

Industries, Rock Engineering & Testing Laboratory, and Tolunay-Wong Engineers for geotechnical engineering and construction materials testing. The aggregate not-to-exceed value of these three contracts is \$2,400,000.

This Motion was passed on the consent agenda.

Enactment No: M2018-005

9. Accepting Reimbursement funds for Debris Removal Costs Associated with Hurricane Harvey

Motion authorizing the City Manager, or designee, to execute all documents necessary to accept \$502,449.01 reimbursement from Texas Department of Public Safety of the City's local cost share expended for debris removal costs under Federal Emergency Management Agency's (FEMA's) Public Assistance Disaster Grant Program for Hurricane Harvey.

This Motion was passed on the consent agenda.

Enactment No: M2018-006

10. Professional Services Contract for Solid Waste Air Compliance and Gas System Monitoring 2018

Motion authorizing the City Manager, or designee, to execute a professional services contract with Stearns, Conrad and Schmidt, Consulting Engineers, Inc., (SCS) of Bedford, Texas in the amount of \$158,840 for Solid Waste Air Compliance and Gas System Monitoring 2018.

This Motion was passed on the consent agenda.

Enactment No: M2018-007

11. Engineering Design Contract for Greenwood Wastewater Treatment Plant Electrical Improvements to Ultraviolet System (Capital Improvement Program)

Motion authorizing the City Manager, or designee, to execute a professional services contract with Lockwood, Andrews, and Newnam, Inc. (LAN) of Corpus Christi, Texas in the amount of \$537,441 for Greenwood Wastewater Treatment Plant (WWTP) Electrical Improvements to Ultraviolet (UV) System for design, bid, and construction phase services. (Capital Improvement Program - CIP)

This Motion was passed on the consent agenda.

Enactment No: M2018-008

12. Purchase of a Pump Motor for O.N. Stevens Water Treatment Plant (Council Priority - Water)

Motion authorizing the City Manager or designee to approve the purchase of a Teco Westinghouse pump motor for O.N. Stevens Treatment Plant from Weisinger Incorporated of Conroe, Texas in accordance with Request for Bid (RFB) No. 1358, based on the lowest responsive, responsible bid for a total amount not to exceed \$85,588.00, budgeted in FY2017-18.

This Motion was passed on the consent agenda.

Enactment No: M2018-009

13. Resolution for sole source purchase of Turbidity Meters and Equipment for O.N. Stevens Water Treatment Plant (Council Priority - Water)

Resolution finding that the purchase of TU5 Series turbidity meters and equipment for O.N. Stevens Water Treatment Plant is necessary to preserve and protect the public health and safety of the city's residents and a sole source procurement; and authorizing the City Manager, or designee, to purchase TU5 Series turbidity meters and equipment from Hach Company of Loveland, Colorado, for a total amount not-to-exceed \$113,157.12.

This Resolution was passed on the consent agenda.

Enactment No: 031338

14. Supply Agreement for Gas Meters for two years at \$271,600.00 with two additional one-year options at a total potential multi-year amount of \$543,200.00

Motion authorizing City Manager, or designee, to execute a supply agreement with Wilnat, Inc., of Tulsa, Oklahoma for the purchase of Gas Meters in response to Request for Bid No. 1391 based on the lowest responsive, responsible bid for a total amount not to exceed \$271,600.00, with an estimated expenditure of \$90,533.00 in FY2017-2018 funded by the Gas Fund. The term of the agreement is for two years with an 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 \$543,200.00.

This Motion was passed on the consent agenda.

Enactment No: M2018-010

15. Second Reading Ordinance - Rezoning Property Located at 602,

606, and 646 South Clarkwood Road (Requires ¾ vote) (1st Reading 1/9/18)

Case No. 1017-01 Yiu, Inc.: A change of zoning from the “R-MH” Manufactured Home District and “IL” Light Industrial District to the “RV” Recreational Vehicle Park District. The property is described as being a 15.8695-acre tract of land out of Assessors Map 148 Tract M, Survey 402 ABS 988, located on the east side of South Clarkwood Road approximately 1,880 feet south of State Highway 44.

Planning Commission and Staff Recommendation (November 15, 2017): Approval of the change of zoning from the “R-MH” Manufactured Home District and “IL” Light Industrial District to the “RV” Recreational Vehicle Park District.

Ordinance

Ordinance amending the Unified Development Code (“UDC”), upon application by Yiu, Inc. (“Owner”), by changing the UDC Zoning Map in reference to a 15.8695-acre tract of land out of Assessors Map 148 Tract M, Survey 402 ABS 988, from the “R-MH” Manufactured Home District and “IL” Light Industrial 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.

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

Enactment No: 031339

16. Second Reading Ordinance - Accepting four grants from the Texas Office of the Governor Homeland Security Grant Division (1st Reading 1/9/18)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept 4 grants totaling of \$141,817.88 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program for training and equipment; and appropriating \$141,817.88 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program into the No. 1062 Fire Grants Fund to carry out homeland security projects.

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

Enactment No: 031340

17. Second Reading Ordinance - Authorizing a five-year lease agreement for cattle grazing at the Former Westside Landfill - 75 acres (1st Reading 1/9/18)

Ordinance authorizing the City Manager or designee to execute a five-year lease agreement with John Steven (Steve) Twilligear to utilize 74.84 acres at the former Westside Landfill for grazing cattle in consideration of a total annual lease payment of \$2,170.36 for a total lease term amount of \$10,851.80 based on \$29 per acre.

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

Enactment No: 031341

M. PUBLIC HEARINGS: (ITEM 18)

18. Public Hearing and First Reading Ordinance - Rezoning for a Property located at 7469 Convair Drive (3/4 Vote Required)

Case No. 1117-02 Lydia Rios: A change of zoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit (SP). The property is described as Rodd Place #2, Block 4, Lot 18, located at the southwest corner of Convair Drive and Silver Sands Drive, east of Rodd Field Road, and north of Holly Road.

Planning Commission and Staff Recommendation (November 15, 2017): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit (SP) with conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Lydia Rios ("Owner"), by changing the UDC Zoning Map in reference to the property described as Rodd Place #2, Block 4, Lot 18, from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit (SP); amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 18. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the property to allow for the operation of a bed and breakfast home. Mr. Green presented a location map; the current zoning pattern; site plan; the criteria for a bed and breakfast; and the conditions of the special permit. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change. Mr. Green stated that 24.08% opposition was received on this request and requires a super-majority vote of the City Council.

Mayor McComb called for comments from the public. Lydia Rios, 7469 Convair, requested that the City Council grant the zoning change to allow her to continue her business through Airbnb. Beatriz Silva, 2018 Silver Sands Drive, stated that she and her neighbors oppose the zoning change and said the bed and breakfast is disrupting the neighborhood. Ms. Silva expressed concerns

regarding the safety of the residents and the affect on property values. Tom Hand, 7470 Convair, spoke in opposition to the zoning change and stated that allowing the bed and breakfast violates the expectation of living in a neighborhood environment. Mayor McComb closed the public hearing.

Council members and staff discussed the following topics: the criteria stating that the bed and breakfast home shall be no closer than 1,000 feet to any other bed and breakfast home; the length of time that Ms. Rios has been operating as a bed and breakfast; whether the applicant and other Airbnb homes operating in the City are paying hotel occupancy taxes (HOT); exploring options to address bed and breakfast type businesses operating in the City; the Code Enforcement Department's notification to Development Services that the property was not properly zoned for a bed and breakfast; the definition of a bed and breakfast; Development Services' comments in the agenda packet stating that the proposed use may be incompatible with neighboring properties and with the general character of the surrounding area; adequate customer parking at the property; the City losing a significant amount of revenue; how the City of Portland is addressing Airbnb properties; researching how other cities are addressing this issue and reaching out to state legislatures for support; identifying a funding mechanism to track HOT funds; the Planning Commission members that supported the zoning change; how HOT funds are collected; ways to investigate where Airbnbs are operating in the City; how a bed and breakfast can operate in a home identified as a homestead; and operating businesses without permission.

Council Member Smith made a motion to deny the ordinance, seconded by Council Member Rubio. The motion to deny 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

Absent: 1 - Council Member Lindsey-Opel

Abstained: 0

N. REGULAR AGENDA: (ITEM 19)

19. Second Reading Ordinance - Rezoning property located at 8154 Leopard Street and 8128 Leopard Street (Public Hearing 12/12/17) (1st Reading 12/19/17) (Tabled 1/9/18)

Case No. 0917-02 Ardoin Inc.: A change of zoning from the "CG-2/SP" General Commercial District with Special Permit to the "IL" Light Industrial District. The property is described as being Suntide Industrial Park, Block 2, Lots 1 and 2, located along the north side of Leopard Street, east of Tuloso Road, and west of Suntide Road.

Planning Commission and Staff Recommendation (November 1, 2017): Approval of the change of zoning from the "CG-2/SP" General Commercial District with Special Permit to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Ardoin Inc. ("Owner"), by changing the UDC Zoning Map in reference to Suntide Industrial Park, Block 2, Lots 1 and 2, from the "CG-2/SP" General Commercial District with Special Permit to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 19, rezoning of property located at 8154 and 8128 Leopard Street. City Secretary Huerta announced that Council Member Smith abstained from this item. Interim Director of Development Services Bill Green stated that City Council directed staff to come back with an ordinance approving special permit provisions as negotiated between the neighborhood and the business. Mr. Green provided a brief overview of the special permit conditions including: uses; hours of operation; lighting; noise; buffer area; height restrictions; surface area; other requirements; and the time limit.

Council members and staff discussed the following topics: an amendment to the height restrictions to include that the units shall not be stacked more than two units high at the perimeter abutting the residential area or three for the remainder of the area; whether the applicant will be fined or receive a citation for operating illegally; hours of operation; and questions to the applicant regarding the public comments made related to noise earlier this morning.

Jacob Glaze, representative for the applicant, stated that there were no operations on the site before 7:00 a.m. this morning.

Council Member Vaughn made a motion to amend the second reading ordinance to read as shown in the agenda packet labeled ordinance Ardoin Special Permit Revised Conditions with the following additional sentence to Section 2, Subsection 6 thereof "stacking containers elsewhere on the property shall not exceed three containers high", seconded by Council Member Rubio and passed; Council Member Smith abstained.

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

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

Abstained: 1 - Council Member Smith

Enactment No: 031342

R. EXECUTIVE SESSION: (ITEM 44)

Mayor McComb deviated from the agenda and referred to Executive Session Item 44. The Council went into executive session at 1:18 p.m. The Council returned from executive session at 2:23 p.m.

44. 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, and potential creation of entities that could provide or assist in the provision of the aforementioned services, **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.

L. RECESS FOR LUNCH

The recess for lunch was held during the executive session regarding Item 44.

N. REGULAR AGENDA: (ITEMS 20 - 21)

20. Second Reading Ordinance - Amending the Code of Ordinances to Allow a Third-Party Inspection Reporting System (Council Priority - Water) (1st Reading 1/9/18)

Ordinance amending Corpus Christi Code of Ordinances, Sections 14-281 & 14-291 authorizing third-party inspection reporting system for backflow preventers; authorizing the execution of a one year agreement with Brycer, LLC, of Warrenville, IL for a third-party inspection reporting system, with the option to renew annually with City Council approval; and providing for penalties and publication.

The second reading of this Ordinance was postponed.

21. Second Reading Ordinance - Creating Restrictions for Barge Dock Parking (1st Reading 12/12/17)

Ordinance adding Chapter 53, Section 178 "Barge Dock Parking" to the Corpus Christi Code of Ordinances to prohibit parking at barge dock from 10:00 p.m. to 6:00 a.m.; and providing an effective date, for

severance, for penalty and for publication.

The second reading of this Ordinance was postponed.

O. FIRST READING ORDINANCES: (ITEMS 22 - 28)

22. First Reading Ordinance - Accepting and appropriating a donation for the Corpus Christi Smoke Alarm Program

Ordinance authorizing the City Manager or designee to accept a donation from Walmart in the amount of \$1,000 to be used to support the Corpus Christi Smoke Alarm Program; and appropriating \$1,000 from Walmart into the Fire Grant Fund No. 1062.

This first reading of this Ordinance was postponed.

23. First Reading Ordinance - Accepting and appropriating the 2017 Helping Heroes Grant Program funds

Ordinance authorizing the City Manager or designee to accept a grant from Koch Companies Public Sector, LLC 2017 Helping Heroes Grant Program in the amount of \$10,000.00 to be used to purchase a Hazardous Chemical Detector; and appropriating \$10,000.00 from Koch Companies Public Sector, LLC into the Fire Grant Fund No. 1062.

This first reading of this Ordinance was postponed.

24. First Reading Ordinance - Closing utility easement located south of Yorktown Boulevard between Malamute Drive and Bay Drive

Ordinance abandoning and vacating 0.157 acre of an existing utility easement out of a portion of Rodd Village, Block 2, Lots 6,7,8,9 and 10, located south of Yorktown Boulevard between Malamute Drive and Bay Drive and requiring the owner, Hooten Family Trust and Thomas Nathan Clark, to comply with the specified conditions.

This first reading of this Ordinance was postponed.

25. First Reading Ordinance - Closing utility easement located at 4002 and 4018 South Padre Island Drive

Ordinance abandoning and vacating 0.0446 acre of an existing utility easement out of Geo J. Merriman Subdivision, Lots 1-A and 4-A, located at 4002 and 4018 South Padre Island Drive and requiring the owner, Weber Dorado Partners, LLC., to comply with the specified conditions.

This first reading of this Ordinance was postponed.

26. First Reading Ordinance - Approval of agreement and

**appropriating funds for AEL Development, LLC, for the
Wastewater Collection Line Extension Construction and
Reimbursement Agreement**

Ordinance authorizing City Manager or designee to execute a wastewater collection line extension construction and reimbursement agreement ("Agreement") with AEL Development, LLC. ("Developer"), for the construction of a sanitary sewer collection line and appropriating \$52,514.90 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

This first reading of this Ordinance was postponed.

**27. First Reading Ordinance - Amending City Code of Ordinances,
Revising the City's Drought Contingency Plan (Council Priority -
Water)**

Ordinance revising Drought Contingency Plan; Amending City Code of Ordinances, Chapter 55, Article XII Water Resource Management, regarding water resource management including drought restrictions, providing an effective date of February 1, 2018; and providing for penalties.

This first reading of this Ordinance was postponed.

**28. First Reading Ordinance - Construction Contract for Mary Rhodes
Pipeline Protection Upgrade (Capital Improvement Program)
(Council Priority - Water)**

Ordinance rejecting the apparent low bid of Down South Field Services, Inc. as non-responsive and authorizing the City Manager to execute a contract with Integrated Corrosion Companies, Inc. of Houston, Texas as the lowest responsive/responsible bidder in the amount of \$525,732.63 for the Mary Rhodes Pipeline Cathodic Protection Upgrades.

This first reading of this Ordinance was postponed.

P. FUTURE AGENDA ITEMS: (ITEMS 29 - 37)

29. Professional Services Contract for Parks Master Plan Update

Motion authorizing the City Manager, or designee, to execute a professional services contract with Freese and Nichols of Corpus Christi, Texas in the amount of \$72,555 for the Parks Master Plan Update.

This Motion was recommended to the consent agenda.

30. Construction Contract for Yorktown Boulevard from Lake Travis

Drive to Everhart Road (Bond 2014, Proposition 1) (Council Priority - Streets)

Motion authorizing the City Manager, or designee, to execute a construction contract with Berry Contracting LP dba Bay, Ltd, of Corpus Christi, Texas in the amount of \$2,028,791.86 for Yorktown Boulevard from Lake Travis Drive to Everhart Road for the Base Bid. (Bond 2014 Proposition 1)

This Motion was recommended to the consent agenda.

31. Construction Contract for Staples Street from Kostoryz Road to Brawner Parkway (Bond 2012, Proposition 1) (Council Priority - Streets)

Motion authorizing the City Manager, or designee, to execute a construction contract with Reytec Construction Resources, Inc., of Houston, Texas in the amount of \$10,715,524.30 for Staples Street from Kostoryz Road to Brawner Parkway for Base Bid 1 (PCC). (Bond 2012 Proposition 1)

This Motion was recommended to the consent agenda.

32. Contract Amendment No. 2 for Allison Wastewater Treatment Plant Lift Station and Plant Improvements (Capital Improvement Plan)

Motion authorizing the City Manager, or designee, to execute Amendment No. 2 to a professional services contract with Urban Engineering, of Corpus Christi, Texas in the amount of \$618,902, for a total restated fee of \$912,522, for Allison Wastewater Treatment Plant (WWTP) Lift Station and Plant Improvements for design, bid, and construction phase services. (Capital Improvement Program - CIP)

This Motion was recommended to the consent agenda.

33. Construction Contract for LaVolla Creek Drainage Channel Excavation, Phase 1 (Capital Improvement Program)

Motion authorizing the City Manager, or designee, to execute a construction contract with Haas Anderson Construction of Corpus Christi, Texas in the amount of \$1,256,389 for the La Volla Creek Drainage Channel Excavation, Phase 1 project (Capital Improvement Program).

This Motion was recommended to the consent agenda.

34. Supply Agreement for Brass Fittings for the Water Department (Council Priority - Water)

Motion authorizing the City Manager or designee to execute a supply agreement with Ferguson Enterprises, Inc. of Corpus Christi, Texas for Brass Fittings for the Water Department in accordance with Request for Bid (RFB) No. 1362, based on the lowest responsive, responsible bid for a total amount not to exceed \$144,149.15, with \$32,033.00 budgeted in FY2017-18. The term of this agreement is for 36 months.

This Motion was recommended to the consent agenda.

35. Service Agreement for Debris Removal for one year not-to-exceed amount of \$279,510, with two additional one-year options for a potential multi-year amount up to \$838,530

Motion authorizing the City Manager or designee to execute a service agreement with CrowderGulf, LLC of Theodore, Alabama for Debris Removal for the City of Corpus Christi in accordance with Request for Bid (RFB) No. 1372, based on the lowest responsive, responsible bid for a total amount not-to-exceed \$279,510, 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, by mutual agreement, with a total potential multi-year amount of up to \$838,530.

This Motion was recommended to the consent agenda.

36. Homebuyer Assistance Program Amendment No. 1 between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi

Motion to approve an amendment to the agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi for the Type A Affordable Housing Program - Homebuyer Assistance Program and increasing expenditures in the Business and Job Development Fund No. 1140 by \$100,000.

This Motion was recommended to the consent agenda.

37. Resolution creating the Corpus Christi B Corporation and adopting a Certificate of Formation (Council Priority - Economic Development)

Resolution finding that it is advisable that the Corpus Christi B Corporation be created as a Type B Corporation under the Development Corporation Act of 1979 and governed by chapters 501 and 505 of the Texas Local Government Code, approving Certificate Of Formation for the corporation, and specifying the public purposes which the corporation may further on behalf of the City of Corpus Christi.

This Resolution was recommended to the consent agenda.

Q. BRIEFINGS: (ITEMS 38 - 42)

38. Preserving the Birth and Death Records of the City of Corpus Christi

This Presentation was postponed.

39. Corpus Christi Fire Department Staffing Update

This Presentation was postponed.

40. Bayfront Master Plan

This Presentation was postponed.

41. Municipal Solid Waste (MSW) Charge Update

This Presentation was postponed.

42. Bond Sale Request for Additional Landfill Capacity

This Presentation was postponed.

R. EXECUTIVE SESSION: (ITEMS 43 AND 45)

43. Executive Session pursuant to Section 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 natural gas utility system.

This E-Session Item was postponed.

45. 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 municipal solid waste system service charge, Section 21-47 et seq. of the Corpus Christi Code of Ordinances, state, federal, and local regulation of solid waste disposal and transportation, and federal and state constitutional provisions related to flow control, land development, and municipal charges and fees.

This E-Session Item was postponed.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. In response to a council member, City Manager Margie C. Rose stated that the discussion

on the HEB Tennis Center, including information on a report made by KRIS 6 news, will be provided later in January.

T. ADJOURNMENT

The meeting was adjourned at 2:25 p.m.