



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, January 23, 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 11:30 a.m.

- B. Invocation to be given by Pastor Claude Axel, Mount Pilgrim Baptist Church.**

Pastor Claude Axel gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Dan Grimsbo, Executive Director of Water Utilities.**

Executive Director of Water Utilities Dan Grimsbo 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. Commendation for Corpus Christi Crime Stoppers - In Recognition of receipt of the Texas Crime Stoppers 2016 Productivity Award.
Mayor McComb presented the commendation.

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. ELEVATED STORAGE TANK UPDATES

City Manager Rose reported that the two new elevated storage tanks, located at Holly Road and Rand Morgan Road, which will be operational in the Spring of 2018. The purpose of this item is to provide an update on what utility customers can expect when the water towers are operational. Executive Director of Water Utilities Dan Grimsbo stated that the elevated storage tanks will achieve an average pressure between 55 to 60 pounds per square inch to prevent water aging in the water lines and water towers; provide water during emergencies and power outages; and better serve multi-storied buildings now and in the future. The higher pressure could intensify any current leaks or find weak spots in piping. Residents are encouraged to check for potential leaks and adjust the time on their irrigation systems. Mr. Grimsbo presented a map of the location of the four elevated storage tanks that will be taken out of service and the location of the two new elevated storage tanks. The communication plan will be rolled out today to include a flier in upcoming utility bills.

In response to a council member, Mr. Grimsbo stated that the new elevated water storage tanks will effect the entire City and all residents should check their water systems for leaks.

b. OTHER

1) The Engineering Services Department is inviting the public to attend the grand opening of Bond 2012 Williams Drive Phase 3 Street Improvements from Staples Street to Airline Road on Friday, January 26, 2018 in the parking lot of Our Lady of Perpetual Help Church located at 5830 Williams Drive. 2) Solid Waste Services has concluded debris collection as a result of Hurricane Harvey. During that time, more than 616,000 cubic yards of debris was collected. The regular brush and bulky collection schedule is underway. Any set out not coordinated with the brush and bulky collection schedule will be subject to enforcement action. Collection schedules can be found at www.cctexas.com. 3) The Utilities Department is hosting the annual Xeriscape Symposium on Saturday, February 3, 2018 from 8:00 a.m. to 12:00 p.m. at the Del Mar Center for Economic Development located at 3209 South Staples. For more information call 361-826-3583.

G. MINUTES:**2. Regular Meeting of January 16, 2018**

Mayor McComb referred to approval of the minutes. Council Member Garza made a motion to approve the minutes, seconded by Council Member Guajardo and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS: (NONE)**I. EXPLANATION OF COUNCIL ACTION:****K. CONSENT AGENDA: (ITEMS 3 - 10)****Approval of the Consent Agenda**

Mayor McComb referred to the Consent Agenda. Council members requested that Items 3, 5 and 7 be pulled for individual consideration. City Secretary Rebecca L. Huerta announced that Council Member Lindsey-Opel was abstaining on Item 5. There were no comments from 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. 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 passed on the consent agenda.

Enactment No: M2018-011

6. 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 passed on the consent agenda.

Enactment No: M2018-013

**8. 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 passed on the consent agenda.

Enactment No: M2018-015

9. 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 passed on the consent agenda.

Enactment No: M2018-016

10. 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 passed on the consent agenda.

Enactment No: 031343

3. 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.

Mayor McComb referred to Item 3, execution of a professional services contract for the Parks Master Plan Update. Director of Parks and Recreation Jay Ellington, City Manager Margie C. Rose and council members discussed the following: whether the master plan will include North Beach; the ability of staff to perform these services in-house; prioritizing expenditure of funds; identifying a new list of parks to be sold; and the costs associated with stakeholders' meetings in the project budget. There were no comments from the public.

Council Member Lindsey-Opel made a motion to approve the table this item to allow staff the time to review the plan to streamline the process, seconded by Council Member Vaughn. This Motion was tabled 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

5. 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)

Mayor McComb referred to Item 5, a construction contract for Staples Street from Kostoryz Road to Brawner Parkway for Base Bid 1. Council Member Lindsey-Opel abstained from this item. Director of Engineering Services Jeff Edmonds and council members discussed the following: appreciation to the Regional Transportation Authority (RTA) board for evaluating the impact of the buses regarding the equipment and bus routes; the RTA buses causing tremendous amount of damage to city streets; the bids received for both concrete and asphalt; a request from a council member to question the RTA on

the use of smaller buses; and the remaining projects to complete Staples Street.

Mayor McComb called for comments from the public. Bennie Vickers, J. Carroll Weaver, requested that J. Carroll Weaver be considered to perform the work on this project. Mr. Vickers stated that J. Carroll Weaver was the lowest bidder for Base Bid 2.

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

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

Abstained: 1 - Council Member Lindsey-Opel

Enactment No: M2018-012

7.

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).

Mayor McComb referred to Item 7, a construction contract for La Volla Creek Drainage Channel Excavation, Phase 1 project. Executive Director of Utilities Dan Grimsbo and council members discussed the following topics: excavation of the previous section of La Volla Creek and whether that portion was maintained; a detention/retention pond at the Corpus Christi International Airport to reduce the water coming downstream; future projects to address La Volla Creek; and the possibility of using the dirt from La Volla Creek at the landfill. There were no comments from the public.

Council Member Rubio made a motion to approve the motion, seconded by Council Member Molina. 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: M2018-014

- J. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M.** A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak **MUST** be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

Mayor McComb deviated from the agenda and referred to comments from the public. Jack Gordy, 4118 Bray, spoke regarding his observations related to street repair work to fill pot holes located in the 5600 block of Everhart Road. Greg Flores, 8241 Liberty Park, San Antonio, Texas, representing Antares Development Corporation, spoke in support of Agenda Item 28, preserving the birth and death records of the City of Corpus Christi. Joel Dixon, 11318 Brendel Lane, spoke regarding an upcoming agenda item related to the closure of Butler Road and recommended an analysis of traffic patterns and speed control devices for the area. Alvin Villarreal, 1133 York, spoke regarding the possibility of establishing a Teen Challenge Christian Ministry in Corpus Christi. Susie Luna Saldana, 4710 Hakel, spoke regarding Agenda Items 27, an update related to the Corpus Christi Fire Department Staffing and Item 29, an update related to the Municipal Solid Waste (MSW) Charge: concern from roofing companies regarding the MSW fee and staffing at Fire Station 18. Christy Sitzler, 901 Airline, spoke regarding Agenda Item 11, rezoning of property located at 901 Airline Road, and requested on behalf of the applicant to reschedule the item. Lydia Rios, 7469 Convair Drive, spoke regarding the growth of Airbnb businesses in cities and Airbnb's background check on customers. Carrie Robertson Meyer, 4401 Gulfbreeze, spoke on behalf of the North Beach Community Association and presented a prioritized list of improvements to North Beach and the Association's agenda meeting and minutes. Alissa Mejia, 4302 Ocean Drive, provided a list of problems associated with Collier Pool and requested that the City Council provide the Parks and Recreation Department with adequate funding, both for its budget and staff positions, to maintain Collier Pool. Twila Stevens, 13926 Windjammer, spoke in opposition to a proposed dog park at Aquarius Park and action by the Parks and Recreation Advisory Committee to remove Aquarius Park as a dog park site as long as it is not allowed by the Parks Master Plan.

Mayor McComb requested to untable Item 3 to allow discussion regarding the Parks Master Plan.

K. CONSENT AGENDA: (ITEM 3)

3. 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.

Mayor McComb referred to Item 3, a professional services contract for the Parks Master Plan update.

Council Member Lindsey-Opel made a motion to untable Item 3, seconded by Council Member Hunter and passed unanimously.

In response to Mayor McComb, Director of Parks and Recreation Jay Ellington stated that Parks Master Plan will address the the criteria for dog parks for all the classes of parks in the system.

Council Member Lindsey-Opel made a motion to table Item 3, seconded by Council Member Smith and passed unanimously.

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 returned to comments from the public. Mike Robertson, Berryman Roofing, spoke regarding Agenda Item 29, an update on the Municipal Solid Waste (MSW) Charge, and discussed the cost of pulling permits, charges at the landfill, and requested that the City Council bring this item for a vote. James Skrobarczyk, 714 Oriole, spoke regarding Agenda Item 27, a briefing on Fire Department Staffing, and commented on the cost associated with the Fire Department. Robert Brisco, 601 Miramar, spoke regarding issues related to Collier Pool including the condition of the pool and staffing. John Kelly, 3621 Austin, spoke regarding Agenda Item 7, a construction contract for La Volla Creek Drainage Channel Excavation, Phase 1 including: a history of La Volla Creek; the use of segmented retention ponds; and clearing out the ditch.

M. PUBLIC HEARINGS: (ITEM 11)

11. Public Hearing and First Reading Ordinance - Rezoning property located at 901 Airline Road (Tabled 1/23/18)

Case No. 0717-01 Alrich Enterprises Inc., DBA Richard Sanchez Motors and Ben L. Herndon, Jr.: A change of zoning from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District. The property is described as being

Koolside, Block 6, Lots 24 and 25 less portion to right-of-way and Lot 26, located at the intersection of Airline Road and Gollihar Road, north of McArdle Road and south of South Alameda Street.

Planning Commission and Staff Recommendation (November 15, 2017):

Denial of the change of zoning from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial 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 Alrich Enterprises Inc., D/B/A Richard Sanchez Motors and Ben L. Herndon, Jr. ("Owner"), by changing the UDC Zoning Map in reference to the property described as Koolside, Block 6, Lots 24 and 25 less portion to right-of-way and Lot 26, from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial 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, rezoning of property located at 901 Airline Road. Interim Director of Development Services Bill Green stated that the applicant's representative has requested that this item be postponed until the January 30, 2018 Council meeting.

Council Member Garza made a motion to table the public hearing and first reading ordinance to the January 30, 2018 City Council meeting beginning at 11:30 a.m., seconded by Council Member Smith. This motion to table 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

N. REGULAR AGENDA: (ITEMS 12 - 15)

12. 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.

Mayor McComb referred to Item 12, amending the City's Code of Ordinance to allow a third-party inspection reporting system. 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 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: 031344

14. Resolution authorizing payment of Final Claim Settlement for Oso Golf Course Cart Barn

Resolution authorizing payment to Foresight Corpus Christi Golf LLC for final claim settlement of \$4,372.00 in replacement expenses for the Oso Golf Course cart barn damaged by fire on September 30, 2016.

Mayor McComb referred to Item 14, Oso Golf Course Final Claim Settlement. There were no comments from the Council or the public.

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

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

Abstained: 0

Enactment No: 031346

15. Ordinance - Amending the Capital Improvement Program Budget to add Cefé Valenzuela Landfill 3C Expansion and appropriating funds for the same

Ordinance amending the FY 2018 Capital Improvement Program Budget adopted by Ordinance No. 031249 to add Project #E17118 Cefé Valenzuela Landfill Sector 3C Disposal Cell Expansion; increasing expenditures in the amount of \$823,251; and authorizing the City Manager, or designee, to execute a Professional Services contract with Hanson Professional Services of Corpus Christi, Texas in the amount of

\$823,251 for the Cefé Valenzuela Landfill Sector 3C Disposal Cell Expansion for design, bid and construction phase services; and declaring an emergency.

Mayor McComb referred to Item 15, execution of the professional service contract for the Cefe Valenzuela Landfill Sector 3C Disposal Cell Expansion. 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 Hunter. This Ordinance was passed on emergency and approved with the following vote:

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

Abstained: 0

Enactment No: 031347

13. 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.

Mayor McComb deviated from the agenda and referred to Item 13. Assistant City Manager Keith Selman stated that the purpose of this item is to amend the City's Code of Ordinances by creating restrictions for barge dock parking. Assistant City Manager Selman stated that after the first reading, options were evaluated to determine hours, and staff is recommending the ordinance be amended prior to second reading to change the times from 6:00 p.m. to 6:00 a.m. to 10:00 p.m. to 6:00 a.m.

Council members spoke regarding the following topics: lighting in the area; exploring options regarding how other communities use architectural design to restrict traffic; concerns regarding restricting parking access to fisherman using the barge dock; complaints from surrounding business related to noise and damage in the area; use of speed control devices in the area; SMG overseeing the opening and closing of the gate on the barge dock; the gate being a short-term solution to restrict parking; the need to find a sustainable long-term solution; data on the number of people using the barge dock; and how SMG will address parking for individuals attending special events in the area.

Mayor McComb called for comments from the public. Jim Hopper, 4810 Kerrville Drive, spoke regarding the use of the barge dock parking by individuals participating at special events held in the area and asked the City Council reconsider the closing hour.

Council Member Molina made a motion to amend the ordinance prior to second reading by changing the parking times to 10:00 p.m. to 5:00 a.m.,

seconded by Council Member Lindsey-Opel and passed unanimously,

MOTION OF DIRECTION

Council Member Lindsey-Opel made a motion directing staff to bring back options to address concerns regarding the use of the barge dock in six months or sooner, seconded by Council Member Hunter and passed; Council Member Garza voting "No".

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

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

Nay: 1 - Council Member Garza

Abstained: 0

Enactment No: 031345

Q. BRIEFINGS: (ITEM 26)

26. Nueces County Appraisal District (NCAD) Presentation

Mayor McComb deviated from the agenda and referred to Item 26. Ronnie Canales, Chief Appraiser of the Nueces County Appraisal District (NCAD), stated that the purpose of this item is to provide an update on the anticipated assessed values for the Year 2018. Mr. Canales stated that he previously presented a history of valuations in Corpus Christi over the last five years. Mr. Canales reported that the current valuations are consistent and the City should not see a decline of more than 4%, however, those numbers could be less. The numbers could be the result of Hurricane Harvey. Portions of the cities in outlying areas could have an affect on the City of Corpus Christi. The NCAD has assessed most multi-residential property and a few areas may create a small amount of new improvements. Several new subdivisions are being developed throughout Nueces County, but will not produce a big increase in values for 2018. The NCAD is also dealing with lawsuits by residential, smaller commercial, and industrial property owners, including Flint Hills, that could affect valuations. Mr. Canales provided a brief overview of the Flint Hills lawsuit for years 2016, 2017 and possibly 2018. Mr. Canales expressed concern that if Flint Hills does not pay their fair share of taxes, homeowners will be required to carry the burden. Mr. Canales stressed that owners of high-end properties should be referred directly to the NCAD and not discuss taxes with other entities. Tom Wheat, Legal Counsel for the NCAD, Director of Management and Budget Eddie Houlihan, and Director of Financial Services Constance Sanchez were present to respond to questions.

Council members and the presentation team discussed the following topics: a decline of 1% to 4% from the current year on assessed values; the forecasted valuations not taking into account the impact of Hurricane Harvey; preliminary numbers provided by the NCAD in April 2018; Flint Hills's plant valuations for last year, the size of the plant, and the number of barrels it processes per day; how the lawsuit with Flint Hills will impact the City of Corpus Christi; the City of

Corpus Christi not receiving taxes from companies in industrial districts; monies paid to the city by Valero under their current Industrial District Agreement; the difference between refunding from the Corpus Christi Independent School District and other entities; budgeting the current budget with flat assessed values; companies in abatement phases; a request from a council member to receive the NCAD's budget letter provided annually to the City; going forward, having discussions with the NCAD when developing abatement agreements; and review of industrial district agreements.

R. EXECUTIVE SESSION: (ITEMS 31 AND 33)

Mayor McComb deviated from the agenda and referred to Executive Session Items 31 and 33. The Council went into executive session at 2:27 p.m. The Council returned from executive session at 3:52 p.m.

- 31. 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.

Mayor McComb referred to Item 31 and the following motion was considered:

Motion authorizing execution of an agreement to extend the Professional Service Management Agreement for the Corpus Christi Museum of Science and History with CCMJV, LLC on a month-to-month basis, ending April 30, 2018, to allow for negotiation of a future agreement.

Council Member Lindsey-Opel made a motion to approve the motion, seconded by Council Member Molina. 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: M2018-017

- 33. 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.

Council Member Molina abstained from this item. This E-Session Item was discussed in executive session.

L. RECESS FOR LUNCH

The recess for lunch was held during the executive sessions regarding Items 31 and 33.

O. FIRST READING ORDINANCES: (ITEMS 16 - 20)**16. 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.

Mayor McComb referred to Item 16. Fire Chief Robert Rocha stated that the purpose of this item is to accept and appropriate a donation in the amount of \$1,000 from Wal-Mart to be used to support the Corpus Christi Smoke Alarm Program. There were no comments from the Council or the public.

Council Member Lindsey-Opel made a motion to approve the ordinance, seconded by Council Member 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

17. 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.

Mayor McComb referred to Item 17. Fire Chief Robert Rocha stated that the purpose of this item is to accept and appropriate a grant from Koch Companies Public Sector, LLC 2017 Helping Heroes Grant Program in the amount of \$10,000 to be used to purchase a hazardous chemical detector. There were no comments from the Council or the public.

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

18. 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.

Mayor McComb referred to Item 18. Water Resource Manager Steve Ramos stated that the purpose of this item to provide recommend changes to the City's Drought Contingency Plan. Mr. Ramos presented the following information: the purpose of the Drought Contingency Plan; the Drought Contingency Plan recommended changes; the new drought stages; the recommended new trigger points; the impact of the changes on customers; and next steps.

Council members and staff discussed the following topics: the public's perception of the City's water supply; the combined capacity of Lake Corpus Christi and Choke Canyon; educating the public on water preservation and understanding the water supply; whether the agreed order requires the City to use the word "drought" as part of the plan; and researching the ability to change the language related to conservation stages.

Council Member Vaughn 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

19. 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.

Mayor McComb referred to Item 19. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to reject the apparent low bid from Down South Field Services, Inc. as non-responsive and authorize the execution of a contract with Integrated Corrosion Companies, Inc. as the lowest, responsive/responsible bidder in the amount of \$525,732.63 for the Mary Rhodes Pipeline Cathodic Protection Upgrades. The bid from Down South Field Services, Inc. was deemed non-responsive due to failure to properly submit the required bid bond. Staff and the design engineer analyzed the remaining bid from Integrated Corrosion companies, Inc. and discovered a mathematical error with the mobilization unit price. The correction was acknowledged by Integrated Corrosion Companies, Inc. and corrected. A council member thanked staff for moving forward with this project. There were no comments from the public.

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

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

Abstained: 0

20.

First Reading Ordinance - Lease Agreement for the 2018 Fiesta De La Flor Event (Council Priority - Economic Development)

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Corpus Christi Convention and Visitors Bureau (CCCVB) for 2018 Fiesta de la Flor event and related activities to be held on April 13, 2018 and April 14, 2018, and allow use of streets bounded by Power Street, N. Water Street, Resaca Street and Shoreline Blvd. and including the Bayfront Park located along Shoreline Blvd. between Resaca Street and Power Street.

Mayor McComb referred to Item 20. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to execute a lease agreement with the Corpus Christi Convention and Visitors Bureau (CVB) for the 2018 Fiesta de la Flor event to be held April 13, 2018 and April 14, 2018. There were no comments from the public. Paulette Kluge, CVB, responded to questions regarding the festival's presenting sponsor, Citgo Refining, and the music line-up for the event.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Vaughn. 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 15)

15. Ordinance - Amending the Capital Improvement Program Budget to add Cefé Valenzuela Landfill 3C Expansion and appropriating funds for the same

Ordinance amending the FY 2018 Capital Improvement Program Budget adopted by Ordinance No. 031249 to add Project #E17118 Cefé Valenzuela Landfill Sector 3C Disposal Cell Expansion; increasing expenditures in the amount of \$823,251; and authorizing the City Manager, or designee, to execute a Professional Services contract with Hanson Professional Services of Corpus Christi, Texas in the amount of \$823,251 for the Cefé Valenzuela Landfill Sector 3C Disposal Cell Expansion for design, bid and construction phase services; and declaring an emergency.

Mayor McComb deviated from the agenda and returned to Item 15, a professional services contract for the Cefe Valenzuela Landfill Section 3C Disposal Cell Expansion. A council member commented that the proposed cell expansion has a five-year life for a cost of \$7.5 million to be paid over 20 years. Director of Solid Waste Operations Lawrence Mikolajczyk explained that projects at the Cefe Valenzuela Landfill have historically been financed on 20-year note. Mr. Mikolajczyk reported that the lifetime of the Cefe Valenzuela Landfill is 100 years.

O. FIRST READING ORDINANCES: (ITEMS 21 - 22)

21. First Reading Ordinance - Construction Contract for the Dr. Hector P. Garcia Park Hike and Bike Trail (Bond 2012)

Ordinance appropriating \$264,000 of anticipated revenue from the Texas Department of Transportation in Fund No. 3280 for the Dr. Hector P. Garcia Park Hike and Bike Trail; changing the FY 2018 Capital Improvement Program Budget adopted by Ordinance No. 031249 to increase revenues and expenditures by \$264,000; and authorizing the City Manager, or designee, to execute a construction contract with Mako Contracting, LLC., of Corpus Christi, Texas in the amount of \$305,106.60 for the Dr. Hector P. Garcia Park Hike and Bike Trail project for the base bid. (Bond 2012)

Mayor McComb referred to item 21. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to appropriate \$264,000 of anticipated revenue from the Texas Department of Transportation for the Dr. Hector P. Garcia Park Hike and Bike Trail. Mr. Ellington presented the project's location, scope of work and construction schedule. There were no comments

from the Council or the public.

Council Member Hunter 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

22.

First Reading Ordinance - Amending City Code to reflect the increase of employee's contribution toward dependent premiums

Ordinance amending Chapter 39 of the Corpus Christi Code of Ordinances to revise Article III. - EMPLOYEE COMPENSATION AND CLASSIFICATION SYSTEM; providing for severance, publication, penalty, and an effective date.

Mayor McComb referred to Item 22. Director of Human Resources Steven Viera stated that the purpose of this item is to amend the City's Code of Ordinances, Chapter 39, to reflect the increase in employees' contributions toward dependent premiums from 50% to 75%, thus reducing the City's portion to 25%. There were no comments from the public. Assistant City Secretary Paul Pierce announced that Council Member Hunter abstained on this item.

Council members and staff discussed the following topics: the reduction of benefits for general employees and options to elevate or lower the amounts; the request for proposal (RFP) process for a new network provider administrator; the new Wellness Coordinator; utilization of the clinic by dependents; an increase in clinic visits and the new Teledoc program; continuing to communicate to employees about health care programs; the City's contribution of 50% in prior years; and that the purpose of this amendment to the code is to reflect the changes that occurred October 1, 2017.

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

Aye: 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

Abstained: 1 - Council Member Hunter

P. FUTURE AGENDA ITEMS: (ITEMS 23 - 25)

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 24 and 25. A council member requested information on Item 23. Mayor McComb announced that he was recusing himself from the discussion on Item 24.

23. Purchase of Five Utility Terrain Vehicles for Beach Operations

Motion authorizing the City Manager, or designee, to purchase five Kubota RTV-X900G-A utility terrain vehicles for beach operations from Ewald Kubota, of Corpus Christi, Texas, based on Request for Bids No. 272 based on the lowest responsive, responsible bid for an amount of \$80,585.

This Motion was recommended to the consent agenda.

25. Resolution Directing Use of \$3.4 Million Dedicated to Residential Streets (Council Priority - Streets)

Resolution directing the City Manager to spend \$3,400,000 for residential street reconstruction in accordance with Option No. 3 discussed at the December 19, 2017 City Council Meeting.

This Resolution was recommended to the consent agenda.

24. Construction Contract for Police Vehicle Impound Yard and Garage Phase 2 (Bond 2012, Proposition 7)

Motion authorizing the City Manager, or designee, to execute a construction contract with Barcom Construction, Inc., of Corpus Christi, Texas in the amount of \$779,279.78 for the Police Vehicle Impound Yard and Garage Phase 2 (Rebid) project for the base bid and additive alternate one. (Bond 2012, Proposition 7)

This Motion was recommended to the consent agenda.

Q. BRIEFINGS: (ITEMS 27 - 30)**28. Preserving the Birth and Death Records of the City of Corpus Christi**

Mayor McComb deviated from the agenda and referred to Item 28. Director of Public Health Annette Rodriguez stated that the purpose of this item is to present information on preserving the birth and death records of the City of Corpus Christi. Ms. Rodriguez presented the following: the presentation format; an introduction on preservation efforts; vital statistics background; a proposed strategy; the estimated pricing and costs; and additional considerations.

Council members and staff discussed the following topics: how long the state will allow local jurisdictions to charge an additional \$1 per certificate issued to be used in preservation efforts for records; the process currently used by the Health Department to provide records; concerns associated with the cost of preservation; the cost associated with archiving records in the City Secretary's Office; current maintenance of older records; the reasons it is important to utilize a database in different ways; the state setting rates that local

jurisdictions can charge; and pricing determined by a formal Request for Proposal (RFP) to be awarded by City Council.

27. Corpus Christi Fire Department Staffing Update

Mayor McComb referred to Item 24. City Manager Margie C. Rose stated that the purpose of this item is to provide a follow-up on the direction by City Council from the December 12, 2017 to come back with staffing options. City Manager Rose presented the following options: 5 per year for 3 years (5/5/5); 9 in year 1, 3 in year 2, and 3 in year 3 (9/3/3); and an alternate option: 6 in year 1, 5 in year 2, 4 in year 3 (6/5/4). City Manager Rose provided the following information: the existing obligations of the collective bargaining agreement; the additional staffing plans and potential budgetary impacts; a side-by-side comparison of each option; the proposed revenues; potential reductions from the General Fund; a five year revenue history for the Fire Department; and the Fire Department's budget versus actual history. The presentation team included: Director of Management and Budget Eddie Houlihan; Assistant City Manager Sylvia Carillo-Trevino; Fire Chief Robert Rocha; and Assistant Fire Chief Kenneth Erben.

Council members and the presentation team discussed the following topics: the City Manager's recommendation; the budgetary impact to the General Fund; the costs associated with the Fire and Police collective bargaining agreements; concern regarding ad valorem taxes; improvements to the Fire Department's response times; how to find a solution to address Fire Department staffing as the City continues to grow; the reason revenues were not included in the option charts; operation costs for Fire Station 18 not being included in the bond package; whether the Texas Ambulance Supplemental Payment Program (TASPP) is subject to annual appropriation; when TASPP funding will be available; outsourcing of Emergency Medical Services (EMS) or fire components; solutions to reduce fire trucks being dispatched to all emergency service calls; consideration to have ambulance services only at certain fire stations; the Fire Department's catastrophic losses in their health plan; the Fire Department's continuing efforts to identify revenue sources; staff presenting an option that is doable to address staffing; City services that would need to be reduced to accommodate additional staffing; the City not having had a staffing plan for Fire Station 18; the impact of utilizing existing staff from Fire Station 1 to staff Fire Station 18; how the Fire Department currently addresses large incident responses; the expected revenue generated in 2017; user fee recommendations; whether there is a national standard on the number of firefighters; legal ramifications for having a lower level of firefighters than the national standard; safety standards; the use of zero-based budgeting; what the organization can sustain; the condition of the streets impacting response times; the number of calls at each fire station; concern regarding bond ratings; and TASPP funding staying in the Fire Department's budget.

Mayor McComb called for a brief recess at 7:05 p.m. Mayor McComb reconvened the Council meeting at 7:20 p.m.

29. Municipal Solid Waste (MSW) Charge Update

Mayor McComb referred to Item 29. Director of Solid Waste Operations Lawrence Mikolajczyk stated that the purpose of this item is to provide an update on the Municipal Solid Waste (MSW) System Service Charge. Mr. Mikolajczyk presented the following information: background on the MSW charge; how other cities charge fees; the change regarding when the fee is collected, that occurred October 9, 2017, when Development Services Department began collecting the fee at the time a permit is issued; a permit comparison of 2016 versus 2017; and residential and commercial roofing permits for 2016 versus 2017.

Council members and staff discussed the following topics: the collection change on October 9, 2017; the fee being established in 2001; the decision to implement the change in October 2017 began in May 2017 prior to Hurricane Harvey; the timing of changing the collection process; the efficiency and reliability of collecting the fee when the permit is issued; a reimbursement mechanism for local roofers that were impacted by the change in collection for existing contracts; roofers that were dumping at Gulley-Hurst were not charged MSW fees; and clarification on the fee structure.

30.

Bayfront Master Plan

Mayor McComb referred to Item 30. Assistant City Manager Keith Selman stated that the purpose of this item is to provide a comprehensive history of the Bayfront Master Plan. Mr. Selman presented the following information: a snapshot of City Council discussions regarding Bayfront Development Plan Phase 3; Bond 2008 ballot language; supplemental information provided to the public regarding Bond 2008 Bayfront Development Plan Phase 3; the design of the Bayfront Master Plan approved in 2004; media reports following the approval of the Bayfront Master Plan in 2004 showing the realignment of Shoreline Boulevard; a comparison of the Bayfront Master Plan in 2004 and the design presented to City Council in 2010 when the design contract was awarded to HDR; Shoreline Realignment options presented to City Council in 2014; an exhibit used in March 2015 updating the City Council on Phase 3; the proposed conceptual plan presented in March 2016; stakeholder outreach once the contract was awarded for the design build of the park held May 3, 2016; bollard installation; traffic count data; and the resolution stakeholder's reached during a meeting on January 22, 2018.

Council members and staff discussed the following topics: the installation of the bollards on the north side of Cooper's Alley; the issue of illumination; the stakeholders' resolution; designating the area as public space; removal of traffic signals and replacing stop lights; a list of the stakeholders group; what prompted the study; confirmation by Assistant City Manager Selman that Mayor McComb did not direct staff to do a traffic study; who authorized the placement of the gates without City Council approval; comments made at a previous council meeting that Shoreline Boulevard had been closed for two years; the number of pedestrian accidents that have occurred in the area; and staff accountability.

R. EXECUTIVE SESSION: (ITEMS 32 AND 34)

Mayor McComb referred to Executive Session Items 32 and 34. The Council went into executive session at 8:26 p.m. The Council returned from executive session at 9:14 p.m. Assistant City Secretary Paul Pierce stated for the record

that Council Member Molina abstained from Executive Session Item 33 discussed earlier in the meeting.

32. **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 discussed in executive session.

34. **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).

Mayor McComb referred to Item 34 and the following motion was considered:

Motion to authorize the City Manager to execute an Interlocal Agreement between the Port of Corpus Christi Authority of Nueces County, Texas and the City of Corpus Christi, Texas regarding Professional Services for Evaluation of Desalination Plant in a total amount not to exceed \$100,000.

Council Member Smith made a motion to approve the motion, seconded by Council Member Garza. 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: M2018-018

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. Council Member Lindsey-Opel made a motion requesting to place an item on the January 30, 2018 City Council agenda to address the City Manager's contract, seconded by Council Member Vaughn. There was consent of the council members to place this item on the agenda.

T. ADJOURNMENT

The meeting was adjourned at 9:16 p.m.