



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, February 13, 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 Brian Hill, First Baptist Church.

Pastor Brian Hill gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Keith Selman, Assistant City Manager.

Assistant City Manager Keith Selman led the Pledge of Allegiance.

D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.

City Secretary Rebecca L. Huerta called the roll and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

City Manager Margie C. Rose, City Attorney Miles K. Risley, and City Secretary Rebecca L. Huerta.

Present: 9 - Mayor Joe McComb, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Debbie Lindsey-Opel, Council Member Ben Molina, Council Member Lucy Rubio, Council Member Greg Smith, and Council Member Carolyn Vaughn

E. Proclamations / Commendations

1. Proclamation declaring February 2018, "Black History Month".
Proclamation declaring National League of United Latin American Citizens (LULAC) Week, February 11-17, 2018.
Proclamation declaring February 13, 2018, "Love Your Heart Day".
Proclamation declaring the week of February 18-24, 2018, "National Engineers' Week".

Mayor McComb presented the proclamations.

- 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. Alvin Villarreal, 1133 York, requested to meet with council members to discuss the establishment of a Teen Challenge Christian Ministry. Carrie Robertson Meyer, 4401 Gulf Breeze Boulevard, expressed support for Agenda Item 38, discussion of a potential new Tax Increment Reinvestment Zone (TIRZ) on North Beach. John Kelly, 3621 Austin, spoke regarding Agenda Item 25, approving the amendments to the TIRZ #2 amended project and financing plans and Agenda Item 39, an update on a proposed annexation policy. John Medina, 4931 Mokry Drive and Eric Tunches, 4910 Blundell, spoke regarding bullying in schools.

- Q. **BRIEFINGS: (ITEMS 37 AND 39)**

37. **World Sailing 2018 Youth Worlds**

Mayor McComb deviated from the agenda and referred to Item 37. Assistant City Manager Keith Selman stated that the purpose of this item is to present information on the World Sailing 2018 Youth Worlds. Mark Foster, Corpus Christi Yacht Club, stated that, in November 2014, the Corpus Christi Yacht Club was awarded the 48th Sailing World Championship. The event is the largest youth sailing event for Olympic hopefuls. The event will bring in 470 youth sailors ages 12 to 19 from 65 to 80 nations. Mr. Foster provided the following information: the races will take place over 8 days, April 14, 2018 through April 21, 2018; the categories of races; the expected economic impact; marketing of the event; the schedule of events; the race course; type of boats involved in the

ances; the budget and sponsorship; and open and closing ceremonies.

Council members thanked the Corpus Christi Yacht Club for presenting the information and expressed support for the event.

39. Proposed Annexation Policy Update

Mayor McComb deviated from the agenda and referred to Item 39. Assistant Director of Planning & ESI Daniel McGinn stated that the purpose of this item is to provide an update on the status of the proposed annexation policy. Mr. McGinn presented the following information: review of new state legislation, S.B. 6, Texas cities with annexation policies; and a map depicting the history of annexation in Corpus Christi. Senior City Planner Keren Costanzo presented: a timeline of the process-to-date; the six proposed criteria categories; direction from City Council; a summary of the stakeholders' meeting regarding: areas of common interest, areas of disagreement, and lack of consensus; and the stakeholders' viewpoints related to the pros and cons of an annexation policy.

Mr. McGinn stated that an annexation decision, whether requested by a developer or initiated by the City, will require City Council action. The intent of the policy was to lay out basic guidelines and identify information that would be needed to aid the City Council in their decision making process. There have been numerous opportunities to receive public feedback on an annexation policy. The stakeholders' group is divided on whether or not a policy should be adopted and staff feels that, at this point, consensus will not be reached. Mr. McGinn presented the following three options for Council's consideration: 1) Move forward with direction to staff to prepare a policy or guideline document detailing requested information to be provided for annexation actions; 2) move forward with direction to staff to prepare an application document detailing required information to be provided for annexation actions; and 3) direct staff to cease work on this item.

Council members and staff discussed the following topics: previous City Council workshops discussing an annexation policy; the stakeholders not being able to reach a consensus; the development community's lack of interest in developing a policy; concern that if an annexation policy is not adopted, there will continue to be disorderly growth; extension of City services to annexed areas; inner-core redevelopment; City Council level dialogue with stakeholders; a fiscal analysis for each project; the annexation policy impacting every citizen in the community; the number of stakeholders in the stakeholders' group; the cons of an annexation policy; whether the Unified Development Code addresses annexation; the annexation policy is criteria which details guidelines to move forward with annexation; the annexation policy would address issues in the London area related to: sewer system, possible Texas Commission on Environmental Quality (TCEQ) issues, extension of utilities, traffic, and the road system; a Request for Qualifications (RFQ) to evaluate the London Area Development Plan; the distinction between Options 1 and 2; the draft voluntary annexation application and checklist; voluntary annexation; the City's authority in its extra-territorial jurisdiction (ETJ); the cost of annexation; and a combination of Options 1 and 2.

MOTION OF DIRECTION:

Council Member Lindsey-Opel made a motion directing the City Manager to bring back an item for City Council to evaluate regarding the annexation guidelines with a combination of Options 1 and 2, seconded by Council Member Vaughn and passed unanimously.

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

Mayor McComb referred to City Manager's Report. City Manager Margie C. Rose reported on the following topics:

b. OTHER

1) City Manager Rose provided a recap of the items that City Council approved in the month of January related to the City Council's goals: Economic Development - creation of the Type B Corporation, downtown development agreement for the Frost Bank Building, AEP utility upgrades, and Stonewater properties, and the lease agreement with the Corpus Christi Convention and Visitors Bureau for the 2018 Fiesta De La Flor; Water - the construction contract to continue protection of Mary Rhodes Pipeline Phase I, continuation of the O.N. Stevens Water Treatment Plant improvements with the purchase of new equipment, revising the City's Drought Contingency Plan to include a reservoir stage system, the third-party inspection reporting system for backflow preventers, and a supply agreement for brass fittings; Streets - an additional \$3.4 million dedicated to residential streets; a construction contract for Yorktown Boulevard from Lake Travis Drive to Everhart Road, master service agreements for geotechnical and construction material testing, and amending the ordinance to extend warranties of new streets from one to two years. 2) The 2018 Great Texas Warrant Roundup is underway now through February 23, 2018 to allow individuals to voluntarily take care of their citations without concern of being arrested. Municipal Court allows payment options as well as community service opportunities for those who qualify. For information on the warrant roundup or to find out if an individual has a warrant, visit www.cctexas.com/warrantroundup. 3) The Engineering Services Department is hosting a public meeting regarding the Bond 2012 Staples Street Improvement Project from Brawner Parkway to Kostoryz Road on Thursday, February 15, 2018 at Lindale Senior Center located at 3135 Swantner Street. 4) The Planning Department is hosting an open house regarding the North Beach Development Initiatives on Thursday, February 15, 2018 at Fajitaville on North Beach from 12:00 p.m. to 6:30 p.m. The open house will feature two draft conceptual designs of North Beach development from community meetings and citizen feedback.

a. CONTRACT MANAGEMENT

City Manager Margie C. Rose stated that the purpose of this item is to provide follow-up regarding Contract Management. Assistant Director of Financial Services Kim Baker recapped the presentation provided to City Council in November 2017 including: the City Council annually approves upwards of 650 contracts; contract options are often included to create efficiencies; the City Manager has the authority to execute the options; options are at the sole option of the City to exercise; vendor/contractor is not guaranteed the option, but options do make contracts more attractive and pricing may be better; and the challenges related to a decentralized method of tracking/management. Updates to the contract management system include: improving the agenda

memo to clearly outline options; and improving visibility to City Council by moving away from repetitive one-time purchase orders to long-term service/supply agreements to increase efficiencies. Staff will continue improvements to the contract management system by: working to make contracts more visible during the budget process; moving to 2-5 year agreement to allow for better contract economy; establishing more training for departments in the contract management area; developing a centralized tracking database in Infor Contract Manager; City Council continues to have flexibility to amend options on specific agenda items on the floor; and thresholds could be established.

Council members and staff discussed the following topics: the number of contracts approved by City Council; providing a report to City Council of upcoming contract options; creating thresholds when necessary; the creation of a contract manager position; educating and training for departments regarding contract management; consideration to establish a City Council policy statement or framework regarding contracts; funding for multi-year contract options; and the appropriation clause contained in each contract.

G. MINUTES:

2. Regular Meeting of January 30, 2018 and Workshop Meeting of January 23, 2018.

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

H. BOARD & COMMITTEE APPOINTMENTS:

3. Civil Service Commission
Civil Service Board
Committee for Persons with Disabilities
Corpus Christi Regional Transportation Authority
Leadership Committee for Senior Services

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

Civil Service Commission

Council Member Lindsey-Opel made a motion to appoint Karen C. Beard, seconded by Council Member Rubio and passed unanimously.

Civil Service Board

Council Member Lindsey-Opel made a motion to appoint Karen C. Beard, seconded by Council Member Garza and passed unanimously.

Committee for Persons with Disabilities

Council members discussed the reappointment of Dalia Guterrez with respect to her ability to not physically attend meetings. The City Council reappointed Ms. Gutierrez with the understanding that she would participate in committee meetings via teleconference, due to a medical necessity, as a special accomodation which would be limited to this committee only.

Council Member Molina made a motion to reappoint Marshall Burns, James (T.C.) Chadden, Dalia Gutierrez, and Anthony M. Navarrette, seconded by Council Member Lindsey-Opel and passed unanimously.

Corpus Christi Regional Transportation Authority

Council Member Rubio nominated Philip C. Skrobarczyk. Council Member Vaughn nominated Chad Magill.

Philip C. Skrobarczyk was appointed with Mayor McComb, and Council Members Rubio, Molina, Hunter, Smith, Garza, and Lindsey-Opel voting for Philip C. Skrobarczyk and Council Members Vaughn and Guajardo voting for Chad Magill.

Leadership Committee for Senior Services

Council Member Garza made a motion to reappoint George A. Berry (Community), Peggie A. Lewis (Community), Patricia A. O'Brien (Community), and Katherine Heslip (Senior Center Participant), seconded by Council Member Rubio and passed unanimously.

Council Member Garza made a motion to appoint Gary Wicks (Community) and Inez Garcia (Community), seconded by Lindsey-Opel and passed unanimously.

Council Member Molina made a motion to appoint Kelly A. Diggs (Agency), seconded by Council Member Lindsey-Opel and passed unanimously.

R. EXECUTIVE SESSION: (ITEM 42)

Mayor McComb referred to the Executive Session Item 42. The Council went into executive session at 1:45 p.m. The Council returned from executive session at 2:42 p.m.

- 42. 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 provision of incentives pursuant to any previously executed or proposed economic development / business incentive agreement(s) between the City and/or related entities and Upper Padre Partners, LP, Gulf Shores Ventures, and/or North Padre Waterpark Holdings, Ltd. and/or past or present affiliates, creditors or shareholders of any of the aforesaid entities, possible development agreements or other funding mechanisms related to the construction of Park Road 22 bridge and related infrastructure, including, but not limited to, bridges, culverts, canals, sewers, mains, lift**

stations, pump stations, revetments, pilings, and ditches, **and pursuant to Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to 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).

Mayor McComb referred to Item 42 and stated that staff has informed the City Council regarding potential development on the island and provided assurances that there is sewer capacity on the island east of Park Road 22. Interested developers will need to submit an application and any necessary paperwork for development.

L. RECESS FOR LUNCH

The recess for lunch was held during the executive session regarding Item 42.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 16)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. Council members requested that Items 7 and 16 be pulled for individual consideration. There were no comments from the public.

A motion was made by Council Member Garza, seconded by Council Member Rubio, to approve the Consent Agenda. The consent agenda was passed and approved by one vote as follows:

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

Abstained: 0

4. Resolution authorizing submission of grant application to the State for funding available under the Victims of Crime Act (VOCA) Fund to continue the Victim Outreach Program

Resolution authorizing submission of grant application for \$216,469.70 to the State of Texas, under the Victims of Crime Act with city match of \$13,637.43 cash and \$40,480 in-kind services.

This Resolution was passed on the consent agenda.

Enactment No: 031356

5. Resolution authorizing submission of grant application to the State for funding available under the Violence Against Women Act (VAWA) for prevention of violence against women

Resolution authorizing submission of grant application for \$54,339.42 to the State of Texas under the Violence Against Women Act with city match of \$14,000 cash and \$8,280 in-kind services.

This Resolution was passed on the consent agenda.

Enactment No: 031357

6. Five-year Subscription Service Agreement for database software for Risk Management

Resolution finding that the purchase of a claims database system for the Risk Management Division is a sole source procurement; and authorizing a five-year service agreement with Recordables, Inc. of Venice, Florida, for a total amount not to exceed \$97,437.25.

This Resolution was passed on the consent agenda.

Enactment No: 031358

8. Service Agreement for HVAC Service and Repair for a one-year not to exceed \$66,700, with two additional one-year options and a total potential multi-year amount of \$200,100

Motion authorizing a service agreement with Rapid Air of Corpus Christi, Texas to provide HVAC services and repairs for Corpus Christi Fire Department for a total amount not to exceed \$66,700 for a term of one year with the option to extend for two additional one-year periods for a potential multi-year amount of \$200,100.

This Motion was passed on the consent agenda.

Enactment No: M2018-024

9. Supply Agreement for 36 months for gate valves for the Utilities Department

Motion authorizing a 36-month supply agreement with Gajeske, Inc., of Houston, Texas, for Gate Valves for the Utilities Department for a total amount not to exceed \$362,589.54.

This Motion was passed on the consent agenda.

Enactment No: M2018-025

10. Service Agreement Amendment No. 1 for Continual Rental of One

Komatsu Dozer for Solid Waste Operations

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to Service Agreement No. 52422 with Waukesha-Pearce Industries, LLC, of Dallas, Texas, for the rental of one Komatsu dozer for Solid Waste Operations for an additional six-month term, as required for public health and safety, for a not to exceed amount of \$49,050 for a revised total agreement amount not to exceed of \$91,525.

This Motion was passed on the consent agenda.

Enactment No: M2018-026

11.

Second Reading Ordinance - Rezoning property located at 901 Airline Road (Tabled 1/23/18) (1st Reading 1/30/18)

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.

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

Enactment No: 031359

12. Second Reading Ordinance - Appropriating funds for repairs to radio tower (1st Reading 1/30/18)

Ordinance appropriating \$14,439.73 from Radio System Capital Replacement Reserve Fund for repairs to radio tower site transmission lines; amending FY18 operating budget.

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

Enactment No: 031360

13. Second Reading Ordinance - Closing utility easement located at 4002 and 4018 South Padre Island Drive (1st Reading 1/30/18)

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 Ordinance was passed on second reading on the consent agenda.

Enactment No: 031361

14. Second Reading Ordinance - Approval of agreement and appropriating funds for AEL Development, LLC, for the Wastewater Collection Line Extension Construction and Reimbursement Agreement (1st Reading 1/30/18)

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 Ordinance was passed on second reading on the consent agenda.

Enactment No: 031362

15. Second Reading Ordinance - Appropriating funds to purchase two Roll-off Trucks for Solid Waste Operations (1st Reading 1/30/18)

Ordinance appropriating \$176,339.34 from the Unreserved Fund Balance in the Fund 5110 Fleet Maintenance Service Fund; transferring said funds to and appropriating in Fund 4200 Wastewater Fund; amending the FY2017-18 operating budget adopted by Ordinance

Number 031255 to increase revenues and expenditures; and approving the purchase of two Peterbilt roll off trucks from Rush Truck Centers of Texas, L.P., of New Braunfels, Texas, through the Houston Galveston Area Council of Governments purchasing cooperative, for an amount not to exceed \$396,960.00.

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

Enactment No: 031363

**7. Construction contract for Barge Dock Improvements (Rebid)
(Type A Funds)**

Motion authorizing a construction contract with Grace Paving and Construction, Inc., of Corpus Christi, Texas, in the amount of \$553,199.17 for the Barge Dock Improvements (Rebid) project for the total base bid plus additive alternates 1 and 2 (Type A Funds).

Mayor McComb referred to Item 7, a construction contract for the barge dock improvements. A council member complimented staff on bring back this item expeditiously and requested information regarding the process for presenting Type A projects to City Council. There were no comments from the public.

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

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

Abstained: 0

Enactment No: M2018-023

16. Second Reading Ordinance - for the Installation of playground equipment at Almanza, Breckenridge and Middlecoff Parks (1st Reading 1/30/18)

Ordinance appropriating \$64,709.27 from the No.1020 General Fund unreserved fund balance for the purchase and installation of playground equipment at Almanza, Breckenridge and Middlecoff Parks; amending the FY2017-18 operating budget adopted by Ordinance Number 031255 to increase expenditures by \$64,709.27; and approving the purchase of the said equipment and installation from The PlayWell Group, Inc. and PlayWorks, Inc., of Dallas, Texas, for an amount not to exceed \$251,933.60, via Buyboard.

Mayor McComb referred to Item 16, appropriating \$64,709.27 from the General

Fund Unreserved Fund Balance for the purchase and installation of playground equipment for Almanza, Breckenridge and Middlecoff Parks. Director of Parks and Recreation Jay Ellington, City Manager Margie C. Rose and council members discussed the following topics: the reasons for using unreserved funds on this project; the project being funded in last fiscal year; future improvements to update the City Council within 60-days after the end of the fiscal year regarding projects that were not completed; the number of projects to expect this fiscal year that were not completed last fiscal year; the timeline for installing new equipment at Alexander Park; the ability to create a line item for encumbered funds; the use of Community Enrichment Funds to replace equipment; review of the policy to use Community Enrichment Funds prior to expending General Fund monies; whether there are Community Enrichment Funds from park sales in the vicinity of the three parks; when the Community Enrichment Fund was created; Community Enrichment Funds including the sale of park proceeds and developer fees in lieu of dedicated park land; and a request for information regarding available Community Enrichment Funds for these projects and an explanation of the utilization of those funds.

Council Member Garza 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: 7 - Council Member Garza, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Nay: 2 - Mayor McComb and Council Member Guajardo

Abstained: 0

Enactment No: 031364

M. PUBLIC HEARINGS: (ITEMS 17 - 19)

17. Public Hearing and First Reading Ordinance - Rezoning Property located at 2882 Holly Road

Case No. 0118-02 ERF Real Estate, Inc. A change of zoning from "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. The property is located at 2882 Holly Road and described as being a 5.512 acre tract out of Lot 4, Section 3, Bohemian Colony Lands, located on the northeast corner of Holly Road and Richter Street, west of Kostoryz Road, and east of Ayers Street.

Planning Commission and Staff Recommendation (January 10, 2018): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Ordinance:

Case No. 0118-02: Ordinance rezoning property at or near 2882 Holly Road from "RS-6" to "CN-1" and amending the Comprehensive Plan.

Mayor McComb referred to Item 17. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property to allow for the construction of retail or office uses. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change.

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

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

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

Abstained: 0

18. Public Hearing and First Reading Ordinance - Rezoning for a Property located at 1645 Clare Drive

Case No. 1217-01 Rey Ramos: A change of zoning from "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District. The property is located at 1645 Clare Drive and described as Woodlawn Estates, Block 5, Lot 1, located on the north side of Williams Drive, east of Airline Road, and west of Rodd Field Road.

Planning Commission and Staff Recommendation (January 10, 2018): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Case No. 1217-01: Ordinance rezoning property at 1645 Clare Drive from "RS-6" to "RM-1" and amending the Comprehensive Plan.

Mayor McComb referred to Item 18. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property to allow for the construction of two duplexes totaling four units on the property. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change.

Mayor McComb opened the public hearing. Victor Medina, representing the applicant, spoke regarding the current dilapidated condition of the property and the proposed development. Mr. Medina requested consideration to approve the zoning change. Tara Schultz, 1625 Clare Drive and David Steinocher, 1637 Clare Drive, spoke in opposition to the zoning change and expressed concerns regarding: the neighborhood being predominately single-family residential; decreasing property values; fencing; and parking overflow onto Clare Drive. Mayor McComb closed the public hearing.

Council members discussed the following topics: the development plan for the property; parking requirements; the property across the street zoned "TH" in 2016; site plans not being required for zoning application; process addressing issues related to setbacks, screening, fencing and buffers; the reasons for opposition by two Planning Commissioners; access to Williams Drive; and the completion of Williams Drive.

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

Aye: 5 - Council Member Garza, Council Member Hunter, Council Member Molina, Council Member Rubio and Council Member Smith

Nay: 4 - Mayor McComb, Council Member Guajardo, Council Member Lindsey-Opel and Council Member Vaughn

Abstained: 0

19. Public Hearing and First Reading Ordinance - Rezoning property located at 8101 Slough Road (Tabled 1/30/18)

Case No. 1217-02 Dorsal Development, LLC. A change of zoning from "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District. The property is described as being a 19.398 acre tract of land, more or less, a portion of Lot 8, Section 25 and a portion of Lots 1 and 2, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, located north of Yorktown Boulevard, east of Rodd Field Road, and west of Roscher Road.

Planning Commission and Staff Recommendation (December 13, 2017): Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Dorsal Development, LLC. ("Owner"), by changing the UDC Zoning Map in reference to the property described as being a 19.398 acre tract of land, more or less, a portion of Lot 8, Section 25 and a portion of Lots 1 and 2, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District to "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 19. Interim Director of Development Services Bill Green stated that this item was tabled at the January 30, 2018 City Council meeting to have staff address City Council's concerns regarding the zoning change. The purpose of this item is to rezone the subject property to allow for the construction of a single-family home subdivision. Mr. Green stated that the development would not have access through Slough Road and a consensus

was reached with the developer to have more than one access location to Yorktown Boulevard. In response to a council member's concerns related to the proximity of the subject property to Starry Gun Range, Mr. Green reported that the gun range is approximately one mile south of the property and would not have any bearing on this zoning case.

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

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

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

Abstained: 0

N. REGULAR AGENDA: (ITEMS 20 - 21)

20. Resolution authorizing submission of grant application to the State for funding eligible under the FY 2017 Body-Worn Camera Program

Resolution authorizing submission of grant application for \$265,116 to the State of Texas under the FY 2017 Body-Worn Camera Program with city match of \$15,000 cash and \$51,279 in-kind services.

Mayor McComb referred to Item 20. Police Chief Mike Markle stated that the purpose of this item is to authorize the submission of a grant application in the amount of \$265,116 to the State of Texas to purchase 150 body worn cameras. There were no comments from the public. Council members discussed the Police Department's efforts to identify grant funding to pay for programs and spoke regarding the use of body cameras.

Council Member Lindsey-Opel made a motion to approve the resolution, seconded by Council Member Rubio. 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: 031365

21. Ordinance appropriating \$336,960 from the Hotel Occupancy Tax Fund for the Rediscover Corpus Christi and the Coastal Bend Advertising Campaign

Ordinance appropriating \$336,960 from the Hotel Occupancy Tax Fund for the Rediscover Corpus Christi and the Coastal Bend Advertising Campaign; amending the FY2017-18 operating budget; and declaring an emergency.

Mayor McComb referred to Item 21. Assistant City Manager Keith Selman stated that the purpose of this item is to appropriate \$336,960 from the Hotel Occupancy Tax (HOT) Fund for the Corpus Christi Convention and Visitors Bureau (CVB) post-Hurricane Harvey advertising campaign. This funding is an advance on future funding allocated to the CVB. Paulette Kluge, CVB, responded to council members' questions. There were no comments from the public.

Council members discussed the following topics: utilization of the funds for advertising to increase business at restaurants and attractions impacted by Hurricane Harvey; appreciation to the CVB for this request; advertising currently occurring during the Olympics in out-of-town markets; whether the funding is needed right now and if the campaign is currently in progress; the reason this item was presented as a emergency agenda item; the timeframe for contract negotiations with the CVB; and efforts to improve publicizing events occurring in the City.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Garza. 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: 031366

O. FIRST READING ORDINANCES: (ITEMS 22 - 25)

22. First Reading Ordinance - Authorizing a Ten-Year Lease Agreement for 1621 N. Mesquite Street (28-Day Delay Required)

Ordinance authorizing the City Manager or designee to execute a ten-year lease agreement with The Corpus Christi Ballet for the property located at 1621 N. Mesquite Street in consideration of monthly rental payment of \$400.00.

Mayor McComb referred to item 22. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to authorize a ten-year lease agreement with the Corpus Christi Ballet for property located at 1621 N. Mesquite Street in consideration of a monthly rental payment of \$400.00. There were no comments from the public.

Council members and staff discussed the following topics: the square footage of the building; the charge for rental payments; the escalation clause in the contract; maintenance of the facility, including mowing; the reason the City is mowing the property; consideration to increase rental payment rates at City facilities; whether offers were solicited to other non-profit agencies; the City foregoing potential revenue; the terms of the previous lease; the improvements made by the Corpus Christi Ballet to the property; meeting rooms in the building being utilized for activities of the ballet or any of its support groups; the potential increase in the property's value after the construction of the new Harbor Bridge; preference by council members to shorten the term of the contract to five years; and the termination clause in the contract should the City decide to sell the property.

Council Member Lindsey-Opel made a motion to amend the ordinance to execute the contract for a five-year lease with an option to renew for an additional five-years, seconded by Council Member Garza and passed; Mayor McComb voting "No".

Council Member Lindsey-Opel made a motion to approve the ordinance as amended, seconded by Council Member Vaughn. This Ordinance was passed as amended 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

23.

First Reading Ordinance - Appropriating funds from sale of Park properties into the Community Enrichment Fund for park improvements

Ordinance appropriating \$1,788,500.16 from sale of park properties into the Community Enrichment Fund for park improvements and related projects.

Mayor McComb referred to Item 23. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to appropriate \$1,788,500.16 from the sale of park properties into the Community Enrichment Fund for park improvements and related projects. Mr. Ellington stated that there was a substantial group of projects on which these funds can be used. There were no comments from the public.

Council members and staff discussed the following: prioritizing requests for funding; and a process for awarding playground equipment to communities that are part of the Adopt-A-Park Program.

Council Member Lindsey-Opel 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: 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

24. First Reading Ordinance - Appropriating funds for Municipal Court Building Security

Ordinance appropriating \$27,347.83 from the unreserved fund balance in the No. 1035 Municipal Court Security Fund for Security Guard Services; amending FY18 Operating Budget.

Mayor McComb referred to Item 24. Municipal Court Services Director Gilbert Hernandez stated that the purpose of this item is to appropriate \$27,347.83 from the unreserved fund balance in the Municipal Court Building Security Fund for security guard services. The Municipal Court Building Security Fund is restricted to being used for Municipal Court security purposes. The funding will be used to provide funding for Premier/Force One, the prior security contractor, to pay outstanding invoices that resulted from two contract extensions during the bid process for a new security provider, and for incidentals relating to the new contract, including overtime during the warrant roundup. There were no comments from the public.

Council members and staff discussed the following topics: the amount of outstanding invoices for last fiscal year; questions related to the contract extensions with Premier/Force One without council approval; staff's decision to not extend Premier/Force One's contract based on non-performance; the funding needed for incidentals for the new contractor; the cost associated with extending the contract with Premier/Force One on a month-to-month basis; when staff became aware that Premier/Force One was not performing well; how old the outstanding invoices are; a previous request from a council member requesting a list of all unreserved fund balances; and the additional cost of \$50,000 for the new security contractor.

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

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

Abstained: 0

25. First Reading Ordinance - Approving the Amendments to the Tax Increment Reinvestment Zone #2 Amended Project and Financing Plans

Ordinance approving the amendments to the Tax Increment Reinvestment Zone #2 amended Project & Financing Plans approved by the Board of

Directors of Reinvestment Zone Number Two, Corpus Christi, Texas.

Mayor McComb referred to Item 25. **Assistant City Manager Keith Selman** stated that the purpose of this item is to approve amendments to the Tax Increment Reinvestment Zone Number 2 amended Project & Financing Plans approved by the Board of Directors of Reinvestment Zone Number 2. **Assistant City Manager Selman** provided an overview of the amendments. There were no comments from the public.

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

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

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 26 - 36)

Mayor McComb referred to Future Agenda Items. **City Manager Margie C. Rose** stated that staff had planned presentations on Item 34, 35, and 36. Council members requested information on Items 26, 27, and 30.

26. Periodic Ethics Training for Governing Body

Resolution amending the City Council policies to add a periodic ethics training.

This Resolution was recommended to the consent agenda.

27. Sungard Public Sector Software Renewal for reduction of services

Motion authorizing reduced software support services from Superior, LLC (formerly, SunGard Public Sector, Inc.) and execution of a new 12-month access fee agreement for \$57,000 with one option to extend for an additional 12-month period for a potential multiyear amount not to exceed \$114,000.

This Motion was recommended to the consent agenda.

28. Resolution for a Service Agreement for TRAK Fuel Management System

Resolution authorizing a one-year service agreement with TRAK Engineering, Inc. of Tallahassee, Florida, as a sole-source and captive replacement part vendor, for maintenance of the fuel management system for a total amount not to exceed \$7,553, with nine one-year options for a potential multi-year amount of 75,530.

This Resolution was recommended to the consent agenda.

29. Wrecker Services for City Owned Vehicles and Equipment (Light Vehicles)

Motion authorizing a 36-month service agreement with DRR & RS Inc. -dba Apollo Towing of Corpus Christi, for wrecker services for City-owned vehicles and equipment for a total amount not to exceed \$326,662.50.

This Motion was recommended to the consent agenda.

30. Service Agreement for Truck Rentals for Water and Gas Departments

Motion authorizing a 12-month service agreement with PV Rentals of Corpus Christi, Texas for the rental of 13 trucks for the Water and Gas Department, via BuyBoard, for an amount not to exceed \$171,520.

This Motion was recommended to the consent agenda.

31. Two Year Supply Agreement for Sodium Chlorite Solution for the O. N. Stevens Water Treatment Plant for an amount not to exceed \$1,404,000, with two additional one-year options and a total potential multi-year amount of \$2,808,000

Motion authorizing a supply agreement with International Dioxide, Inc., of North Kingstown, Rhode Island for the purchase of sodium chlorite solution for a total amount not to exceed \$1,404,000 for a term of two years, with an option to extend for two additional one-year periods; with a total potential multi-year amount of \$2,808,000.

This Motion was recommended to the consent agenda.

32. Supply Agreement for Meter Boxes and Lids

Motion authorizing a 36-month supply agreement with Ferguson Enterprises Inc., of Corpus Christi, Texas for Meter Boxes and Lids for the Utilities Department for a total amount not to exceed \$289,294.72.

This Motion was recommended to the consent agenda.

33. Service Agreement for Solid Waste Operations for Household Hazardous Waste Disposal for 36-months at a not to exceed amount of \$491,118.75, with two one-year options and a total potential multi-year amount of \$818,531.25

Motion authorizing a 36-month service agreement with Green Planet, Inc.,

of Royse, Texas for household hazardous waste disposal for a total amount not to exceed \$491,118.75, with two one-year options for a total potential multi-year amount of \$818,531.25.

This Motion was recommended to the consent agenda.

34. Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Urban Development (TDHCA)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as The Avanti at Greenwood to be developed by Avanti at Greenwood, LP.

This Resolution was recommended to the consent agenda.

35. Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Casa De Manana Apartments to be developed by TG 110, Inc.

This Resolution was recommended to the consent agenda.

36. Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Village at Greenwood to be developed by TG 110, Inc.

This Resolution was recommended to the consent agenda.

Q. BRIEFINGS: (ITEM 38)

38. Discussion of potential new TIRZ on North Beach

Mayor McComb referred to Item 38. Assistant City Manager Keith Selman stated that the purpose of this item is to discuss the potential of a new Tax Increment Reinvestment Zone (TIRZ) on North Beach. Assistant City Manager Selman provided the following information: Tax Increment Financing covered under Chapter 311 of the Tax Code; a graph on how a TIRZ works related to taxes; the City's current TIRZ located on the island and downtown; TIRZ requirements; developed and undeveloped areas; TIRZ created by petition; limitations on TIRZ boundaries; the procedure for creating a TIRZ; the contents of the financing plan and project plan; and next steps.

Council members and staff discussed the following: the TIRZ being based on the current assessed values at creation of the TIRZ; whether the City has engaged in conversations with other taxing entities related to participation in the TIRZ; the term of a TIRZ; infrastructure issues the City will have to address in other areas of town; the ability to use TIRZ funding for staffing to operate the TIRZ; and hotel occupancy tax (HOT) funds for beaches.

MOTION OF DIRECTION

Council Member Vaughn made a motion directing the City Manager to proceed with the creation of a TIRZ on North Beach, seconded by Council Member Lindsey-Opel and passed unanimously.

R. EXECUTIVE SESSION: (ITEMS 40, 41 AND 43)

Mayor McComb referred to Executive Session Items 40 and 43. Executive Session Item 41 was withdrawn. The Council went into executive session at 5:18 p.m. The Council returned from executive session at 9:07 p.m.

- 40. 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 negotiations and potential litigation with the U.S. Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Attorney General, and/or U.S. Department of Justice concerning the City's sanitary sewer system and/or water system, including consideration of fees for attorneys, engineers, and other expert witnesses assisting in defense of potential lawsuit(s).

This E-Session Item was discussed in executive session.

- 41. 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, including potential grants for desalination facilities, 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 withdrawn.

- 43. Executive session pursuant to Texas Government Code § 551.074**
(Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

This E-Session Item was discussed in executive session.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Identify Council Future Agenda Items. Council Member Molina requested a presentation on the National League of Cities Service Line Program. The City Council concurred.

T. ADJOURNMENT

The meeting was adjourned at 9:11 p.m.