



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, July 17, 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 11:32 a.m.

- B. Invocation to be given by Pastor Ely Perez, Bridgeway Church.**

Pastor Ely Perez gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Buck Brice, Assistant City Attorney.**

Assistant City Attorney Buck Brice 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:

Interim City Manager Keith Selman, City Attorney Miles K. Risley, and City Secretary Rebecca L. Huerta.

Present: 8 - Mayor Joe McComb, Council Member Rudy Garza Jr., Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Debbie Lindsey-Opel, Council Member Ben Molina, Council Member Everett Roy, and Council Member Greg Smith

Absent: 1 - Council Member Lucy Rubio

E. Proclamations / Commendations

1. Proclamation declaring July 16 - July 20, 2018, "National Disability Voter Registration Week".
Proclamation declaring July 21, 2018, "Mandela Day".
Proclamation declaring July 2018, "National Parks and Recreation Month".
Recognition of Mayor's "4th of July Big Bang Celebration" Regatta Winners.

Mayor McComb presented the proclamations and recognition.

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

Mayor McComb referred to City Manager's Comments. Interim City Manager Keith Selman reported on the following topics:

e. OTHER

1) Interim City Manager Selman provide a recap of the items that City Council approved related to the City Council's goals for Water and Streets. 2) Interim City Manager Selman presented a video regarding the new Corpus Christi Mobile App.

b. HEALTH FUND UPDATE

Director of Human Resources Steven Viera provided an update on the status of the Citicare, Police, and Fire health plans.

a. STRATEGIC FUTURE ISSUES (NONE)

Council Member Lindsey-Opel requested an update on the City's water supply.

- 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. Mayor McComb announced that Item 6 and 20 were being pulled from the agenda. City Attorney Miles K. Risley read the Rules of Decorum for the Council Chambers.

Kirt Newport, 327 Chenoweth, thanked the City for their work to remove mud on Chenoweth Street after a recent water break and requested that Chenoweth Street be repaired as soon as possible. Flo East, 1605 Yorktown, spoke regarding a recent media report's portrayal of Flour Bluff and listed examples of how the Flour Bluff area is prospering. Jack Gordy, 4118 Bray, spoke regarding enforcement of illegal signs. Sherry Sells, 5014 Wingfoot, spoke regarding ADA accessibility on sidewalks. Reba Gandana, 623 Bradshaw; Mandy Cox, 1601 Sea Oak; Marissa Ettinger, 1325 Bates Creek; Sandra Gideon, 3217 Nassau; Tiffany Fader, 4706 Sea Island; Rachel Meldrum, 6826 Round Table; Alissa Mejia, 4302 Ocean Drive; Lisa Orsborn Hernandez, 5826 Llano; and Alyce Oblad, 7721 Van Zandt, spoke regarding park improvements including: splash pads, shade structures, additional trees, updated playground equipment and in support of a bond proposition for parks. Julianne Brown, 1241 Calle San Marcos, thanked the City Council for the regular clean-out of La Volla Creek and spoke regarding the need for additional street outlets. Raymond Ames, 7 Virginia Hills, asked the City Council to consider revisiting wastewater rates. Pat Polastri, 1605 Ocean Drive, spoke in opposition to the new landscaping placed in the median on Ocean Drive because it attracts roaches and rodents and is a safety concern. Sara Salvade, 634 Hoffman, expressed appreciation to Council Member Molina and Mayor McComb for their assistance in removing a fallen tree on her property by providing funding from the Mayor's Hurricane Harvey Fund and to the City Council for keeping the senior centers open. Brian Watson, 5813 Hugo, spoke regarding: pensions for City employees; collective bargaining agreements with first responders; and recycling. Margareta Fratila, 3606 Tripoli, spoke regarding the Water Department and legal issues. Shirley Thornton, 1917 Woodcrest, Flour Bluff Citizens Council, thanked council members, Police Captain Chris White with Code Enforcement and Director of Solid Waste Lawrence Mikolajczyk who attended a recent Flour Bluff Citizens Council meeting to address issues in the Flour Bluff area. Juan Araiza, 5921 Shadow Wood, spoke regarding public comment including: the Rules of Decorum; the Texas Open Meetings Act; and the Code of Ethics Rules of Conduct. Andrea Montalvo-Hamid, 7030 Wakeforest, spoke regarding: the budget for Parks and Recreation and Libraries; park activities; and splash pads. Errol Summerlin, spoke regarding Agenda Item 35,

an executive session item related to Gulf Coast Growth Ventures and the San Patricio Municipal Water District, and requested the item be held in open session. Susie Luna Saldana, 4710 Hakel, expressed her opinion that comments made by some members of the public were politically motivated and untrue. Julie Rogers, 710 Furman, read the City Council Policy regarding public comment. Sylvia Campos, 4410 Fir, spoke regarding: democracy; the Youth Sailing Event; food trucks; and splash pads for parks.

CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

Mayor McComb returned to City Manager's Comments.

c.

BUDGET UPDATE

Director of Management and Budget Eddie Houlihan provided a brief update on the FY2017-2018 budget. Mr. Houlihan presented the following information: General Fund revenues related to property, sales, franchise fees, and other taxes; public safety services; transfers; and a summary of the revenues and expenditures for the General, Enterprise, Internal Service, Debt Service, and Special Revenue Funds.

Council members and staff discussed the following topics: the transfer of funds for the baseball stadium; a future discussion related to water and wastewater; the status of the hotel occupancy tax funds and how to allocate unanticipated revenue; the decrease in utility revenues from last fiscal year; Hurricane Harvey's impact on General Fund revenues; a three-minute statement regarding the water and wastewater rate structure; and problems associated with the Utilities Billing System.

d.

CITY PERFORMANCE REPORT - CODE ENFORCEMENT

Police Captain Chris White provided a briefing on the mission statement, operational profile, baseline information and performance indicators of Code Enforcement.

Council members and Captain White discussed the following topics: prioritization of calls; the difference between the number of citations versus calls; the number of citations that result in payment or dismissal through Municipal Court; a property located at Buford and Third Streets; the statewide standard and goal of the department regarding the average time to address calls; if additional staff or process changes are needed to meet the goal of the department to respond to calls; the turnover rate of code enforcement officers; and opportunities to implement technology to effectively communicate to citizens enforcement violations and minimize administrative time completing documentation.

R.

EXECUTIVE SESSION: (ITEM 35)

Mayor McComb deviated from the agenda and referred to Executive Session Item 35. The Council went into executive session at 2:05 p.m. The Council returned from executive session at 3:26 p.m.

35.

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 economic development agreements, agreements pursuant to Texas Local Government Code Chapter 212, potential economic development agreement(s) involving Gulf Coast Growth Ventures and related entities, potential amendment(s) to water contracts with San Patricio Municipal Water District) and pursuant to **Texas Government Code § 551.087** to discuss or deliberate regarding commercial or financial information relating to some or all of the aforementioned matters and entities that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations and/or financial or other incentives involving said business prospect(s).

This E-Session Item was discussed in executive session.

L. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 35.

G. MINUTES:

- 2.** Regular Meeting of June 26, 2018 and Workshop Sessions of June 21, 2018 and June 28, 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 (Council Members Hunter and Rubio - absent).

H. BOARD & COMMITTEE APPOINTMENTS:

- 3.** Committee for Persons with Disabilities
Landmark Commission
Planning Commission
Airport Zoning Commission

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

Committee for Persons with Disabilities

Council Member Lindsey-Opel made a motion to appoint Melanie R. Gomez, seconded by Council Member Garza and passed unanimously (Council Members Hunter and Rubio - absent).

Landmark Commission

Council Member Garza made a motion to reappoint Craig Thompson

(Engineer), Jillian Becquet (Historian), and Bert Rucker, Jr. (Regular Member), seconded by Council Member Molina and passed unanimously (Council Members Hunter and Rubio - absent).

Council Member Garza made a motion to appoint Bryan E. Stone (Regular Member) and Kathleen De La Garza (Regular Member), seconded by Council Member Smith and passed unanimously (Council Members Hunter and Rubio - absent).

Planning Commission

Council Member Lindsey-Opel made a motion to reappoint Matthew Ezell and Sheldon Schroeder, seconded by Council Member Smith and passed unanimously (Council Members Hunter and Rubio - absent).

Council Member Garza nominated Kamran Zarghouni. Council Member Smith nominated Gordon R. Robinson.

Kamran Zarghouni was appointed with Council Members Molina, Lindsey-Opel, Guajardo, Garza, and Roy voting for Kamran Zarghouni and Mayor McComb and Council Member Smith voting for Gordon R. Robinson (Council Members Hunter and Rubio - absent).

Airport Zoning Commission

Council Member Molina made a motion to reappoint Matthew Ezell and Sheldon Schroeder and appoint Kamran Zarghouni, seconded by Council Member Lindsey-Opel and passed unanimously (Council Members Hunter and Rubio - absent).

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 10)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda.

Mayor McComb made a motion to table Items 6 and 20 to the July 24, 2018 Council meeting, seconded by Council Member Lindsey-Opel and passed unanimously (Council Members Hunter and Rubio - absent).

There were no comments from the Council or the public regarding the Consent Agenda Items.

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

Aye: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

4. Resolution authorizing submission of grant application for Automobile Burglary Theft Prevention Authority

Resolution authorizing submission of grant application for \$410,973 to Automobile Burglary Theft Prevention Authority to continue motor vehicle theft enforcement grant with City cash match of \$673,711, in-kind match of \$61,105, and program income match of \$1,831 for a total project cost of \$1,147,620.

This Resolution was passed on the consent agenda.

Enactment No: 031471

5. Resolution for the purchase of nine Crispin butterfly valves for O.N. Stevens Water Treatment Plant - Sole Source

Resolution authorizing the purchase of nine Crispin valves from Municipal Valve and Equipment Company from Addison, Texas for a total amount not to exceed \$145,854.00.

This Resolution was passed on the consent agenda.

Enactment No: 031472

6. Two Construction Contracts for Community Development and Improvements - Bill Witt Park (Bond 2012, Proposition 4)

Motion authorizing a construction contract with ABBA Construction LLC of Laredo, Texas in the amount of \$282,999.75 for Base Bid A and a construction contract with Mako Contracting of Corpus Christi, Texas in the amount of \$572,533.22 for Base Bid B for Community Park Development and Improvements - Bill Witt Park project. (Bond 2012, Proposition 4).

Item 6 was tabled at the start of the Consent Agenda.

7. Second Reading Ordinance - Rezoning for a Property located at or near 9630 Compton Road (1st Reading 6/26/18)

Case No. 0518-01 Suncrest Construction, Inc:

Ordinance rezoning property at or near 9630 Compton Road from "CG-1"

General Commercial District and "RE" Residential Estate District to the "RS-22" Single-Family 22 District.

Planning Commission and Staff Recommendation (May 16, 2018):

Approval of the change of zoning from the "CG-1" General Commercial District and "RE" Residential Estate District to the "RS-22" Single-Family 22 District.

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

Enactment No: 031473

8. Second Reading Ordinance - Accepting and appropriating State grant funds for the contract period of October 1, 2018 through September 30, 2019 (1st Reading 6/26/18)

Ordinance accepting an amendment to the Health Promotions and Chronic Disease Prevention/Texas Healthy Communities grant in the amount of \$50,000, increasing the total amount to \$200,000, from the Texas Department of State Health Services to continue implementing systems and strategies addressing Texas Healthy Communities priority indicators; and appropriating the increased grant amount.

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

Enactment No: 031474

9. Second Reading Ordinance - Farm and Grazing Land Leases at Corpus Christi International Airport (1st Reading 6/26/18)

Ordinance authorizing two, five-year Farm Leases with Matt Danysh Farms, Inc and S & S Farms Partnership, and one five-year Grazing Lease with S & S Farms Partnership with a three year option for all leases for land located at Corpus Christi International Airport with projected annual revenue of \$133,806.45.

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

Enactment No: 031475

10. Second Reading Ordinance - Appropriating funds for a Three-Year Service Agreement for the Purchase and Installation of a Public-Address System for Corpus Christi International Airport (1st Reading 6/26/18)

Ordinance appropriating \$216,672 from the Unreserved Fund Balance in the Airport Fund; amending the operating budget; and approving a three-year service agreement for the purchase and installation of a public-address system from Ford Audio-Video System LLC of Austin,

Texas, via BuyBoard Cooperative, for an amount not to exceed \$216,672.

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

Enactment No: 031476

M. PUBLIC HEARINGS: (ITEMS 11 - 14)

11. Public Hearing and First Reading Ordinance - Rezoning property at or near 1752 Flour Bluff Drive

Case No. 0518-02 Siecoast Development, Inc.:

Ordinance rezoning property at or near 1752 Flour Bluff Drive from "RM-1" Multifamily 1 District to the "CN-1" Neighborhood Commercial District.

Planning Commission and Staff Recommendation (May 30, 2018):

Approval of the change of zoning from the "RM-1" to the "CN-1".

Mayor McComb referred to Item 11. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for future development. Ms. Nixon-Mendez stated that the Planning Commission and staff are in favor of the zoning change.

Mayor McComb opened the public hearing. Mayor McComb stated that neither the applicant nor the applicant's representative was present. Mayor McComb closed the public hearing.

A council member expressed his support for the rezoning.

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: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

12. Public Hearing and First Reading Ordinance - Rezoning property at or near 4549 Violet Road

Case No. 0518-03 Elaine Pittman and James Massur:

Ordinance rezoning property at or near 4549 Violet Road from "RS-6" Single-Family 6 District to the "RV" Recreational Vehicle Park District.

Planning Commission and Staff Recommendation (May 30, 2018):

Approval of the change of zoning from the "RS-6" to the "RV".

Mayor McComb referred to Item 12. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the construction of a 73-pad recreational vehicle park. Ms. Nixon-Mendez stated that the Planning Commission and staff are in favor of the zoning change.

Mayor McComb opened the public hearing. Michelle Williams, 4557 Church, spoke in favor of the zoning change. Mayor McComb closed the public hearing.

Council members spoke regarding the following topics: a council member's opinion that the recreational vehicle park will be a benefit to the area; noise restrictions; the applicant's previous experience regarding recreational vehicle parks; and the development of a 73-pad recreational vehicle park, which is below the maximum allowed.

Cliff Zarbock, 1802 Hosea Ct., representative for the applicant, responded to questions regarding the recreational vehicle park.

Council Member Roy 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: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

13. Public Hearing Adopting the FY2018-FY2022 5 Year Consolidated Action Plan

Resolution adopting the fiscal year (FY) 2018-FY2022 5 Year Consolidated Action Plan (PLAN) which includes the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs; authorizing the City Manager or designee to submit the FY2018-FY2022 PLAN to the U.S. Department of Housing and Urban Development (HUD); and authorizing the City Manager or designee to make changes to the FY2018-FY2022 PLAN if required by HUD.

Mayor McComb referred to Item 13. Director of Housing and Community Development Rudy Bentancourt stated that the purpose of this item is to hold a public hearing and adopt the FY2018-2022 5-Year Consolidated Action Plan for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs. The plan is the City's funding application to the U.S. Department of Housing and Urban Development (HUD) for the next five years. Mr. Bentancourt introduced Whitney Finnstrom, Mullin Lonergan Associates, who assisted the City with developing

the plan. Council Member Roy announced he was abstaining from this item.

Mr. Finnstrom presented the following information: an overview of the Consolidated Plan process; the FY2018 HUD award to the City of Corpus Christi; citizen participation; the identified needs and priorities; and the schedule for preparation and submission of the plan.

Council members and staff discussed the following topics: the total amount estimated to be awarded over the five-year period; the funding allocation for FY2018-2019; the decline of HUD funding in previous years; the amount of funding associated with administration; and the cost-to-benefit ratio.

Mayor McComb opened the public hearing. Judy Telge spoke regarding the public input process; the need for affordable housing; and in support of the plan. Steven Andres, 4645 Ocean Drive, spoke regarding the need for housing for veterans; providing support in the community through neighborhood empowerment; and identifying ways to get communities involved. Lamont Taylor, 1701 Stillman, spoke in support of the plan; the public input process; and the need for affordable housing. Errol Summerlin spoke in support of adopting the plan and addressed how the funds are beneficial to the community. Mayor McComb closed the public hearing.

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

Aye: 6 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 1 - Council Member Roy

Enactment No: 031477

14. Public Hearing and First Reading Ordinance Adopting the City of Corpus Christi's Proposed FY2018-2019 Consolidated Annual Action Plan

Ordinance adopting the fiscal year (FY) 2018-2019 Consolidated Annual Action Plan (CAAP) for the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs funding from the United States Department of Housing and Urban Development (HUD) and authorizing the City Manager or designee to execute all documents necessary to submit the CAAP, accept and appropriate funding for the approved CAAP projects and further execute funding agreements, amendments or other documents necessary to implement the FY2018-2019 CAAP with organizations for approved projects.

Mayor McComb referred to Item 14. Director of Housing and Community Development Rudy Bentancourt stated that the purpose of this item is to hold a

public hearing and first reading ordinance to adopt the FY2018-2019 Consolidated Annual Action Plan for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs. Mr. Bentancourt provided a brief overview of staff's recommendations for the CDBG, ESG, and HOME project funding. City Secretary Rebecca L. Huerta announced that Council Member Roy was abstaining from this item.

Council members and staff discussed the following topics: an explanation of the HCD - Rehabilitation Services project; whether the administration of the HCD - Rehabilitation Services project could be contracted out; the total amount of funding being recommended for administration of projects; the project details for Engineering-Sunnybrook Road Sidewalk Improvements Phases I and II; the project description for the Parks and Recreation-Del Mar College Nutrition Education Service Center; the commencement date for the projects; use of the unallocated HOME funds to address workforce housing; the Homebuyer Gap Financing Assistance Program; leveraging the HOME funds with Type B funds; and the Community Development Corporation of Brownsville project.

Mayor McComb opened the public hearing. Nick Mitchell Bennett, Executive Director of the Community Development Corporation of Brownsville, provided information on the program and responded to council members' questions regarding: the definition of affordable housing; if homes are being built windstorm certified; and the relationship between the City and the Community Development Corporation of Brownsville to provide access to affordable housing. Mayor McComb closed the public hearing.

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

Aye: 6 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 1 - Council Member Roy

N. REGULAR AGENDA: (NONE)

O. FIRST READING ORDINANCES: (ITEMS 15 - 22)

15. First Reading Ordinance - Accepting and appropriating grant funds for the purchase of body cameras for the Police Department

Ordinance accepting \$156,000 from State of Texas, Office of the Governor Edward Byrne Memorial Justice Assistance Grant for purchase of body cameras with a City cash match of \$39,000; and appropriating \$156,000 in the Police Grants Fund.

Mayor McComb referred to Item 15. Police Chief Mike Markle stated that the

purpose of this item is to accept and appropriate a grant from the State of Texas, Edward Byrne Memorial Justice Assistance Grant in the amount of \$156,000 for the purchase of body cameras. There were no comments from the Council or the public.

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: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

16. First Reading Ordinance - Accepting and appropriating the Edward Byrne Memorial Justice Assistance Grant within the Police Department

Ordinance authorizing acceptance of grant from U. S. Department of Justice, Bureau of Justice Assistance, in amount of \$167,457 for FY 2017 Edward Byrne Memorial Justice Assistance Grant Program; and appropriating \$167,457 in the Police Grants Fund to fund enhancement of law enforcement efforts with 50% funds distributed to Nueces County per interlocal agreement.

Mayor McComb referred to Item 16. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a Justice Assistance Grant in the amount of \$167,457. This annual grant is used to purchase equipment and 50% of the funds are distributed to Nueces County. 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 Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

17. First Reading Ordinance - Accepting and appropriating grant for Internet Crimes Against Children (ICAC) Task Force Program within the Police Department

Ordinance authorizing acceptance of grant from Office of the Attorney General for Internet Crimes Against Children (ICAC) Task Force program, in amount of \$10,000 for the ICAC program within the Police

Department; and appropriating the \$10,000 in Police Grants Fund.

Mayor McComb referred to Item 17. **Police Chief Mike Markle** stated that the purpose of this item is to accept and appropriate a grant for the Internet Crimes Against Children Task Force Program. Chief Markle requested that the ordinance be amended to reflect a grant amount of \$10,010. There were no comments from the Council or the public.

Council Member Lindsey-Opel made a motion to amend the ordinance by changing the amount of the grant to \$10,010, seconded by **Council Member Molina** and passed unanimously (**Council Members Hunter and Rubio** - absent).

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

Aye: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

18. First Reading Ordinance - Partial utility easement closure located at 4030 Giants Drive

Ordinance abandoning and vacating 7-feet (420-square feet) of an existing 15-foot utility easement out of Lot 19, Block 3, Manhattan Estates Unit 4 Subdivision, located at 4030 Giants Drive and requiring the owner, Richard Ocanas, to comply with the specified conditions.

Mayor McComb referred to Item 18. **Director of Development Services Nina Nixon-Mendez** stated that the purpose of this item is to abandon and vacate an existing utility easement in the Manhattan Estates Unit 4 Subdivision located at 4030 Giants Drive to facilitate the potential sale of the property. There were no comments from the Council or the public.

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: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

19. First Reading Ordinance - 2018 Que Bueno Taco Festival Agreement

Ordinance authorizing an agreement with Corpus Christi PATCH, Inc. to

allow use of Artesian Park and portions of Taylor, Mesquite, Starr and Chaparral Streets for the Que Bueno Taco Festival and related activities on September 15, 2018.

Mayor McComb referred to Item 19. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to execute an agreement with Corpus Christi PATCH, Inc. to allow the use of Artesian Park and the adjacent streets for the Que Bueno Taco Festival on September 15, 2018. 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 Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

20. First Reading Ordinance - Accepting and appropriating developer contributions, other donations and interest earnings for park improvements

Ordinance to accept and appropriate \$846,228.34 in developer contributions, other donations and interest earnings in the Community Enrichment Fund for park improvements.

Item 20 was tabled at the start of the Consent Agenda.

21. First Reading Ordinance - Appropriating \$500,000 from Worker's Compensation Reserve Fund Balance for higher-than-actuarially-calculated worker's compensation costs

Ordinance appropriating \$500,000 from the Reserved Fund Balance in the Workers' Compensation Fund for payment of higher-than-actuarially calculated workers compensation costs and amending the FY17-18 Budget.

Mayor McComb referred to Item 21. City Attorney Miles K. Risley stated that the purpose of this item is to appropriate \$500,000 from the Reserved Fund Balance in the Workers' Compensation Fund for payment of higher-than-actuarially calculated workers' compensation costs. There were no comments from the public.

Council members and Risk Manager Gilbert Sanchez discussed the following topics: management of the claims by a third-party administrator, York Services; if York Services is incentivized to close-out claims; how payment is made to York Services; claims management; utilization review; and the balance of the Reserved Fund.

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

Aye: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

22. First Reading Ordinance - Appropriating \$550,000 for Selena Auditorium elevator modernization project

Ordinance appropriating \$550,000 from the unreserved fund balance of the Hotel Occupancy Tax Fund for modernization of elevators at the Selena Auditorium; and amending the FY18 operating budget.

Mayor McComb referred to Item 22. Assistant to the City Manager Esther Velazquez stated that the purpose of this item is to appropriate \$550,000 from the Unreserved Fund Balance for modernization of elevators at the Selena Auditorium. 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 Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Mayor McComb, Council Member Garza Jr., Council Member Guajardo, Council Member Lindsey-Opel, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 2 - Council Member Hunter and Council Member Rubio

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 23 - 32)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff had a planned presentation on Item 28. Council members requested information on Items 30 and 31.

23. Resolution for the Purchase and installation of Storage Cabinets for the Corpus Christi Museum of Science and History - Sole Source

Resolution authorizing a four month service agreement with Southwest Solutions Group, of Lewisville, Texas for the purchase and installation of storage cabinets for a total amount not to exceed \$218,299.

This Resolution was recommended to the consent agenda.

24. Four-year Service Agreement for Emergency or Disaster

Response Services

Motion authorizing a four-year service agreement with Garner Environmental Services, Inc. of Deer Park, Texas to secure required equipment and services in the event of an emergency or disaster for a total amount of \$200,000 via General Services Administration's (GSA) Cooperative.

This Motion was recommended to the consent agenda.

25. Resolution approving submission of a grant application for Beach Cleaning and Maintenance

Resolution approving Texas General Land Office's Beach Cleaning and Maintenance Assistance Program FY 2018-2019 grant application.

This Resolution was recommended to the consent agenda.

26. Four-Year Service agreement for Bio-Monitoring Testing Services for Wastewater Treatment Plants

Motion authorizing a four-year service agreement with Bio-Aquatic Testing Inc., of Carrollton, Texas for bio-monitoring testing services for the wastewater treatment plants for a total amount not to exceed \$173,040.

This Motion was recommended to the consent agenda.

27. Amendment No. 1 to the Master Services Agreement for Professional Survey Services

Motion authorizing Amendment No. 1 to the Master Services Agreement with Urban Engineering of Corpus Christi, Texas in the amount of \$60,000 for a total restated fee of \$85,000 for Professional Survey Services per year with the option to administratively renew for one additional year for a total contract price of \$170,000.

This Motion was recommended to the consent agenda.

28. Resolution Approving Construction Contracts for Residential Street Rebuild Program (RSRP) Bond 2016

Resolution rejecting bids and authorizing construction contracts with A. Ortiz Construction & Paving, Inc., of Corpus Christi, Texas in the amount of \$4,570,000 for Base Bid Part 1 and with J. Carroll Weaver, Inc., of Sinton, Texas in the amount of \$4,390,000 for Base Bid Part 2 for the Bond 2016 Residential Street Rebuild Program Project.

This Resolution was recommended to the consent agenda.

29. Purchase of Three Trucks for Solid Waste Operations

Motion authorizing the purchase of one side loading refuse truck from Rush Truck Center of New Braunfels, Texas, and two self-loading brush trucks from Houston Freightliners of Houston, Texas via HGAC and two Chassis for the trucks from Petersen Industries of Lake Wells, Florida via NJPA for a total amount not to exceed \$650,394.80.

This Motion was recommended to the consent agenda.

30. Disaster Debris Clearing, Removal and Disposal Services

Motion authorizing a two-year service agreement to provide disaster debris clearing, removal and disposal services with TFR Enterprises, Inc., of Leander, Texas for \$168,893,230, with two two-year options for a total potential multi-year amount of \$506,679,690.

This Motion was recommended to the consent agenda.

31. Two-year Service Agreement for Storm Debris Removal Monitoring and Consulting Services

Motion authorizing a two-year service agreement to provide storm debris monitoring and consulting services with Thompson Consulting Services, LLC, of Lake Mary, Florida for \$871,875, with two two-year options for a total potential multi-year amount of \$2,615,625.

This Motion was recommended to the consent agenda.

32. Master Agreement - Municipal Lease Line of Credit

Motion approving a two-year Master Lease-Purchase Financing Agreement with JPMorgan Chase Bank, N.A. of Chicago, Illinois for an estimated expenditure of \$11,883,665, with three additional options for one-year periods.

This Motion was recommended to the consent agenda.

Q. BRIEFINGS: (NONE)**R. EXECUTIVE SESSION: (ITEMS 33 - 34)**

Mayor McComb referred to Executive Session Items 33 and 34. The Council went into executive session at 5:53 p.m. The Council returned from executive session at 6:39 p.m.

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 economic development agreements, industrial district agreements, entities that are signatories to the City's industrial district agreements, annexation, and disannexation, (including, but not limited to, transactions involving Flint Hills Resources Corpus Christi, LLC (and LP) and related entities) and pursuant to **Texas Government Code § 551.087** to discuss or deliberate regarding commercial or financial information relating to some or all of the aforementioned matters and entities that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations and/or financial or other incentives involving said business prospect.

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 claims, pending litigation, potential settlement, attorney's fees, and/or other potential legal matters regarding lawsuits of *Salinas Construction Technologies, Ltd. and Salinas and Sons, Inc. v. City of Corpus Christi, Graham Construction Services, Inc. v. City of Corpus Christi, et al*, and other lawsuits against the City and the City's officers and employees.

This E-Session Item was discussed in executive session.

S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

None.

T. ADJOURNMENT

The meeting was adjourned at 6:41 p.m.