



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, September 25, 2018

11:30 AM

Council Chambers

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

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

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

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

- B. Invocation to be given by Rabbi Mary Eckroos, Kehilat B'nai Shalom.**

Rabbi Mary Eckroos gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Esther Velazquez, Assistant to City Manager.**

Assistant to the City Manager Esther Velazquez led the Pledge of Allegiance.

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

Assistant City Secretary Paul Pierce 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 Assistant City Secretary Paul Pierce.

**Present:** 8 - Mayor Joe McComb, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Ben Molina, Council Member Everett Roy, Council Member Lucy Rubio, and Council Member Greg Smith

**Absent:** 1 - Council Member Debbie Lindsey-Opel

## **E. Proclamations / Commendations**

1. Proclamation declaring September 8, 2018, "International Literacy Day" and September 2018, "National Literacy Month".  
Proclamation declaring September 29, 2018, "Coastal Bend Walk 'n Roll Celebration for Disability Awareness Day".  
Proclamation declaring October 2, 2018, "National Night Out".  
Proclamation declaring October 7-13, 2018, "National Fire Prevention Week".  
Proclamation declaring the City of Corpus Christi a Purple Heart City.  
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

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

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

Mayor McComb deviated from the agenda and referred to comments from the public. City Attorney Miles K. Risley read the Rules of Decorum for the Council Chambers. Ramon Ray Beltran, Jr., 901 Sharon Drive, spoke regarding increasing charges related to the utility billing and responses from the Utility Business Office. Karen Smith, 4301 Spring Creek Drive, Audubon Outdoor Club, requested that Blucher Park be designated a "Special Uses Park" with associated signage and enforcement. Jack Gordy, 4118 Bray Drive, spoke regarding illegal signs. Rick Milby, 4412 High Ridge Drive, presented a video regarding a study on streets constructed with concrete versus asphalt. Brian Watson, 5813 Hugo Drive, spoke in opposition to the City declaring a day in memory of Nelson Mandela. Huxley Smith, 1913 Thames, spoke in opposition to the City's desalination project. Paul Camardo, 5830 Norvel, spoke regarding issues regarding the Infor utility billing software; in opposition to an increase in

solid waste fees; the increase related to water utility billing; storm water fees; and the formula used for utility charges. Margareta Fratila, 3606 Tripoli, spoke regarding the Infor utility billing software; water utility charges; and asked the City Council to place an executive session item on the agenda to terminate the Infor contract. David Chris Castillo, 1800 Shely, spoke regarding citizens being charged for solid waste services, whether it is used or not, and requested that emailed utility statements include the price. Nancy Yzaguirre, 7032 Harbor Circle, spoke regarding the removal of a Crime Control and Prevention District board member. Susie Luna Saldana, 4710 Hakel, spoke regarding water utility billing issues. Ken Baker, 7421 Idle Hour, spoke regarding the water utility billing issues and in opposition to the increase in property taxes.

**Q. BRIEFINGS: (ITEMS 37 - 38)**

**37. Quarterly Update to Council - Harbor Bridge Replacement Project**

Mayor McComb deviated from the agenda and referred to Item 37. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to allow representatives with Flatiron Dragados to provide a quarterly update on the progress of the Harbor Bridge Replacement Project. The presentation team included: Lorette Williams, Public Information Coordinator; Keith Armstrong, Project Manager; and John Palmer, Deputy Project Manager.

Mr. Armstrong presented the following information: the project sections; the construction progress including: the Comanche Street Bridge Reconstruction; the Staples Street Bridge Reconstruction; the Stillman Pedestrian Bridge Reconstruction; the IH 37 traffic switch; the North Beach Traffic Switch; the Robstown pre-cast yard; approaches - pile drivings; approaches - footings; the north and south of the Port foundation pours; recent project milestones; and the upcoming launching of the Gantry Crane. Ms. Williams presented information regarding project communications including: website information; online traffic information; regional maps; community involvement; and the Harbor Bridge Sidewalk Talk.

Council members and the presentation team discussed the following topics: testing and quality assurance of the Comanche Street Bridge Reconstruction; project milestones; how long Flatiron Dragados will be involved with the project; responsibility for long-term maintenance; anticipated completion; removal of the existing bridge; and anticipated challenges regarding the project.

**38. Seawater Desalination Siting and Permitting Project**

Mayor McComb referred to Item 39. Executive Director of Public Works Dan Grimsbo stated that the purpose of this item is to provide an update on the progress of the Seawater Desalination Siting and Permitting Project. Mr. Grimsbo introduced the presentation team including: John Wolfhope, Freese and Nichols; Water Resource Manager Steve Ramos; and Leah Olivarri. Mr. Wolfhope presented the following information: the project overview; the goals and major tasks; siting and permitting facilities; obtaining project permits; the communication and outreach plan; key team members; the project schedule; and significant accomplishments.

Council members and the presentation team discussed the following topics:

appropriate sizing of the project; water demand versus water supply; communication and outreach; site location; diversification of water supply; multiple permits; maximum capacity of the project; clarification regarding whether the plant is geared for industrial or residential customers; the combined capacity of Lake Corpus Christi and Choke Canyon; and the cost of the San Antonio Water System's Vista Ridge project.

**R. EXECUTIVE SESSION: (ITEM 39)**

Mayor McComb referred to the day's executive session. The Council went into executive session at 1:39 p.m. The Council returned from executive session at 2:31 p.m.

- 39. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the purchase, exchange, lease, or value of real property rights owned by the City within the City of Corpus Christi at or adjacent to Creekway park (7244 Prairie) and/or other miscellaneous properties in the City limits owned by the City and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property rights at or in the vicinity of the aforementioned location[s]) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

This E-Session Item was discussed in executive session.

**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:

**a. STRATEGIC FUTURE ISSUES (NONE)**

**c. OTHER**

1) The City's credit rating has improved from a negative outlook to stable. 2) The Litter Critter Program is available to the public and can be mobilized on weekends. The City will be hosting a demonstration of the program on Friday, September 28, 2018 at 10:00 a.m. at the Solid Waste Services Department. 3) The City's Vector control unit is continuing to spray neighborhoods for mosquitoes and is scheduled to spray Routes 9, 10 and 12 in the downtown area on Monday, September 24, 2018; Routes 16, 18, and 20 on Tuesday, September 25, 2018; and Routes 1, 2, 3, 14 and 22 in the Calallen area on Wednesday, September 26, 2018. 4) The combined capacity of Lake Corpus Christi and Choke Canyon has reached above 50% and all water restrictions have been lifted. 5) Interim City Manager Selman stated that staff is working diligently to address the issues regarding the City's utility billing system and the multi-fronted effort to communicate to citizens regarding utility billing concerns. The Call Center received approximately 22,000 calls last month. A

team of 10 to 20 employees will immediately be set up in the Call Center to focus strictly on utility billing issues. Staff is working on the following long-term goals: continuing improvements to the utility billing software system; providing tools to allow customers the ability to view daily usage; reconfiguring the Call Center and allowing for an on-board supervisor; and improving online service options for customers. Staff has put together a team to identify issues, problems, and obstacles in the system prior to the arrival of the Infor representative next week. Mayor McComb and Interim City Manager Selman will have a conference call with the CEO of Infor by the end of this week. Interim City Manager Selman stated that he plans to have Infor provide a presentation at the City Council meeting.

Council members and Interim City Manager Keith Selman discussed the following topics: the issues with the Infor utility billing software system; the current rate structure; council members' concerns citizens are being inaccurately charged or not receiving a utility bill at all; reconciliation options for customers impacted by inaccurate billing; giving consideration to changing the rate structure back to winter averaging; how long implementation of the rate structure would take should the Council change the rate structure; providing the City Council with a weekly update regarding the progress in resolving the utility rate and billing issues; developing a critical path to allow City Council to change the rate structure with implementation in less than six months; creation of a video on the City's Government Channel explaining the rate structure and billing process to customers; communication improvements and responsiveness to citizens regarding their utility billing concerns, including ceasing comments advising citizens to contact plumbers to identify leaks.

**b. CITY PERFORMANCE REPORT - DEVELOPMENT SERVICES**

Director of Development Services Nina-Nixon Mendez provided a briefing on the Development Services Department, including the mission statement; operational profile; baseline information; and performance indicators.

Council members discussed the following topics: how the vacancy in the Engineer position, which oversees land development, has impacted the platting approval process and the challenges with filling the position; and if the Development Services Department is completely staffed.

**G. MINUTES:**

**2. Regular Meeting of September 18, 2018.**

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

**H. BOARD & COMMITTEE APPOINTMENTS: (NONE)**

**I. EXPLANATION OF COUNCIL ACTION:**

**K. CONSENT AGENDA: (ITEMS 3 - 22)**

### Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. Council members requested that Items 12 and 21 be pulled for individual consideration. There were no comments from the public.

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

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**3. Resolution authorizing a Service Agreement for the Purchase of Code Enforcement Applications Software License**

Resolution authorizing a five-year service agreement for the purchase of GovQA Code Enforcement Applications Software License from WebQA, Inc., dba GovQA, Woodridge, IL, for \$75,000.

**This Resolution was passed on the consent agenda.**

Enactment No: 031554

**4. Purchase of Veterinary Medicines and Supplies for Animal Care Services**

Motion authorizing a one-year supply agreement with Patterson Veterinary Supply, Inc. of Greeley, Colorado for the purchase of veterinary medicines and supplies for a total amount not to exceed \$380,426.15.

**This Motion was passed on the consent agenda.**

Enactment No: M2018-181

**5. Professional Services Contract Amendment No. 1 for Greenwood Wastewater Treatment Plant (WWTP) Headworks & Grit Removal Rehabilitation (Capital Improvement Program)**

Motion to authorize execution of Amendment No. 1 with Urban Engineering of Corpus Christi, Texas in the amount of \$335,200 for a total restated fee of \$380,400 for Greenwood Wastewater Treatment Plant (WWTP) Headworks & Grit Removal Rehabilitation project.

**This Motion was passed on the consent agenda.**

Enactment No: M2018-182

**6. Lease-Purchase of Two Dump Trucks and One Excavator for Street Operations**

Motion authorizing the lease purchase of two 12 cubic yard dump trucks from Houston Freightliner Inc., of Houston, Texas, and one Gradall excavator from Waukesha-Pearce Industries, LLC of Corpus Christi, Texas via Houston-Galveston Area Council and BuyBoard Cooperative for a total amount of \$765,824.59.

**This Motion was passed on the consent agenda.**

Enactment No: M2018-183

**7. Lease Purchase of Vactor Truck and Heavy Equipment for Utilities**

Motion authorizing the lease purchase of one Vactor combination sewer truck from Houston Freightliners of Houston, Texas, one 2019 Western Star tractor from Grande Truck Center of San Antonio, Texas; and one CPS half round end dump trailer and one 55-ton Low Boy trailer from J&B Pavelka of Houston, Texas via Houston-Galveston Area Council for \$ 694,880.30.

**This Motion was passed on the consent agenda.**

Enactment No: M2018-184

**8. Purchase of Auto Parts for Fleet Maintenance**

Motion authorizing one-year supply agreement for the purchase of automotive parts with O'Reilly Auto Enterprises LLC, dba O'Reilly Auto Parts of Springfield, Missouri via BuyBoard cooperative for a total amount not to exceed \$140,000.

**This Motion was passed on the consent agenda.**

Enactment No: M2018-185

**9. Professional Services Contract Solid Landfill Groundwater Monitoring**

Motion to authorize execution of a professional services contract with Terracon Consultants, Inc. of Corpus Christi, Texas for the Solid Waste Landfill Groundwater Monitoring project in the amount of \$225,191 per year with the option to administratively renew for two additional years for a total contract price of \$675,573.

**This Motion was passed on the consent agenda.**

Enactment No: M2018-186

**10. Meal Delivery Service for Senior Community Services and Summer Feeding Program**

Motion authorizing a three-year service agreement with R&R Delivery Service of Corpus Christi, Texas for meal delivery service for \$678,178.80.

**This Motion was passed on the consent agenda.**

Enactment No: M2018-187

**11. Supply Agreement for Purchase of Hydrofluorsilicic Acid for Water Treatment at O. N. Stevens Water Treatment Plant**

Motion authorizing a one-year supply agreement for the purchase of hydrofluorosilicic acid from Univar USA, Inc. from Kent, Washington for \$195,750.00.

**This Motion was passed on the consent agenda.**

Enactment No: M2018-188

**13. Second Reading Ordinance - Rezoning for a Property located at or near 4441 South Alameda Street (1st Reading 9/18/18)**

Case No. 0818-02 Texas Star Investments, Inc.:

Planning Commission and Staff Recommendation (August 8, 2018):

Denial of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District in lieu thereof:

Ordinance rezoning property at or near 4441 South Alameda Street from "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit (SP)

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

Enactment No: 031556

**14. Second Reading Ordinance - Rezoning for a Property located at or near 1804 Buford Avenue (1st Reading 9/18/18)**

Case No. 0818-03 The Salvation Army:

Planning Commission and Staff Recommendation (August 8, 2018):

Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-1/SP" General Commercial District with a Special Permit, in lieu thereof:



Ordinance rezoning property at or near 1804 Buford Avenue from "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit

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

Enactment No: 031557

**15. Second Reading Ordinance - Appropriating funds from the Recovery on Damage Claims (1st Reading 9/18/18)**

Ordinance appropriating \$92,437.71 from damage claims into General Fund to purchase police vehicles; and changing Operating Budget by increasing revenue and expenditures in the General Fund by \$92,437.71.

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

Enactment No: 031558

**16. Second Reading Ordinance - Accepting and appropriating grant funds for Fire Department (1st Reading 9/18/18)**

Ordinance authorizing acceptance of \$1,000 grant from NuStar Energy L.P.; and appropriating \$1,000 from NuStar Energy L.P. into Fire Grant Fund.

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

Enactment No: 031559

**17. Second Reading Ordinance - Amending the Women, Infant and Children's Nutrition Program (WIC) grant contract from the Health and Human Services Commission (1st Reading 9/18/18)**

Ordinance authorizing an amendment to the Women, Infant and Children's Nutrition Program (WIC) grant contract from the Health and Human Services Commission.

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

Enactment No: 031560

**18. Second Reading Ordinance - Construction Contract for Laguna Shores Road Force Main Replacement (Capital Improvements Program (CIP) (1st Reading 9/18/18)**

Ordinance rejecting the apparent low bid of Jhabores Construction Company, Inc., as non-responsive and authorizing a construction contract with Max Underground Construction, LLC of Corpus Christi, Texas as the

lowest responsive, responsible bidder in the amount of \$4,425,112.50 for the Base Bid plus Additive Alternate No. 1 and Additive Alternate No. 2 for the Laguna Shores Road Force Main Replacement project (Wastewater CIP).

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

Enactment No: 031561

**19. Second Reading Ordinance - Authorizing an Airline Use and Lease Agreement with American Airlines (1st Reading 9/18/18)**

Ordinance authorizing a three-year airline use and lease agreement with American Airlines to be effective as of October 1, 2017, with one two-year option.

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

Enactment No: 031562

**20. Second Reading Ordinance - Authorizing an Airline Use and Lease Agreement with Southwest Airlines (1st Reading 9/18/18)**

Ordinance authorizing a three-year airline use and lease agreement with Southwest Airlines to be effective as October 1, 2017, with one two-year option.

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

Enactment No: 031563

**22. Second Reading Ordinance - Transferring funds for erosion, drainage, and 3D modeling work for the North Beach Area (1st Reading 9/18/18)**

Ordinance transferring \$16,000 from the City Council Business Accounts in the General Fund to the Comprehensive Planning Department Budget for Beach Erosion, Drainage, and 3D Modeling work for the North Beach area.

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

Enactment No: 031565

**12. Second Reading Ordinance - Rezoning for a Property located at or near 6001 Crosstown Expressway (State Highway 286) (1st Reading 9/18/18)**

Case No. 0818-01 Joshua Kosarek:

Planning Commission and Staff Recommendation (August 8, 2018):

Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District, in lieu thereof:

Ordinance rezoning property at or near 6001 Crosstown Expressway (State Highway 286) from "RS-6" Single-Family 6 District to the "ON" Neighborhood Office District.

Mayor McComb referred to Item 12, rezoning property at or near 6001 Crosstown Expressway (State Highway 286). A council member thanked City Council for their support and staff for their work on this project in District 3. There were no comments from the public.

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

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

Enactment No: 031555

21.

**Second Reading Ordinance - Amending City Code to increase collection fees for Solid Waste (1st Reading 9/18/18)**

Ordinance amending the Corpus Christi Code of Ordinances, Chapter 21, Section 40, to increase collection fees for solid waste.

Mayor McComb referred to Item 21, amending the City's Code of Ordinances to increase collection fees for Solid Waste. Council members discussed the following topics: a council member stated that he could not support the fee increase until the utility billing issues are resolved and that the proposed fees are included in the FY2019 Operating Budget. There were no comments from the public.

Council Member Smith made a motion to approve the ordinance, seconded by Mayor McComb. This Ordinance was passed on second reading and approved with the following vote:

**Aye:** 5 - Mayor McComb, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

**Nay:** 3 - Council Member Garza, Council Member Guajardo and Council Member Hunter

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

Enactment No: 031564

**L. RECESS FOR LUNCH****M. PUBLIC HEARINGS: (ITEMS 23 - 28)****23. Public Hearing and First Reading Ordinance - Urban Transportation Plan Amendment deleting a proposed collector street**

Ordinance amending Urban Transportation Plan map by deleting a portion of Las Tunas Drive, a proposed C1 Collector located approximately 0.2 miles south of Whitecap Boulevard connecting Palmira Avenue. with South Padre Island Drive (Park Road 22)

**Mayor McComb referred to Item 23. Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to amend the City's Urban Transportation Plan by deleting a portion of Las Tunas Drive to accommodate a proposed commercial shopping center development on Padre Island. Mr. McGinn presented the following information: a map of the subject property; the current plan; the location of the wetlands; the proposed amendment; and site plan.**

**A council member spoke in support of the amendment.**

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

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

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**24. Public Hearing and First Reading Ordinance - Unimproved Street Right-of-Way Closure of Las Tunas Drive**

Ordinance closing, abandoning and vacating a 0.516-acre portion of Las Tunas Drive, a platted unimproved road, out of Padre Island No. 1 and requiring petitioner, Yasin Investment, LLC., to comply with specified conditions.

**Mayor McComb referred to Item 24. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to close, abandon, and vacate a portion of Las Tunas Drive for the construction of a cart path connecting a shopping center to the existing residential neighborhood.**

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

Council Member Smith 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:** 8 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Roy, Council Member Rubio and Council Member Smith

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**25. Public Hearing and First Reading Ordinance - Partial Street Right-of-Way closure, vacation, and abandonment of Battlin' Buc Boulevard and Lipan Street, and alley closures out of Nelson Addition Block 2 and 3**

Ordinance closing, vacating, and abandoning a 0.50 acre portion of Battlin' Buc Boulevard, a 0.43 acre portion of Lipan Street, a 0.069 of an acre, being a 10-foot wide alley located out of Nelson Addition Block 2, and a 0.034 of an acre, being a 10-foot wide alley located out of Nelson Addition Block 3, and requiring Corpus Christi Independent School District to comply with specified conditions.

Mayor McComb referred to Item 25. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to close, vacate, and abandon a portion of Battlin' Buc Boulevard and two alleys to allow for future expansion and construction of a new R.O.T.C. building and parking lot.

Council members spoke regarding the following topics: a council member expressed support for the closure to expand the R.O.T.C. building at Miller High School; and Corpus Christi Independent School District's maintenance of the right-of-way.

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 Molina. This Ordinance was passed on first reading and approved with the following vote:

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**26. Public Hearing and First Reading Ordinance - Rezoning for a**

**Property located at or near 5518 Curtis Clark Drive.**

Case No. 0818-04 Marias Properties, LLC:

Planning Commission and Staff Recommendation (August 22, 2018):

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-2" Neighborhood Commercial District.

Ordinance rezoning property at or near 5518 Curtis Clark Drive from "RS-6" Single-Family 6 District to the "CN-2" Neighborhood Commercial District.

**Mayor McComb referred to Item 26. 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 parking lot and a small retail office building. Ms. Nixon-Mendez 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 Garza. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**27. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 2141 Laguna Shores Drive.**

Case No. 0818-05 James Karstens:

Planning Commission and Staff Recommendation (August 22, 2018):

Approval of the change of zoning from the "CR-1" Resort Commercial District to the "RS-15" Single-Family 15 District.

Ordinance rezoning property at or near 2141 Laguna Shores Road from "CR-1" Resort Commercial District to the "RS-15" Single-Family 15 District.

**Mayor McComb referred to Item 27. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the future construction of single-family residences. Ms. Nixon-Mendez 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 Smith made a motion to approve the ordinance, seconded by Council Member Rubio. This Ordinance was passed on first reading and approved with the following vote:

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**28. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 2117 Laguna Shores Drive**

Case No. 0818-06 Guy Brady:

Planning Commission and Staff Recommendation (August 22, 2018):  
Approval of the change of zoning from the "CR-1" Resort Commercial District to the "RS-15" Single-Family 15 District.

Ordinance rezoning property at or near 2117 Laguna Shores Road from "CR-1" Resort Commercial District to the "RS-15" Single-Family 15 District.

Mayor McComb referred to Item 28. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the future construction of a single-family residence. Ms. Nixon-Mendez 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 Smith made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on first reading and approved with the following vote:

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**N. REGULAR AGENDA: (ITEM 29)**

**29. Second Reading Ordinance - Accepting and Appropriating funds and approving Construction Contract for Corpus Christi**

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**International Airport (CCIA) Rehabilitate Terminal Apron Phase II and East General Aviation Phase II projects (1st Reading 9/18/18)**

Ordinance to accept and appropriate Airport Grant #57 in Fund 3020; appropriate and transfer \$725,805 from Fund 4612 to Fund 3018 and authorizing a construction contract with SpawGlass Civil Construction of Corpus Christi, Texas in the amount of \$7,221,798.15 for Base Bid and Alternates for the Corpus Christi International Airport (CCIA) Rehabilitate Terminal Apron Phase II and East General Aviation Apron Phase III projects.

Mayor McComb referred to Item 29, accepting and appropriating funds and approving a construction contract for the Corpus Christi International Airport Rehabilitation Terminal Apron Phase II and East General Aviation Phase II projects. Director of Aviation Fred Segundo requested that the City Council amend the ordinance to reflect that the Federal Aviation Administration Grant amount in Section 1 is \$6,532,244 instead of \$6,532,544 and to add to Section 3 that the FY2018 Capital Budget is further amended to increase revenues and expenditures by \$7,258,049, each.

Council Member Garza made a motion to amend the ordinance as stated, seconded by Council Member Rubio and passed unanimously (Council Members Lindsey-Opel and Molina - absent).

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

**Aye:** 7 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Roy, Council Member Rubio and Council Member Smith

**Absent:** 2 - Council Member Lindsey-Opel and Council Member Molina

**Abstained:** 0

Enactment No: 031566

**O. FIRST READING ORDINANCE: (ITEM 30)****30. First Reading Ordinance - Amending Tree Advisory Committee Membership Requirements**

Ordinance amending Tree Advisory Committee membership.

Mayor McComb referred to Item 30. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to amend the City's Code of Ordinances regarding the Tree Advisory Committee's membership by replacing the category of landscape architect with landscape professional.

Mayor McComb called for comments from the public. Huxley Smith, 1913 Thames, requested clarification on the difference between a landscape architect and a landscape professional. Mr. Ellington explained that changing



the category to landscape professional will allow for more flexibility to fill the position.

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

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

**Absent:** 1 - Council Member Lindsey-Opel

**Abstained:** 0

**P. FUTURE AGENDA ITEMS: (ITEMS 31 - 36)**

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff did not have any planned presentations.

**31. Annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS) (Requires 2/3 Vote)**

Motion authorizing renewal of an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of water quality and stream flows associated with the Nueces River and its tributary, with the City's cost to be \$160,350.

**This Motion was recommended to the consent agenda.**

**32. Food Program Purchase for the Senior and Summer Youth Feeding Programs (Requires 2/3 Vote)**

Resolution authorizing the purchase up to \$421,000.00 in food supplies for the senior and summer youth feeding programs through the Coastal Bend Council of Governments' ("CBCOG") participation in the TEXAS 20 Purchasing Cooperative as organized and administered by the Education Service Center, Region 20.

**This Resolution was recommended to the consent agenda.**

**33. Supply Agreement for the Purchase of Garbage Truck Parts (Requires 2/3 Vote)**

Motion authorizing a one-year supply agreement for the purchase of garbage truck parts with Heil of Texas of San Antonio, Texas via BuyBoard cooperative for \$220,000, with a one-year option for a total potential multi-year amount not to exceed \$440,000.

This Motion was recommended to the consent agenda.

**34. Supply Agreement for the Purchase of Heavy Equipment Parts for Asset Management (Requires 2/3 Vote)**

Motion authorizing a one-year supply agreement for the purchase of heavy equipment parts with Rush Truck Centers of Texas, LP dba, Rush Truck Center of Corpus Christi, Texas via BuyBoard cooperative for \$630,000, with a one-year option for a total potential multi-year amount of \$1,260,000.

This Motion was recommended to the consent agenda.

**35. Service Agreement for Backflow Prevention Testing and Repairs for City Facilities (Requires 2/3 Vote)**

Motion authorizing a three-year service agreement for backflow prevention testing and repairs for City facilities with Smart Plumbing, Inc. of Corpus Christi, Texas for a total amount not to exceed \$276,286.

This Motion was recommended to the consent agenda.

**36. Service Agreement for Plumbing Services for City Facilities (Requires 2/3 Vote)**

Motion authorizing a three-year service agreement with Smart Plumbing Inc of Corpus Christi, Texas for plumbing services for City facilities for a total amount not to exceed \$230,625.

This Motion was recommended to the consent agenda.

**S. IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

Mayor McComb referred to Identify Council Future Agenda Items. The following items were identified: a communication plan to address utility billing issues; a weekly update to the City Council regarding the progress in resolving the utility rates and utility billing issues; and a plan to reconsider the rate structure.

**T. ADJOURNMENT**

The meeting was adjourned at 3:45 p.m.