



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, February 26, 2019

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 11:34 a.m.

- B. Invocation to be given by Reverend Bruce Wilson, Community Development Coordinator.**

Reverend Bruce Wilson gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Jesse Cantu, Assistant Director of Gas Operations.**

Assistant Director of Gas Operations Jesse Cantu 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:** 9 - Mayor Joe McComb, Council Member Roland Barrera, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Gil Hernandez, Council Member Michael Hunter, Council Member Ben Molina, Council Member Everett Roy, and Council Member Greg Smith

## **E. Proclamations / Commendations**

1. Proclamation declaring February 26, 2019, "Outstanding Community Leader Honorees for National LULAC Week 2019".  
Proclamation declaring March 1, 2019, "Public Risk Management Awareness Day".  
Proclamation declaring March 12, 2019, "IHOP Free Pancake Day and Shriners Hospital for Children Day".  
Proclamation declaring March 8, 15, and 22, 2019, "Fill-the-Boot for the Muscular Dystrophy Association Days".  
Arts and Cultural Commission Will Recognize the 2019 Arts Grant Recipients with a Check Presentation.  
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

Mayor McComb presented the proclamations; the Arts and Cultural Commission recognized the 2019 Arts Grant Recipients with a check presentation; and Mayor McComb conducted the swearing-in ceremony for the 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. City Secretary Rebecca L. Huerta conducted the public comment period. Jack Gordy, 4118 Bray, spoke regarding enforcement of illegal signs. Margareta Fratila, 3606 Tripoli, spoke regarding the condition of private parking lots and requested an item be placed on the agenda regarding the minimum charge for consumption of water. Janet Newcomb, 1314 Meadowlane, spoke in support of Agenda Item 9, amending the City's Code of Ordinances to prohibit operation of retail tobacco stores, hookah lounges, vaping lounges and cigar bars from 2:00 a.m. to 7:00 a.m.

**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:

**b. OTHER**

1) A ribbon cutting ceremony will be held for the completion of the Alameda Street Project, Bond 2012 at Six Points on Thursday, February 28, 2019 at 10:00 a.m. 2) The 2019 Municipal Court Roundup was a huge success with 3,700 warrants that were taken care of during amnesty week. Municipal Court is a safe harbor and individuals are encouraged to take care of their outstanding warrants. The 2019 Municipal Court Roundup concludes on Saturday, March 9, 2019. 3) The 4th Annual Chicas Bonitas Art Exhibit will be held at La Retama Central Library through March 30, 2019. A reception will be held on March 15, 2019 from 6:30 p.m. to 8:30 p.m. to provide an opportunity to meet the artists. 4) Animal Care Services will be open on Sundays, on a trial basis, from 1:00 p.m. to 5:30 p.m. for adoptions. During a Sunday Valentine's Day adoption event, 100 people were in attendance and 20 dogs were adopted.

**a. UTILITY BILLING UPDATE**

Interim IT Director Peter Collins provided the following information regarding the City's Infor Software and utility billing system: an update on the external audit process; the progress of the missed utility bills; and the Development Services portal.

**G. MINUTES:****2. Regular Meeting of February 19, 2019.**

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

**H. BOARD & COMMITTEE APPOINTMENTS:****3. Arts and Cultural Commission  
Corpus Christi Aquifer Storage and Recovery Conservation District  
Mechanical/Plumbing Advisory Board  
Museum of Science and History Advisory Board  
Oil and Gas Advisory Committee  
Parking Advisory Committee**

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

**Arts and Cultural Commission**

Mayor McComb made a motion to reappoint John R. Borys (Marketing) and Laura A. Petican (Visual Arts) and appoint Abu N. M. Waheeduzzaman

(Economic Development/Tourism) and James Moore (Performing Arts), seconded by Council Member Hunter and passed unanimously.

**Corpus Christi Aquifer Storage and Recovery Conservation District**

Council Member Smith made a motion to appoint Jeffrey Edmonds, Director of Engineering Services and Sharon Bailey Lewis, Environmental Affairs Manager, seconded by Council Member Barrera and passed unanimously.

**Mechanical/Plumbing Advisory Board**

Council Member Molina made a motion to reappoint William F. Boeker (Not Connected to the Building Industry), Benny M. Franklin (Master Plumber) and Mike Wanzer (Air Conditioning), seconded by Council Member Garza and passed unanimously.

**Museum of Science and History Advisory Board - postponed**

**Oil and Gas Advisory Committee**

Mayor McComb made a motion to reappoint John W. Newman (Oil Industry), reappoint and realign Eucharía Igwe from Alternate, General Public to General Public, realign Armando Mendez from Alternate, Oil Industry to Oil Industry and appoint Craig C. Hebner (General Public) and Bradley Strayer (Alternate, General Public), seconded by Council Member Smith and passed unanimously.

**Parking Advisory Committee**

Council Member Barrera made a motion to appoint Nicholas F. Aluotto (DMD Representative) and Jared Cooper (DMD Representative), seconded by Council Member Hernandez and passed unanimously.

**I. EXPLANATION OF COUNCIL ACTION:**

**L. CONSENT AGENDA: (ITEMS 4 - 12)**

Mayor McComb referred to the Consent Agenda. Mayor McComb requested that Item 9 be tabled to the March 19, 2019 Council meeting.

**9. Second Reading Ordinance - Amending Chapter 23 of the City Code prohibiting operating of retail tobacco stores, hookah lounges, vaping lounges and cigar bars from 2:00 am to 7:00 am (1st Reading 2/19/19)**

Ordinance amending Chapter 23 of the Corpus Christi Code to prohibit operating and using retail tobacco stores, hookah lounges, vaping lounges and cigar bars from 2:00 am to 7:00 am; and providing for

penalty.

**Council Member Garza made a motion to table Item 9, seconded by Council Member Molina and passed with the following vote:**

**Aye:** 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Abstained:** 0

### **Approval of the Consent Agenda**

**A council member requested that Item 12 be pulled for individual consideration. There were no comments from the public.**

**Council Member Guajardo made a motion to approve the Consent Agenda, seconded by Council Member Hunter. The consent agenda items were passed and approved by one vote as follows:**

**Aye:** 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Abstained:** 0

#### **4. Service Agreement for Psychological Services for Police, Fire, Airport and Municipal Court**

Motion authorizing a three-year service agreement for psychological services with Kathryn W. Soward, Ph.D., of Corpus Christi, Texas, for an amount not to exceed \$78,750.00, with two one-year options for a potential total amount not to exceed \$131,250.00.

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

Enactment No: M2019-031

#### **5. Supply Agreement for Asphalt Patch Bags for Street Operations**

Motion authorizing a three-year supply agreement with Asphalt Patch Enterprises, Inc. of New Braunfels, Texas, for the purchase of asphalt patch bags for a total amount not to exceed \$371,347.20.

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

Enactment No: M2019-032

#### **6. Resolution for an Interlocal Agreement with Texas A&M Agrilife Extension Service for soil analysis**

Resolution authorizing an Interlocal Agreement with Texas A&M AgriLife

Extension Service for a soil testing program.

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

Enactment No: 031688

**7. Supply Agreement for Sludge Dewatering Polymer for Wastewater Plants**

Motion authorizing a one-year supply agreement for sludge dewatering polymer with Polydyne, Inc. from Riceboro, Georgia for a total amount not to exceed \$308,992.00.

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

Enactment No: M2019-033

**8. Second Reading Ordinance - Appropriating funds from the Recovery on damage claim (1st Reading**

Ordinance appropriating \$5,682.32 from damage claim into General Fund to pay damage claim on a leased vehicle; and changing Operating Budget by increasing revenue and expenditures in the General Fund by \$5,682.32.

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

Enactment No: 031689

**10. Second Reading Ordinance - Easement closure for property located at 16001 El Socorro Loop (1st Reading 2/19/19)**

Ordinance abandoning and vacating a 7.5-foot wide by approximately 60-feet in length (449.73 sq. ft.) portion of an existing utility easement out of Lot 7, Block 26, Padre Island-Corpus Christi, Coquina Bay Subdivision, located at 16001 El Socorro Loop.

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

Enactment No: 031690

**11. Second Reading Ordinance - Appropriating reimbursement funds for the Coastal Bend Fertilizer and Pesticides Monitoring Program (1st Reading 2/19/19)**

Ordinance to appropriate \$37,048 in reimbursement funds received through the Reimbursement Contract with Coastal Bend Bays and Estuaries Program, Inc. for the Coastal Bend Fertilizer and Pesticides Monitoring Program in the No. 4300 Stormwater Treatment Fund.

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

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Enactment No: 031691

**12. Second Reading Ordinance - Amending the Capital Improvement Budget for replacement of the current gas-powered chillers (1st Reading 2/19/19)**

Ordinance amending the FY 2019 Capital Improvement Budget to add project E15135 Gas Department Chiller Replacement in the amount of \$410,000 for replacement of the current gas powered-chillers.

Mayor McComb referred to Item 12, amending the Capital Improvement Budget for replacement of the current gas-powered chillers at the Gas Department. Director of Management and Budget Eddie Houlihan and council members discussed the following topics: breakdown of the total cost of the project; that the total cost of the project exceeds \$410,000; the design services paid for prior to the chiller being non-operational; that the rented chiller was rented for seven months at \$7,000 per month with the initial month being \$11,000; the reasons for delaying the replacement of the chillers; funding for the project; the project scope; that this project is not currently in the capital improvement program (CIP) budget; a council member requested a list of all capital improvement projects, over the last five years, including an accounting of expenses tied to the accounts for each project and the fund balances for each CIP project, and a future CIP workshop to discuss a policy regarding the use of the remaining funds; the procurement process and selection of contractors for emergency declaration; the policy regarding the number of contractors contacted for an emergency declaration; the contractor selected for the project; and when the project will begin. There were no comments from the public.

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

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

**Nay:** 1 - Council Member Barrera

**Abstained:** 0

Enactment No: 031692

**O. REGULAR AGENDA: (ITEM 21)**

**21. Discussion with possible action regarding the process for City Charter Review.**

Mayor McComb requested that Item 21 be tabled.

Council Member Molina made a motion to table Item 21, seconded by Council Member Hunter. The Motion to tabled was passed and approved with the following vote:

**Aye:** 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Abstained:** 0

**EXECUTIVE SESSION: (ITEM 28)**

Mayor McComb referred to Executive Session Item 28. The Council went into executive session at 12:50 p.m. The Council returned from executive session at 2:02 p.m.

- 28. 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 collective bargaining matters in the Agreement(s) with the Corpus Christi Police Officers' Association and the Corpus Christi Professional Firefighters' Association.**

This E-Session Item was discussed in executive session.

**K. RECESS FOR LUNCH**

The recess for lunch was held during Executive Session Item 28.

**M. FUTURE AGENDA ITEMS: (ITEMS 13 - 16)**

Mayor Pro Tem Guajardo referred to Future Agenda Items. Interim City Manager Selman stated that staff had no planned presentations. Council members requested information on Items 13, 15 and 16.

- 13. Resolution authorizing grant application submission for funding available under the FY 2020 Local Security Border Security Program Grant**

Resolution authorizing submission of grant application in the amount of \$285,193.93 to the Office of the Governor Homeland Security Grants Division for funding eligible under the FY 2020 Local Border Security Program Grant.

This Resolution was recommended to the consent agenda.

- 14. Resolution approving an agreement with People Assisting Animal Control (PAAC) for services in lieu of gas tap fee**

Resolution approving an agreement between the City of Corpus Christi and Corpus Christi People Assisting Animal Control (PAAC) for services in lieu of Gas Tap Fee.



This Resolution was recommended to the consent agenda.

**15. Service Agreement Amendment for Web Based Emergency Operations Center (WebEOC) Software Maintenance and Support**

Motion authorizing Amendment No.1 to the service agreement with ESI Acquisition, Inc., of Augusta, Georgia for WebEOC software maintenance and support for an additional five-year term, for a not to exceed amount of \$56,501.53 for revised total agreement amount not to exceed \$100,753.53 and ratifying Amendment No. 1 back to the effective date of August 1, 2017.

This Motion was recommended to the consent agenda.

**16. Resolution authorizing a Service Agreement for the M5 FleetFocus system for Asset Management**

Resolution authorizing a five-year service agreement for software hosting, maintenance and support for the M5 FleetFocus system with AssetWorks, LLC of Wayne, Pennsylvania, for an amount not to exceed \$437,337.88 and ratifying the agreement back to the effective date of January 1, 2018.

This Resolution was recommended to the consent agenda.

**N. PUBLIC HEARINGS: (ITEM 17)**

**17. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 2725 Rand Morgan Road**

Case No. 0119-04 Tim Lange: Request for rezoning property at or near 2725 Rand Morgan Road from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Planning Commission and Staff Recommendation (January 11, 2019): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance rezoning property at or near 2725 Rand Morgan Road from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Mayor Pro Tem Guajardo referred to Item 17. 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 single-family homes. Ms. Nixon-Mendez stated that the Planning Commission and staff are in favor of the rezoning.

Mayor Pro Tem Guajardo opened the public hearing. John Kendall, 5866 S. Staples, representative for the applicant, stated that he was available to answer questions. Mayor Pro Tem Guajardo closed the public hearing.

Council Member Roy 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:** 8 - Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Absent:** 1 - Mayor McComb

**Abstained:** 0

**O. REGULAR AGENDA: (ITEMS 18 - 20)**

**18. Construction Contract for the Corpus Christi Army Depot (CCAD) Security Enclave Project**

Motion to authorize execution of a construction contract with Summit Building & Design of Laredo, Texas in the amount of \$2,945,359 for the Corpus Christi Army Depot (CCAD) Security Enclave Project located on the Naval Air Station Corpus Christi (NASCC) for the Base Bid plus Additive Alternate #4.

Mayor Pro Tem Guajardo referred to Item 18. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to execute a construction contract with Summit Building & Design in the amount of \$2,945,359 for the Corpus Christi Army Depot (CCAD) Security Enclave Project located at Naval Air Station - Corpus Christi (NAS-CC). The project is funded through the Defense Economic Adjustment Assistance Grant. There were no comments from the Council or the public.

In response to a council member, Mr. Edmonds stated that the City partners with NAS-CC every other year on construction projects.

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

**Aye:** 7 - Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Absent:** 2 - Mayor McComb and Council Member Garza

**Abstained:** 0

Enactment No: M2019-034

**19. Resolution authorizing a Supply Agreement for the purchase of**

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**water and gas meter transmission units**

Resolution authorizing a two-year supply agreement for the purchase of water and gas meter transmission units with Aclara Technologies LLC, of Hazelwood, Missouri for a total amount not to exceed \$3,359,358.02.

Mayor Pro Tem Guajardo referred to Item 19. Interim Director of IT Peter Collins stated that the purpose of this item is to authorize a two-year supply agreement for the purchase of water and gas meter transmission units (MTU). The presentation team included: Assistant Director of Financial Services Kim Baker, Executive Director of Utilities Dan Grimsbo, and Assistant Director of Maintenance of Lines Wes Nebgen. There were no comments from the public.

Council members and staff discussed the following topics: how this project is being funded; if this project was budgeted in FY2018-2019; that the project is budgeted from Utility Operations, Line Item 31510 infrastructure/maintenance and repairs, if the City will be purchasing the MTUs annually or is this purchase to address the recent utility billing issues; the projected lifespan of MTUs; that this purchase is to properly replace and maintain MTUs; if a financial analysis was performed to determine that initial lifecycle projections were met; alternative MTU models that are being used; future considerations to replace the current system; use of data regarding water and gas leaks that the City can use to develop a program to make the distribution system more efficient; and a proposal by a vendor proposing to pay for the improvements to the system by capturing revenue that is currently not being captured.

Ms. Baker stated that minor adjustments had been made to contract in the following sections: 7, Inspection and Acceptance; 17, Indemnification; 21, Limitation of Liability; Attachment A, Scope of Work, regarding freight; and Attachment C, Insurance Requirements, 20-day advance written notice of cancellation.

Council members and Ms. Baker discussed the following topics: changes to the indemnification; clarity regarding inspection and acceptance; adding limitation of liability; the cancellation notice; if there were any changes to the extended warranty; and if the City receives credit for MTUs that fail prior to their 15-year lifespan.

Council Member Hernandez made a motion to table Item 19, to later in the meeting, allow City Council to review the changes to the contract, seconded by Council Member Barrera and passed unanimously.

20.

**Resolution granting petition requesting annexation by area landowners of approximately 161.56 acres of land into the territorial limits of the City of Corpus Christi**

Mayor Pro Tem Guajardo referred to Item 20. Director of Planning & ESI Daniel McGinn stated that the purpose of this item is to initiate the annexation procedures for approximately 161.56 acres located in the London Area. Mr. McGinn presented the following information: the process that allows a property owner to petition for annexation; background on the subject property; an aerial overview of the annexation tract; the proposed annexation schedule;

and staff's recommendation to accept the annexation petition, setting the annexation schedule, and direction to staff to prepare a service plan and fiscal impact estimate. There were no comments from the public.

Council members and staff discussed the following topics: if there have been discussions with the Agape Ranch facility property owners to potentially be annexed in the future; the number of homes proposed to be built on the annexed property; and a future workshop related to the London Area Development Plan, including water, wastewater and stormwater.

City Secretary Rebecca L. Huerta announced that Council Member Garza abstained from this item.

Council Member Smith made a motion to approve the resolution accepting the annexation petition and directing the Interim City Manager to prepare a service plan and fiscal impact estimate, seconded by Council Member Hunter. This Resolution was passed and approved with the following vote:

**Aye:** 7 - Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Absent:** 1 - Mayor McComb

**Abstained:** 1 - Council Member Garza

Enactment No: 031694

**P. FIRST READING ORDINANCES: (ITEMS 22 - 24)**

**22. First Reading Ordinance - Appropriating Funds and Approving a Construction Contract for the Traffic Signals and Lighting Improvements (Bond 2014, Proposition 2)**

Ordinance appropriating \$737,916 of anticipated revenues from the Texas Department of Transportation (TxDOT), amending the capital improvement budget and authorizing the execution of a construction contract with Siemens Mobility, Inc. of Austin, Texas in the amount of \$1,885,543 for Traffic Signals and Lighting Improvements for the base bid only. (Bond 2014, Proposition 2)

Mayor Pro Tem Guajardo referred to Item 22. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to appropriate \$737,916 of revenues from the Texas Department of Transportation (TxDOT), amend the capital improvement budget, and execute a construction contract with Siemens Mobility, Inc. for the Traffic Signals and Lighting Improvements in the amount of \$1,885,543. The project provides traffic signal improvements to nine intersections for enhanced driver and pedestrian safety. There were no comments from the Council or the public.

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

**Aye:** 8 - Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Absent:** 1 - Mayor McComb

**Abstained:** 0

**23.**

**First Reading Ordinance - Amending City Code for Maintenance and Operation of Grease Interceptors and Oil/Sand Interceptors**

Ordinance amending Chapter 55, Code of Ordinances, Article XVII, Maintenance and Operation of Grease Interceptors and Oil/Sand Interceptors, Sections 55-219 through 55-223.

Mayor Pro Tem Guajardo referred to Item 23. Executive Director of Water Utilities Dan Grimsbo stated that the purpose of this item is to amend the City's Code of Ordinances, Sections 55-219 through 55-223 regarding the installation, maintenance, operation and cleaning of interceptors for the enforcement of the City's Fats, Oils, and Grease (FOG) Control Program. Mr. Grimsbo provided the following information: an overview of the amendment; examples of how FOG builds up in sanitary sewer system lines leading to a sewer blockage; the proposed amendment changes; and stakeholder outreach and education. There were no comments from the public.

Council members and staff discussed the following topics: stakeholder outreach and education; if the Utilities Department has adequate staffing to address inspection frequency and compliance requirements; engaging plumbers in the communication process; when the ordinance will be effective; making sure there is a comprehensive communication plan developed prior to enforcement of the ordinance; providing information at the upcoming City Hall at the Mall Event; that the amendments comply with the negotiated agreement with the U.S. Environmental Protection Agency (EPA) requiring upgrades of the City's FOG system; that residential users do not have grease traps; the FOG comprehensive residential program; the difference between residential and restaurant grease-related sewer lines; how to properly dispose of turkeys; plans to replicate the FOG comprehensive residential program for the commercial industry; penalties associated with violating the ordinance; how the City plans to enforce the ordinance; the number of penalties assessed under the current ordinance; that the City works towards compliance rather than citation; and if communications with the commercial industry will be completed prior to the effective date.

Council Member Smith 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:** 8 - Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Absent:** 1 - Mayor McComb

**Abstained:** 0

**O. REGULAR AGENDA: (ITEM 19)****19. Resolution authorizing a Supply Agreement for the purchase of water and gas meter transmission units**

Resolution authorizing a two-year supply agreement for the purchase of water and gas meter transmission units with Aclara Technologies LLC, of Hazelwood, Missouri for a total amount not to exceed \$3,359,358.02.

Mayor Pro Tem Guajardo returned to Item 19, a two-year supply agreement for the purchase of water and gas meter transmission units (MTU). Council Member Barrera made a motion to reinstate Item 19, seconded by Council Member Smith and passed unanimously (Mayor McComb - absent).

Assistant Director of Financial Services Kim Baker and council members discussed the following topics: that the supplier provides 20 days for the City to inspect and accept the products; where the products are delivered; if 20 days in sufficient time to inspect the products; the indemnity agreement for year two; that the contract, 5. Insurance, and Attachment C, Insurance Requirements, reflect conflicting days regarding advance notice of cancellation; and the warranty.

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

**Aye:** 8 - Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Absent:** 1 - Mayor McComb

**Abstained:** 0

Enactment No: 031693

**P. FIRST READING ORDINANCES: (ITEMS 24)****24. First Reading Ordinance - Accepting revenue and approving a Revocable Easement with a Temporary Construction Easement to Epic Y Grade Pipeline, LP**

Ordinance accepting \$151,721 of revenue and authorizing execution of a Revocable Easement with a Temporary Construction Easement to Epic Y Grade Pipeline, LP.

Mayor Pro Tem Guajardo referred to Item 24. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to accept \$151,721 of revenue and execution of a Revocable and Temporary Construction Easement to Epic Y Grade Pipeline, LP to transport a hydrocarbon product from the Permian Basin to Corpus Christi. There were no comments from the public.

In response to a council member, Mr. Edmonds stated that the City will be receiving revenue indefinitely which will be allocated to the General Fund.

Council Member Smith 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:** 8 - Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Absent:** 1 - Mayor McComb

**Abstained:** 0

**Q. BRIEFINGS: (ITEM 25)**

**25. Wastewater Construction and Fee Waivers**

Mayor Pro Tem Guajardo referred to Item 25. Director of Planning and ESII Daniel McGinn stated that the purpose of this item is to present information regarding the wastewater construction and fee waiver process for new development projects. Mr. McGinn stated that Director of Development Services Nina Nixon-Mendez will provide a briefing on the City's trust fund system at the next City Council meeting. Mr. McGinn presented the following information: the City's existing wastewater master plans; maps of the existing system and service areas for the Allison, Greenwood, Oso, Laguna, and Whitecap Wastewater Treatment Plants; the wastewater construction waiver process and where they are occurring; the wastewater fee waiver process; the 2018 fee waivers; a map of the London and Flour Bluff wastewater fee and construction waivers; and next steps for City Council's consideration.

Council members and staff discussed the following topics: how the waiver process works with the trust funds; if staff has considered other funding mechanisms to pay for projects inside or outside the city limits other than the trust funds; the balance of the trust funds that is not accounted for; that since lift stations were made eligible for reimbursement, the extension of wastewater has fallen to the trust funds; the funds that were transferred from water trust fund to the wastewater trust fund to cover the deficit in the wastewater trust fund; the wastewater acreage charge and when it was established; that wastewater acreage fees have not been increased; that by not extending wastewater services, it creates low-density developments; the need to examine the fee structure and develop a master plan for the Staples to south of the Oso area; to have City Council waive construction requirements; the original purpose of the trust funds; if it is the developers' responsibility to build infrastructure and to what degree; a future workshop to determine policies to ensure development funds are utilized long-term and discuss the master plan for the Southside and London areas; options for a Municipal Utility District (MUD) in the future; working with developers in the extra-territorial jurisdiction; and to amend the City Council's Vision Elements to include the Southside and London Area Development Plans.

Interim City Manager Keith Selman stated that staff will plan a workshop the second week of April regarding the Southside and London Area Development Plans.

**R. LEGISLATIVE UPDATE**

None.

**S. EXECUTIVE SESSION: (ITEMS 26 - 27)**

Mayor Pro Tem Guajardo referred to Executive Session Items 26 and 27. The Council went into executive session at 4:16 p.m. The Council returned from executive session at 5:10 p.m.

- 26. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning litigation including, but not limited to, the case of *Salinas Construction v. City of Corpus Christi et al*, with potential approval of agreement(s) to provide additional expert witness services.

Mayor Pro Tem Guajardo referred to Item 26 and the following motion was considered:

**Motion to authorize the City Manager or his designees to execute a contract for professional services with Spire Consulting Group, LLC in the maximum amount of \$100,000 for additional services related to the lawsuit of Salinas Construction Technologies, Ltd. and Salinas and Sons Inc. v. City of Corpus Christi.**

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

**Aye:** 8 - Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

**Absent:** 1 - Mayor McComb

**Abstained:** 0

Enactment No: M2019-035

- 27. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the City's contracts related to waste management, handling, and disposal and state and federal regulations related to landfill management, disposal of solid waste, and/or recycling, including but not limited to, the City's contracts with Republic Services, Cefe Landfill Tx, LP, BFI Waste Services of North America, Inc. and BFI Waste Systems of Texas, LP. and related entities, and provisions related to mediation, arbitration, and termination of agreements for the aforementioned functions.



This E-Session Item was discussed in executive session.

**T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

Mayor Pro Tem Guajardo referred to Identify Future Agenda Items. The following items were identified: an amendment to the City Council's Vision Elements for 2019 - 2020 and to include the capital improvement program policy as part of the March budget workshop.

**U. ADJOURNMENT**

The meeting was adjourned at 5:13 p.m.