



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, March 19, 2019

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 11:31 a.m.

B. Invocation to be given by Pastor David Bendett, Rock City Church.

Pastor David Bendett gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Dan McGinn, Director of Environmental and Strategic Initiatives.

Director of Environmental and Strategic Initiatives Dan McGinn 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 Roland Barrera, 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
- Absent:** 1 - Council Member Rudy Garza

E. Proclamations / Commendations

1. Proclamation declaring March 2019, "Professional Social Work Month".
Proclamation declaring April 2, 2019, "National Equal Pay Day".
Commendation for Katia Uriarte.
"Thank You" from Girl Scouts to City Council for Celebrating their Birthday.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

Mayor McComb presented the proclamations and commendation; the City Council received appreciation from the Girl Scouts for supporting the organization; and Mayor McComb 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. City Secretary Rebecca L. Huerta conducted the public comment period. Mia & Tabitha, Girl Scouts, presented a petition in favor of reinstating the hours of operation at the Janet Harte Public Library. Tracey Crown, 3226 Bimini, requested that the City Council reinstate the hours of operation at the Janet Harte Public Library. Flo East, 1605 Yorktown, spoke regarding the engineering study costs for the Water Gardens and suggested that the City contact consultants to analyze issues associated with Collier Pool and the Water Gardens. Brian Watson, 5813 Hugo, spoke regarding the Port of Corpus Christi Authority's involvement with The Carlyle Group. Susie Luna Saldana, 4710 Hakel, spoke in support of Item 47, amending the City Code to establish vicious dog regulations, and expressed concern regarding the firm hired to search for a new city manager. Joshua Garza, 2414 Capitan, requested that the

City of Corpus Christi be designated as a sanctuary city for the unborn. Mimosa Thomas, 710 Ponder, spoke in opposition to Item 46, initiating annexation of up to 1,500 acres along the north side of Corpus Christi Bay, and Item 51, creating Industrial District No. 4. Jay Gardner, Chair of the Island Strategic Action Committee (ISAC), 3922 Sweet Bay, spoke regarding upcoming appointments to ISAC. Lindsey Shelton, 210 S. Alameda, spoke regarding the Corpus Christi Police Department.

G. MINUTES:

2. Regular Meeting of February 26, 2019 and Special Meeting of March 6, 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 (Council Member Garza - absent).

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

Mayor McComb referred to City Manager's Comments.

a. UTILITY BILLING UPDATE

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

b. OTHER

Interim City Manager Keith Selman reported on the following topics:

1) The Development Services Department is working to update the Unified Development Code (UDC) and is hosting a public meeting on Thursday, March 21, 2019 at 5:00 p.m. at the Lindale Recreation Center, 3135 Swantner. 2) The Janet F. Harte Public Library is hosting a Sensitive Storytime, which is for children with autism and sensory disorders, on Saturday, March 23, 2019 at 11:00 a.m. 3) Interim City Manager Selman recognized Gilbert Espinosa, Plant Operator at the Broadway Treatment Plant, for receiving the "Operator of the Year" award from the Texas Water Utilities Association. 4) The City received two National Environmental Achievement awards from the National Association of Clean Water Agencies. The first award was presented to the Utilities Department for its utilization of training and education to ensure staff has opportunities for career development. The second award was presented to Eva Padilla, the Communication Department's multimedia journalist, for a public service announcement 5) Interim City Manager Selman introduced the new Director of Street Operations Albert Quintanilla.

S. EXECUTIVE SESSION: (ITEM 56)

Mayor McComb deviated from the agenda and referred to Executive Session Item 56. The Council went into executive session at 12:33 p.m. The Council

returned from executive session at 2:13 p.m.

- 56. 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 annexation, disannexation, cession agreements for extraterritorial jurisdiction, apportionment of extra-territorial jurisdiction between municipalities, interlocal agreements with water districts and neighboring municipalities, contracts for potential economic development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities (including, but not limited to proposed Gulf Coast Growth Ventures' chemical manufacturing facility in San Patricio County, Texas, proposed fractionator and related facilities in Nueces County, economic development agreements relating to property currently or formerly owned by Voestelpine, Corpus Christi Liquefaction, LLC, and other entities and existing and proposed industrial facilities in San Patricio County and Nueces County) that are and/or will be consumers of water and/or wastewater services and connections to the Mary Rhodes Pipeline for facilities to supply water thereto, potential legislation currently being considered in the Texas Legislature related to annexation and other issues, and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).

This E-Session Item was discussed in executive session.

M. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 56.

Q. BRIEFINGS: (ITEM 55)

55. American Bank Center Update

Mayor McComb deviated from the agenda and referred to Item 55. Assistant to the City Manager Esther Velazquez stated that the purpose of this item is to provide an update on the operations and positive changes that have taken place at the American Bank Center (ABC). Matt Blasy, General Manager - SMG, introduced the ABC management team including: Director of Finance Lisa Manda, Director of Food and Beverage Lou Aurelio, Director of Sales Liz McCampbell, Director of Events Services Darryl Meadows and Director of Facilities Ken Bridgeman. Mr. Blasy presented the following information: the 2018 year-in-review including: implementation of benchmarks, a summary of the completed capital improvement projects, use of Type A Marketing/Co-Promotion Funds, homegrown events, and a video of the Coastal Christmas event; 2019 strategic planning and communication; 2019 capital

improvement projects; and goals and objectives.

Council members discussed the following topics: appreciation to SMG staff for their work; procurement and oversight of capital improvement projects; the number of hotel room nights; the number of event days projected for 2019; that SMG is focusing on events that have economic impact versus the number of events; flexed pricing by SMG; the tremendous success of the Coastal Christmas event; and the status on bringing in a Broadway Series.

P. FIRST READING ORDINANCES: (ITEM 50)

50. First Reading Ordinance - Interlocal Agreement with the Port of Corpus Christi Authority for a permitting program

Ordinance authorizing execution of an Interlocal Agreement between City of Corpus Christi and Port of Corpus Christi Authority for a permitting program; and waiving building permit requirements for Port of Corpus Christi Authority property.

Mayor McComb deviated from the agenda and referred to Item 50. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to execute an Interlocal Agreement between the City of Corpus Christi and the Port of Corpus Christi Authority (Port) for a program waiving building permit requirements for Port of Corpus Christi Authority property. Ms. Nixon-Mendez stated that the Port of Corpus Christi Authority is planning to construct a new office building and resurface a parking lot on the south side of the Ship Channel in the Inner Harbor, immediately west of the existing Harbor Bridge, and within the city limits. The Port Authority desires exemption from platting and a more streamlined process for permitting future development. Ms. Nixon-Mendez presented the following information: an overview of the Port of Corpus Christi Authority's properties that are part of the Interlocal Agreement; a vicinity map; and the terms of the interlocal agreement.

In response to Mayor McComb, Ms. Nixon-Mendez stated that the Interlocal Agreement is solely concerning Port property, which will not require permits or platting, but will require compliance with zoning requirements.

Mayor McComb called for comments from the public. David Krams, Director of Engineering Services for the Port of Corpus Christi, spoke in support of the item.

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 Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Garza

Abstained: 0

L. FUTURE AGENDA ITEMS: (ITEM 17)

Mayor McComb deviated from the agenda and referred to Future Agenda Item 17. Mike Culbertson, Corpus Christi Regional Economic Development Corporation (EDC), presented this item.

17. Resolution Approving a Chapter 212 Agreement with Gulf Coast Growth Ventures

Resolution authorizing an agreement with Gulf Coast Growth Ventures LLC under Chapter 212 of the Texas Local Government Code, relating to the development of property in the City's extraterritorial jurisdiction.

This Resolution was recommended to the consent agenda.

O. REGULAR AGENDA: (ITEM 44)**44. Discussion and possible action to amend the City Council Vision Elements for 2019-2020**

Mayor McComb deviated from the agenda and referred to Item 44. Assistant to the City Manager Esther Velazquez stated that the purpose of this item is to discuss amending the City Council Vision Elements for 2019-2020. Ms. Velazquez provided a brief overview of the vision elements.

Council members discussed the following topics: prioritizing master plans, with an emphasis on the London/Southside area; a request by Mayor McComb to provide a list of all of the master plans to the City Council; that the London/Southside area is currently being addressed due to current growth in that area; updating or creating a drainage, water, and wastewater master plan for each area of the City beginning with the London/Southside area; creating a long-term, consolidated master plan for each area; including a mechanism to pay for infrastructure; and that Development Services was determined to be the main priority of the City Council.

Council Member Hunter made a motion to amend City Council Vision Element # 2. C. by adding the sentence "to include area master plans and drainage, water, wastewater and streets citywide, and to include long-term consolidation of those plans, seconded by Council Member Guajardo and passed unanimously (Council Member Garza - absent).

There were no comments from the public.

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

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

Absent: 1 - Council Member Garza

Abstained: 0

Enactment No: 031704

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 12)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. A citizen requested that Item 12 be pulled for individual consideration. A council member requested that Item 7 be pulled for individual consideration.

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

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

Absent: 1 - Council Member Garza

Abstained: 0

4. 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 passed on the consent agenda.

Enactment No: 031695

5. 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 passed on the consent agenda.

Enactment No: 031696

6. 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 passed on the consent agenda.

Enactment No: M2019-036

8. Second Reading Ordinance - Rezoning for a Property located at or near 2725 Rand Morgan Road (1st Reading 2/26/19)

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.

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

Enactment No: 031698

9. Second Reading Ordinance - Appropriating Funds and Approving a Construction Contract for the Traffic Signals and Lighting Improvements (Bond 2014, Propostion 2) (1st Reading 2/26/19)

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)

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

Enactment No: 031699

10. Second Reading Ordinance - Amending City Code for Maintenance and Operation of Grease Interceptors and Oil/Sand Interceptors (1st Reading 2/26/19)

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.

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

Enactment No: 031700

11. Second Reading Ordinance - Accepting revenue and approving a Revocable Easement with a Temporary Construction Easement to Epic Y Grade Pipeline, LP (1st Reading 2/26/19)

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

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

Enactment No: 031701

7. 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.

Mayor McComb referred to Item 7, a five-year service agreement for software hosting, maintenance and support for the M5 FleetFocus System for Asset Management. Director of Asset Management Jim Davis and council members discussed the following topics: service agreements and if purchase orders exceeding \$50,000 were authorized by City Council; changes to purchasing fleet; minimizing direct payments; and that expenditures over \$50,000 could be due to multi-year service agreements approved by prior City Councils. There were no comments from the public.

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

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

Absent: 1 - Council Member Garza

Abstained: 0

Enactment No: 031697

12. 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) (Tabled 2/26/19)

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.

Mayor McComb referred to Item 12. Deputy Police Chief Billy Breedlove stated that the purpose of this item is to amend the City's Code of Ordinances, Smoking Ordinance, by updating definitions to include electronic smoking devices, vaping and hookah; to include vaping and hookah lounges in the definition of a smoking lounge; and to restrict operation of tobacco and smoking lounges from 2:00 a.m. to 7:00 a.m.

Mayor McComb called for comments from the public. Dorothy Spann, 502 Del Mar, spoke regarding the negative impact smoking lounge establishments have on adjacent neighborhoods.

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

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

Absent: 1 - Council Member Garza

Abstained: 0

Enactment No: 031702

L. FUTURE AGENDA ITEMS: (13 - 40)

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff had no planned presentations. A council member requested that Items 13, 20, 25, 26, 27, 28, 30 and 31 be pulled for individual consideration. Mayor McComb and Council Member Molina abstained on Item 26.

13. Resolution authorizing an amendment to the Interlocal Agreement for Radio Communications Systems to include the Port of Corpus Christi Authority as a participant

Resolution authorizing execution of an amendment to Radio

Communications System Interlocal Agreement between City of Corpus Christi, Regional Transportation Authority and Nueces County to include Port of Corpus Christi Authority as a participant.

This Resolution was recommended to the consent agenda.

14. Resolution for the purchase of Bomb Suits for the Police Department

Resolution authorizing the purchase of two EOD 10 bomb suits from MED-ENG, LLC of Ogdensburg, New York for a total amount not to exceed \$70,062.

This Resolution was recommended to the consent agenda.

15. Lease Purchase of two ambulances for the Fire Department

Motion authorizing the lease purchase of two ambulances from Siddons-Martin Emergency Group, of Houston, Texas for an amount not to exceed \$533,199.64.

This Motion was recommended to the consent agenda.

16. Resolution for a Service Agreement for Inspection, Cleaning, and Repair of Bunker Gear for the Fire Department

Resolution authorizing a three-year service agreement for inspection, cleaning, and repair of bunker gear with Gear Cleaning Solutions, LLC of Dallas, Texas for an amount not to exceed \$390,000.

This Resolution was recommended to the consent agenda.

18. Resolution Approving a Chapter 212 Agreement with Epic Y-Grade Logistics, L.P.

Resolution authorizing an agreement with Epic Y-Grade Logistics, L.P., under Chapter 212 of the Texas Local Government Code, relating to the development of property in the City's extraterritorial jurisdiction

This Resolution was recommended to the consent agenda.

19. Software Maintenance Agreement Amendment for the STAR Fixed Network Advanced Metering System for Information Technology

Motion authorizing an amendment to Aclara Technologies LLC software maintenance agreement to allow four renewal years of annual maintenance with Aclara Technologies LLC of Hazelwood, Missouri for an amount not to exceed \$116,435.75.

This Motion was recommended to the consent agenda.

20. Purchase of Phone System Support and Upgrades for Information Technology

Motion authorizing the purchase of a three-year phone support flex plan and a statement of work for phone system support and upgrades under the current master services agreement with Great South Texas Corporation dba Computer Solutions of San Antonio, Texas for a total amount not to exceed \$504,062.50 and ratifying the purchase back to the effective date of January 30, 2019.

This Motion was recommended to the consent agenda.

21. Resolution for a Service Agreement for Phone System Updates with TPx Communications for Information Technology

Resolution authorizing a three-year service agreement for phone system updates and support for the core phone system with TPx Communications Co. of Austin, Texas, for an amount not to exceed \$390,000 and ratifying the agreement back to the effective date of January 30, 2019.

This Resolution was recommended to the consent agenda.

22. Service Agreement for Commvault and Nimble Support for Information Technology

Motion authorizing two one-year service agreements with Freeit Data Solutions of Austin, Texas for Commvault software support for \$53,657.55 and for Nimble software support for \$40,154.82, for a total amount not to exceed \$93,812.37.

This Motion was recommended to the consent agenda.

23. Resolution authorizing participation in cooperative purchasing program for pharmaceuticals

Resolution authorizing participation in cooperative purchasing program with the Minnesota Multistate Contracting Alliance for Pharmacy, for the purchase of pharmaceuticals for the City and the Corpus Christi-Nueces County Public Health District.

This Resolution was recommended to the consent agenda.

24. Renewal of Professional Services Agreement for the Medical Provider for Tuberculosis Clinic Services at the Corpus Christi Nueces County Public Health District

Motion authorizing a two-year amendment for renewal of the professional services agreement with Dr. William W. Burgin, Jr. M.D., as the medical provider for the Corpus Christi Nueces County Health District for an amount not to exceed \$36,000, and a total revised agreement amount of \$72,000.

This Motion was recommended to the consent agenda.

25. Professional Services Contracts for Construction Staff Support (Capital Improvement Program and Bond Projects)

Motion authorizing multiple amendments to existing contracts with optional renewals to be administratively approved totaling \$1,297,920 for providing Construction Inspection Staff Support for Engineering Services.

1. Award contract amendments to Freese and Nichols - 2 Inspectors at \$413,920
2. Award contract amendments to Heneco - 4 Inspectors at \$696,800
3. Award contract amendment to Maverick Engineering - 1 Inspector at \$187,200

This Motion was recommended to the consent agenda.

26. Approval of Five (5) Master Agreements for Facilities Multiple Award Contract (FMAC) Program

Motion authorizing the City Manager or designee to execute a Master Agreement for the Facilities Multiple Award Contract (FMAC) program for a two-year term with the option to administratively renew annually for not more than three additional years, with no guaranteed minimum and a maximum aggregate of \$2,500,000 per agreement in any one year with the following:

Barcom Construction, Inc. of Corpus Christi, Texas
Davila Construction, Inc. of Corpus Christi, Texas
Gourley Contracting, LLC of Corpus Christi, Texas
Teal Construction Company, Inc. of Corpus Christi, Texas
Abba Construction, LLC of Laredo, Texas (Alternate Contractor)

This Motion was recommended to the consent agenda.

27. Professional Services Contract Amendment No. 1 for Packery Channel Monitoring

Motion to authorize execution of Amendment No. 1 with Texas A & M University - Corpus Christi (TAMU-CC) in the amount of \$188,123.00 for a total restated fee of \$238,114 for Packery Channel Monitoring.

This Motion was recommended to the consent agenda.

28. Professional Services Contract for Six Points Intersection Improvements (Capital Improvement Program)

Motion to authorize a professional services contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$421,340 for Six Points Intersection Improvements project.

This Motion was recommended to the consent agenda.

29. Supply Agreement for Econolite Traffic Controllers for Street Operations

Motion authorizing a three-year supply agreement for Econolite Cobalt Controllers with Paradigm Traffic Systems, Inc of Arlington, Texas for an amount not to exceed \$147,000.

This Motion was recommended to the consent agenda.

30. Construction Change Order and Professional Services Amendment for City-Wide Water Distribution System Repair and Replacement Indefinite Delivery/Indefinite Quantity Program (IDIQ) (Capital Improvement Program)

Motion to authorize execution of Change Order No. 1 with CPC Interests, LLC dba Clark Pipeline Services, LLP of Corpus Christi, Texas in the amount of \$1,275,000 for a total restated fee of \$6,375,000 and Amendment No. 1 to the Professional Services Contract with Urban Engineering of Corpus Christi, Texas in the amount of \$451,746 for a total restated fee not to exceed \$802,256, for the City-Wide Water Distribution Repair and Replacement IDIQ Program (Capital Improvement Program).

This Motion was recommended to the consent agenda.

31. Master Services Agreement (MSA) for Professional Services for the Citywide Large-Size Water Line Assessment and Repairs Project (Capital Improvement Program)

Motion to authorize execution of a Master Services Agreement (MSA) for professional services with Lockwood, Andrews & Newnam, Inc. (LAN) of Corpus Christi, Texas for a period of one (1) year in the amount of \$300,000 with two (2) optional 1-year renewals for a total contract cost of \$900,000 for the Citywide Large-Size Water Line Assessment and Repairs project.

This Motion was recommended to the consent agenda.

32. Service Agreement for the Purchase of Motors and Preventative Maintenance for Rotork Actuators for Utilities Department

Resolution authorizing a two-year service agreement with Rotork Controls, Inc. of Houston, Texas for the purchase of two motors and preventative maintenance of Rotork actuators at Wesley Seale Dam for a total amount not to exceed \$68,218.

This Resolution was recommended to the consent agenda.

33. Service Agreement for Mechanical Bar Screen for Laguna Madre Wastewater Treatment Plant

Motion authorizing a one-year service agreement for the purchase, installation oversight and warranty of one mechanical bar screen for Laguna Madre Wastewater Treatment Plant from Headworks International, Inc. of Houston, Texas for a total amount not to exceed \$67,438.

This Motion was recommended to the consent agenda.

34. Service Agreement for Mechanical Bar Screens for the Allison Wastewater Treatment Plant

Motion authorizing a one-year service agreement for the purchase, installation oversight and warranty of two mechanical bar screens from Headworks International, Inc., of Houston, Texas for a total amount not to exceed \$115,961.

This Motion was recommended to the consent agenda.

35. Service Agreement for Submersible Pump for the Everhart-Staples Lift Station

Motion authorizing a one-year service agreement for the purchase, installation oversight and warranty of one submersible pump from Pump Solutions Inc. of New Caney, Texas for a total amount not to exceed \$73,480.

This Motion was recommended to the consent agenda.

36. Service Agreement for the purchase and installation of two variable drive cabinets at the Sand Dollar Pump Station

Motion authorizing a one-year service agreement with Tornado Automation, LLC of Jourdanton, Texas for the purchase and installation of two variable frequency drive cabinets at Sand Dollar Pump Station for a

total amount not to exceed \$103,977.

This Motion was recommended to the consent agenda.

37. Resolution authorizing a Service Agreement for Preventative Maintenance and Parts for the Plant Disinfection System at the O.N. Stevens Plant

Resolution authorizing a five-year service agreement for preventative maintenance and purchase of parts and materials for the plant disinfection system with Environmental Improvement, Inc. of Houston, Texas for a total amount not to exceed \$312,551.

This Resolution was recommended to the consent agenda.

38. Supply Agreement for the Purchase of Pipe Repair Clamps for Utilities

Motion authorizing a three-year supply agreement with Core & Main, LP of Corpus Christi, Texas, for the purchase of pipe repair clamps for a total amount not to exceed \$1,067,790.

This Motion was recommended to the consent agenda.

39. Resolution for Service Agreements for recap tire repairs for Asset Management Department

Resolution authorizing two, one-year service agreements for recap tire repairs with Beasley Tire Service-Houston Inc of Houston, Texas and The Goodyear Tire and Rubber Company of Akron, Ohio for the total combined amount not to exceed \$127,637.40 with two, one-year options for a total potential multi-year amount of \$382,912.20.

This Resolution was recommended to the consent agenda.

40. Resolution authorizing outside city limits water contracts for River Edge Village - Phase 1 Subdivision.

This Resolution was recommended to the consent agenda.

N. PUBLIC HEARINGS: (ITEMS 41 - 43)

41. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 3202 Interstate 69.

Case No. 0219-01 Walker Holdings and Development, LLC: Request for rezoning property at or near 3202 Interstate 69 from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District.

Planning Commission and Staff Recommendation (February 6, 2019):

Approval of the change of zoning from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District.

Ordinance rezoning property at or near 3202 Interstate 69 from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District.

Mayor McComb referred to Item 41. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for construction of single-family homes. 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 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 - Mayor McComb, Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Garza

Abstained: 0

42. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 542 Airline Road.

Case No. 0119-05 Bar Property Management, LLC: Request for rezoning a property at or near 542 Airline Road from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District (Requires 3/4 Vote)

Planning Commission and Staff Recommendation (February 6, 2019):

Denial of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District, in lieu thereof, approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit (SP) with conditions.

Ordinance rezoning property at or near 542 Airline Road from "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit

Mayor McComb referred to Item 42. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for construction of an automated car wash. Ms. Nixon-Mendez stated that Planning Commission and staff recommend denial of the zoning change, and in lieu thereof, approval of the "CN-1/SP"

Neighborhood Commercial District with a Special Permit.

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

A council member spoke in support of the rezoning.

Council Member Hunter 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 Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Garza

Abstained: 0

43.

Public Hearing and First Reading Ordinance - Amending the Unified Development Code regarding public notice requirements

Ordinance amending the Unified Development Code subsection 3.1.7.C.2 regarding public notice requirements; and providing penalty

Mayor McComb referred to Item 43. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to amend the Unified Development Code (UDC) regarding public notice requirements. The request originated from City Council to improve the visibility of public notice signs during the rezoning process. Ms. Nixon-Mendez presented the following information: the purpose of public notice signs; the proposed text amendments; an example of the new, proposed sign; and a photograph example of how a sign can be placed in the public right-of-way.

Council members and staff discussed the following topics: increasing the sign and font size; consideration to increase the sign size to 16 square feet in area; staff's recommendation to implement the new signs in January 2020; that Development Services has recently purchased approximately 200 signs that are three square feet; a council member requested implementing the new signs immediately after passage of the ordinance; the cost of the signs; that the cost of public notice signs is placed on the applicant; the cost associated with City staff being responsible for posting the signs; that public notice signs were not clearly visible because they were posted a large distance from the street; and that real estate signs are smaller than the proposed sign.

Council Member Hunter made a motion to amend the ordinance by increasing the sign size to 4' x 4' (16 square feet in area), as quickly as possible, with a larger font. A brief discussion ensued regarding the font. Council Member Hunter rescinded his motion.

Mayor McComb opened the public hearing. Mary Margaret Hebert, 613 Miramar, stated that the size of the public notice sign should be based on the size of the property. Iain Vasey, 3713 South Lake Drive, spoke in support of a 3' x 3' sign. Mayor McComb closed the public hearing.

A council member spoke regarding the size of the sign being based on the type of street where the property is located.

Council Member Molina made a motion to approve the ordinance, seconded by Council Member Smith. This Ordinance failed and was not approved with the following vote:

Aye: 4 - Mayor McComb, Council Member Molina, Council Member Roy and Council Member Smith

Nay: 4 - Council Member Barrera, Council Member Guajardo, Council Member Hernandez and Council Member Hunter

Absent: 1 - Council Member Garza

Abstained: 0

O. REGULAR AGENDA: (ITEMS 45 - 46)

45. Second Reading Ordinance - Rezoning for a Property located at or near 4130 South Alameda Street (Public Hearing held 1/22/19) (1st Reading Tabled 1/22/19)(1st Reading 2/12/19)

Case No. 1218-01 Carmelite Sisters: Request for rezoning a property at or near 4130 South Alameda Street from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Planning Commission and Staff Recommendation (December 12, 2018): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Ordinance rezoning property at or near 4130 South Alameda Street from the "RS-6" Single-Family 6 District to the "RM-1/SP" Multifamily 1 District with a Special Permit (Tract 1), the "RM-1" Multifamily 1 District (Tract 2), and the "CN-1" Neighborhood Commercial District (Tract 3)

Mayor McComb referred to Item 45. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone property located at 4130 South Alameda. At the first reading, City Council approved an alternate rezoning concept that was developed between the applicant and neighborhood stakeholders. To allow time for an accurate metes and bounds to be drawn, the second reading of the ordinance was scheduled for today's meeting. In the interim, staff met with neighborhood stakeholders who expressed the desire for a six-foot screening fence along Carmel Parkway ditch in the "RM-1/SP" conditions. This fence would connect to an existing fence on the property. Additionally, staff identified a typographical error in the "RM-1/SP" conditions that requires a correction.

Ms. Nixon-Mendez presented the following motion: Motion to amend the zoning ordinance to include metes and bounds description of tracts as presented by staff, and to revise the first condition of the "RM-1/SP" to remove the phrase "or without" to prohibit drive-through or drive-in facilities. Ms.

Nixon-Mendez added that should Council wish to add the condition of a fence to the "RM-1/SP", this would require a motion to remove condition number 7 regarding landscaping, and replace with condition number 7, "Screening: A 6-foot screening fence shall be placed along the property line shared with the Carmel Parkway ditch."

Mayor McComb referred to comments from the public. Darrin Aldrich, 426 Carmel, spoke regarding the permitted uses in the "RM-1" zoning related to dormitory or sorority living, and stated that the neighborhood is requesting to preserve to "RS-6" with a Special Permit for the area along the Carmel Parkway ditch. Mark Adame, 819 N. Upper Broadway, representative for the applicant, stated that he was not aware of the meeting between the neighborhood stakeholders and staff and the applicant is not aware of any of the proposed changes related to the screening fence or the alternate zoning proposed by the neighborhood.

Council members and staff discussed the following topics: the permitted uses in the "RM-1" and "RS-6" zoning; that Tract 1 faces Alameda Street; that social services are not permitted in any of the discussed zoning districts; that staff met with the neighborhood and did not invite the applicant; the neighborhood's concern with dormitory living.

Council Member Smith made a motion to amend the ordinance to rezone Tracts 1 and 2 to "RS-6/SP" to allow all uses in the "RM-1" zoning, with the exemption of boarding homes and dormitory living, allowing for commercial uses in Tract 1; and to include metes and bounds description of tracts as presented by staff, and to revise the first condition of the "RM-1/SP" to remove the phrase "or without" to prohibit drive-through or drive-in facilities; to remove condition number 7, regarding landscaping, and replace with condition number 7, "Screening: A 6-foot screening fence shall be placed along the property line shared with the Carmel Parkway ditch."

A brief discussion ensued regarding the the permitted uses in the "RS-6" and "RM-1" zoning districts and the screening fence.

Council Member Smith amended his motion to amend the ordinance to rezone Tracts 1 and 2 to "RS-6/SP" to allow all uses in the "RM-1" zoning, with the exemption of boarding homes and dormitory living, allowing for commercial uses in Tract 1; and to include metes and bounds description of tracts as presented by staff, and to revise the first condition of the "RM-1/SP" to remove the phrase "or without" to prohibit drive-through or drive-in facilities, seconded by Mayor McComb.

The motion to amend failed and was not approved with the following vote: Council Members Guajardo and Smith voting "Aye"; Mayor McComb and Council Hernandez, Hunter, Molina, Roy, and Barrera voting "No"; (Council Member Garza - absent).

Council members discussed allowing all parties to met to discuss the rezoning.

Council Member Hunter made a motion to table this item to the meeting of March 26, 2019, seconded by Council Member Smith. This Item was tabled to the meeting of March 26, 2019 with the following vote:

Aye: 7 - Mayor McComb, Council Member Barrera, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Nay: 1 - Council Member Hernandez

Absent: 1 - Council Member Garza

Abstained: 0

46. Initiating annexation of up to 1,500 acres along the north side of Corpus Christi Bay

Resolution declaring City's intent to begin annexation of up to 1,500 acres of land into the territorial limits of the City of Corpus Christi, directing the City Manager to prepare a service plan for the extension of municipal services to the proposed annexation area, and setting two public hearings on annexation.

Mayor McComb referred to Item 46. Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to initiate annexation procedures for up to 1,500 acres along the north side of Corpus Christi Bay along the La Quinta Ship Channel. Mr. McGinn presented the following information: the process cities follow to initiate annexation; background on the subject property; an aerial overview of the annexation area; that the City of Corpus Christi is the only municipality that legally, under the Texas Government Code, can annex the area; the proposed annexation schedule; and staff's recommendation to move forward with the proposed annexation schedule and direct the Interim City Manager to prepare the required service plan.

Council members and staff discussed the following topics: that a majority of the property is owned by the Port of Corpus Christi; the reasons the City is considering annexation of the property; the Chapter 212 agreement with Gulf Coast Growth Ventures (Exxon); that the property, not owned by the Port of Corpus Christi, will have the opportunity to enter into a Chapter 212 Ag-exempt agreement; the details of the service plan; and if Exxon is in favor of the annexation

Mayor McComb called for comments from the public. James Klein, 3501 Monterrey, spoke in opposition to the annexation. Neil McQueen, 423 Estate, member of Surfrider Foundation and Coastal Alliance to Protect our Environment (CAPE), spoke regarding environmental concerns related to industrial expansion.

Council Member Barrera made a motion to approve the resolution as amended, seconded by Mayor McComb. This Resolution was passed as amended and approved with the following vote:

Aye: 6 - Mayor McComb, Council Member Barrera, Council Member Hernandez, Council Member Molina, Council Member Roy and Council Member Smith

Nay: 1 - Council Member Hunter

Absent: 2 - Council Member Garza and Council Member Guajardo

Abstained: 0

Enactment No: 031703

P. **FIRST READING ORDINANCES: (ITEMS 47 - 49 AND 51 - 54)**

47. First Reading Ordinance - Amending City Code to establish vicious dog regulations

Ordinance amending Chapter 6 of the Corpus Christi Code to establish vicious dog regulations; and providing for penalty.

Mayor McComb referred to Item 47. Animal Care Services Program Manager Mike Gillis stated that the purpose of this item is to amend the City's Code of Ordinances to establish vicious dog regulations. The ordinance will place consequences on dog owners and encourage responsible ownership to keep animals restrained. There were no comments from the public.

Council members, Mr. Gillis, and Police Chief Mike Markle discussed the following topics: the average number of incidents that occur regarding vicious dogs; that other cities are requiring owners to register vicious animals; the difference between vicious dogs and dangerous dogs; that the definition of a dangerous dog is that the dog attacks a human; the consequences/penalties for vicious dog owners; if additional penalties can be added to the ordinance; if the ordinance is limited to dogs; how Animal Care determines that a dog is vicious; and review of the amendment by the Animal Control Advisory Committee.

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

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

Absent: 1 - Council Member Garza

Abstained: 0

48. First Reading Ordinance - Easement Closure for properties located at 118 La Aves Court and 123 Rum Cay Court

Ordinance abandoning and vacating portions of an existing utility easement, a 46.9 square foot portion out of Lot 35 (118 Las Aves Court) and a 48.1 square foot portion out of Lot 37 (123 Rum Cay Court), Block 1, The Preserve at Mustang Island, Unit 1.

Mayor McComb referred to Item 48. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to abandon and vacate two locations in a ten-foot wide utility easement located in The Preserve at Mustang Island, Unit 1. The applicant is requesting the closure due to the extension of architectural columns into the easement. There were no

comments from the Council or the public.

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

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

Absent: 1 - Council Member Garza

Abstained: 0

49. First Reading Ordinance - Amendment to City Code of Ordinances for Outside City Limits Water Contracts

Ordinance amending Chapter 55 of the Corpus Christi Code to allow one contract for entire subdivision for outside city limit water contracts and allow transfer of water services outside the City limits without a new contract for the same use.

Mayor McComb referred to Item 49. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to amend the City's Code of Ordinances, Article VIII, Section 55-113 and 55-114 regarding outside city limits (OCL) water contracts. The proposed amendment will reduce excessive administrative requirements for builders and staff facilitating the development process. Ms. Nixon-Mendez presented the following information: the developments with OCL water contracts; a map of the geographical location of the OCL developments; the ordinance language; and the OCL water contract language. There were no comments from the public.

Council members and staff discussed the following topics: that the City has a Water Certificate of Convenience and Necessity (CCN) for this area and is required to provide water service; if inside city limit water rates are higher than OCL water rates; and if there is a water grid in the area and a sufficient arterial network.

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 - Mayor McComb, Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Garza

Abstained: 0

51. First Reading Ordinance - Creating Industrial District No. 4

Ordinance authorizing the establishment of Industrial District No. 4 within the extraterritorial jurisdiction of the City of Corpus Christi, Texas; and

authorizing Industrial District Agreement No. 102 with Epic Y-Grade Logistics, L.P.

Mayor McComb referred to Item 51. Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to authorize creation of Industrial District No. 4 and approve an Industrial District Agreement with Epic Y-Grade Logistics, LP.

Council members and staff discussed the following topics: what the industrial district is required to pay to the City; and that the City is not required to provide service in the industrial district.

Mayor McComb referred to comments from the public. Iain Vasey, Corpus Christi Regional Economic Development Corporation (EDC), stated that the EDC is in favor of this item.

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

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

Absent: 1 - Council Member Garza

Abstained: 0

52. First Reading Ordinance - Amending City Code Regarding Commercial Vehicle and Loading Zones

Ordinance amending the Corpus Christi Code regarding loading zones, commercial vehicles, passenger loading and unloading, and adjusting a portion of the Corpus Christi International Airport short-term parking rate.

Mayor McComb referred to Item 52. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the City's Code of Ordinances, Chapters 9 and 53, regarding loading zones, commercial vehicles, passenger loading and unloading, and adjusting a portion of the Corpus Christi International Airport short-term parking rate. Director of Aviation Fred Segundo was available to respond to questions. There were no comments from the public.

Council members and staff discussed the following topics: review of the amendments by the Airport Board; and the reasons for the amendment.

Council Member Barrera 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 - Mayor McComb, Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Garza

Abstained: 0

53. First Reading Ordinance - Lease Agreement for the Fiesta de la Flor Event in Corpus Christi

Ordinance authorizing agreement with the Corpus Christi Convention and Visitors Bureau (CCCVB) for 2019 Fiesta de la Flor event and related activities to be held on April 12, 2019 and April 13, 2019, and allow use of streets bounded by Power Street, N. Water Street, Resaca Street and Shoreline Blvd. and including the Bayfront Park located along Shoreline Blvd. between Resaca Street and Power Street and providing for payment of 50% of costs for City services provided for the event.

Mayor McComb referred to Item 53. Interim Director of Parks and Recreation Becky Perrin stated that the purpose of this item is to authorize an agreement with the Corpus Christi Convention and Visitors Bureau (CVB) for the 2019 Fiesta de la Flor event and related activities and to allow use of downtown streets. There were no comments from the public.

A council member spoke regarding April 16th being named Selena Day at the Texas Capital.

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

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

Absent: 1 - Council Member Garza

Abstained: 0

54. First Reading Ordinance - Appropriating funds for the Purchase of Heavy Equipment for Utilities

Ordinance appropriating \$222,475 from the Fleet Fund Future Replacement Reserve; amending the FY2018-2019 operating budget adopted by Ordinance 031548 to increase expenditures; and approving the purchase of John Deere heavy equipment from Doggett Heavy Machinery of Corpus Christi, Texas, via BuyBoard for a total amount not to exceed \$1,459,287.

Mayor McComb referred to Item 54. Director of Asset Management Jim Davis stated that the purpose of this item is to purchase heavy equipment for Utilities. There were no comments from the public.

A council member spoke regarding the budget for this purchase.

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 Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Garza

Abstained: 0

R. LEGISLATIVE UPDATE:

None.

H. BOARD & COMMITTEE APPOINTMENTS:

Mayor McComb deviated from the agenda and referred to board and committee appointments. Mayor McComb announced that the appointments were postponed to the March 26, 2019 Council meeting.

3. Building Standards Board
Library Board
Museum of Science and History Advisory Board
Sister City Committee
Tree Advisory Committee

No action was taken on Board & Committee Appointments.

S. EXECUTIVE SESSION: (ITEMS 57 - 58)

Mayor McComb referred to Executive Session Items 57 and 58. The Council went into executive session at 6:08 p.m. The Council returned from executive session at 6:59 p.m.

57. **Executive Session pursuant to Section Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the provision of incentives pursuant to any previously executed or proposed economic development and/or business incentive agreement(s) between the City and/or related entities and Upper Padre Partners, LP, Gulf Shores Ventures, and/or North Padre Waterpark Holdings, Ltd. and/or past or present assignees, affiliates, creditors or shareholders of any of the aforesaid entities, , including, but not limited to Padre Island Holdings, LLC, Diamond Beach Holdings, LLC, Axys Capital Credit Fund LLC, possible development agreements or other funding mechanisms related to the construction of Park Road 22 bridge and related infrastructure, including, but not limited to, bridges, culverts, canals, sewers, mains, lift stations, pump stations, revetments, pilings, and ditches, and permitting related thereto **and pursuant to Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to business prospect(s) that the City seeks to have locate, stay or expand in

or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).

This E-Session Item was discussed in executive session.

58. **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 *Graham Construction Services, Inc. et al v. City of Corpus Christi et al.*

This E-Session Item was discussed in executive session.

T. **IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

None.

U. **ADJOURNMENT**

The meeting was adjourned at 6:59 p.m.