



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, April 23, 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 Kevin Jennings, Mt. Olive Lutheran Church.

Pastor Kevin Jennings gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Mike Gillis, Animal Care Services Program Manager.

Animal Services Manager Mike Gillis 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 April 16, 2019, "TLC Complete Care Recognition Day".
Proclamation declaring April 21-27, 2019, "Medical Laboratory Professionals Week".
Proclamation declaring April 21-27, 2019, "National Community Development Week".
Proclamation declaring April 28-May 4, 2019, "Maternal Mental Health Awareness Week" and May 1, 2019, "Maternal Mental Health Awareness Day".
Proclamation declaring May 5-11, 2019, "National Children's Mental Health Awareness Week".
Commendation for John LaRue.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

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

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

Mayor McComb deviated from the agenda and referred to comments from the public. City Attorney Miles K. Risley read the Rules of Decorum for the Council Chambers. City Secretary Rebecca L. Huerta conducted the public comment period. Norma Rivera, 7525 Exeter, spoke regarding: testing of the Police Department's autowrecker service dispatch system; clarified statements made during public comment at the April 16, 2019; and an alleged conflict of interest involving Mike Staff, and requested a special counsel to investigate. Carl Morgan, 2806 Thunder Bay Court, spoke regarding autowrecker towing procedures and an alleged conflict of interest involving Mike Staff. David Diaz, 4642 Oso Parkway, spoke in support of City Manager candidate Lee Feldman. James T.C. Chadden, 1718 Arlington, requested shade structures at Sherrill Park. John Medina, 4931 Mokry, spoke regarding addressing homelessness in the City. Colin Sykes, 309 Aberdeen, spoke regarding climate change. Tina

Butler, 1450 Cambridge, invited the City Council to the 2nd Annual "Juneteenth in the Crest" on Saturday, June 15, 2019 at Cole Park. Margareta Fratila, 3606 Tripoli, requested that the City Council consider hiring a city manager that communicates with the public regarding their concerns and spoke regarding traffic and street signs.

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 public meeting for the design phase of Lipes Boulevard from Yorktown Boulevard to Staples Street will be held on Wednesday, April 24, 2019 at Kaffie Middle School. Citizens are invited to attend the open house at 5:30 p.m. with the presentation beginning at 6:00 p.m. 2) The Vessel Turn-In Program begins Wednesday, April 24, 2019 through Saturday, April 27, 2019 at the Laguna Madre Wastewater Treatment Plant, 2017 Jester Street in Flour Bluff. The public is invited to take advantage of the free event to dispose of unwanted and inoperable boats. Citizens can schedule and preregister at www.cctexas.com/vtip. 3) A ribbon cutting will be held at Salinas Park, 1354 Airport Road, on Saturday, April 27, 2019 at 10:00 a.m. 4) Interim City Manager Selman stated that the Columbus replica ship, La Nina, sunk overnight and the cause has yet to be determined.

a. UTILITY BILLING UPDATE

Interim City Manager Selman introduced Interim IT Director Peter Collins who provided the following information regarding the City's Infor Software and utility billing system: the progress on the Development Services portal including: the Dynamic Portal link, which includes: a training guide, information on signing up for one-on-one training, register for an online account; apply for a permit, pay fees, print permit card, look up a permit, schedule an inspection, view inspection results, clone an application; training; and results; the Bentley software testing; use of kiosks; field inspection's wireless mobile app; and testing on missed utility bills.

Council members discussed the following topics: the length of the training course; the progress regarding the Gas Department's meter transmission units (MTU); issues regarding data collection units (DCU); the number of no-reads from MTUs; public awareness of the Development Services portal; and if there is a sequence of steps to assist users through the Development Services permitting process.

G. MINUTES:

2. Regular Meeting of April 16, 2019 and Special Meeting of April 15, 2019.

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

H. BOARD & COMMITTEE APPOINTMENTS:

3. Building Standards Board
Coastal Bend Council of Governments
Human Relations Commission
Parks and Recreation Advisory Committee
Water Resources Advisory Committee

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

Building Standards Board

Council Member Roy made a motion to appoint Navid Zarghooni (At-Large), seconded by Council Member Smith and passed unanimously.

Coastal Bend Council of Governments

Council Member Smith made a motion to reappoint Keith Selman, Rudy Bentancourt, Pat Eldridge (Alternate), Rebecca Huerta (Alternate), Lawrence Mikolajczyk (Alternate), Richie Quintero, Tom Tagliabue, Mark Van Vleck (Alternate) and appoint Dan McGinn, seconded by Council Member Hunter and passed unanimously.

Mayor McComb made a motion to reappoint Rudy Garza, Michael T. Hunter, Ben Molina, and Greg Smith, seconded by Council Member Guajardo and passed unanimously.

Human Relations Commission

Mayor McComb made a motion to appoint Marigold C. Boone (Youth), Andrew S. Leeton (Youth), and Andrea I. Reyes (Youth), seconded by Council Member Guajardo and passed unanimously.

Parks and Recreation Advisory Committee

Council Member Barrera made a motion to appoint Howard L. Schauer, seconded by Council Member Smith and passed unanimously.

Water Resources Advisory Committee

Mayor McComb made a motion to reappoint Brian Williams (Wholesale Treated), Faren K. Von Duben (Large Commercial Customer), Joelle Francois (Residential Customer), Roberto A. Reece (Military Facility) and Rocky Freund (Nueces River Representative) and to appoint Barrett Fines (Port Industries Representative), seconded by Council Member Molina and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:**K. CONSENT AGENDA: (ITEMS 4 - 10)****Approval of the Consent Agenda**

Mayor McComb referred to the Consent Agenda Council members requested that Items 4 and 7 be pulled for individual consideration. There were no comments from the public.

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

Aye: 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

5. Service Agreement for Information Technology Consulting Services

Motion authorizing a professional service agreement for IT consulting services with Peter Collins of Corpus Christi, Texas for a not to exceed value of \$160,000.

This Motion was passed on the consent agenda.

Enactment No: M2019-062

6. Second Reading Ordinance - Amending the Wastewater Collection System Master Plan by relocating lift station 13 to the as-built location (1st Reading 9/16/19)

Ordinance amending the Wastewater Collection System Master Plan, an element of the Comprehensive Plan of the City of Corpus Christi, Texas, by relocating Lift Station 13 to the as-built location and adjusting alignment/size of the collection lines as identified in the Wastewater Collection System Master Plan, Oso W.R.P. Service Area, Area 1, as identified in the Master Sanitary Sewer Plan for the Southern Portion of Corpus Christi, Texas 1983; amending related elements of the City's Comprehensive Plan; providing for severance; and providing for publication.

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

Enactment No: 031743

8. Second Reading Ordinance - Accepting and appropriating State

**Grant for Law Enforcement Officer Standards and Education
account for training and equipment (1st Reading 4/16/19)**

Ordinance accepting \$26,109.20 from State of Texas - Law Enforcement Officer Standards and Education Account; and appropriating \$26,109.20 in Police Grants Fund.

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

Enactment No: 031744

**9. Second Reading Ordinance - Cession agreement to cede
extraterritorial jurisdiction of certain areas to the City of Portland
(1st Reading 4/16/19)**

Ordinance providing for the cession by the City of Corpus Christi to the City of Portland of all annexation rights and police powers over and in certain tracts of land, by mutual agreement; and providing for publication.

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

Enactment No: 031745

**10. Second Reading Ordinance - Approving amendment to TIRZ #2
Project and Financing Plan (1st Reading 4/16/19)**

Ordinance approving the amendment to the Tax Increment Reinvestment Zone #2 amended Project & Financing Plans approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas, regarding the approval of funds up to \$4,000,000 for the Park Road 22 Bridge Project.

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

Enactment No: 031746

**4. Payment for Cleaning of Sanitary Sewer Mains in the Downtown
Area**

Motion authorizing the City Manager, or designee, to ratify payment to Ace Pipe Cleaning, Inc., in the amount of \$194,768.75 for the cleaning of 8,044.9 linear feet of sanitary sewer mains in the downtown area (Broadway Basin).

Mayor McComb referred to Item 4, ratifying payment to Ace Pipe Cleaning, Inc. for the cleaning of sanitary sewer mains in the downtown area. Executive Director of Water Utilities Dan Grimsbo and a council member discussed the following topics: ratifying a payment that has already been paid; that in November 2018, there was a request to expand the existing contract with CSI Consolidated, LLC by 25% for \$268,000; that the renewal of the contract is for \$536,000; if the funding that was approved on December 4, 2018 will be used to

pay for the contract with Ace Pipe Cleaning, Inc.; that the 25% expansion was to facilitate finishing up the work; and that going forward, ensuring there is adequate funding to meet contractual obligations. There were no comments from the public.

Council Member Smith made a motion to approve the motion, seconded by Council Member Guajardo. This Motion 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

Enactment No: M2019-061

7. Second Reading Ordinance - Dedicating Wetland Preserve for Harbor Bridge Replacement Project (HBRP) (1st Reading 4/16/19)

Ordinance declaring and dedicating 16.744 acres of land located on North Beach as a wetland preserve; authorizing execution of the deed restriction and actions necessary to maintain the protected property as a wetland preserve subject to the conditions of U.S. Army Corps of Engineers Permit and Final Mitigation Plan for the US 181 Harbor Bridge Replacement Project filed by Flatiron-Dragados, LLC.

Mayor McComb referred to Item 7, dedicating wetland preserve for the Harbor Bridge Replacement Project. Mayor McComb stated that the City Council received additional information prior to the Council meeting and recommended that the item be tabled to allow staff time to review the information. There were no comments from the public.

Mayor McComb made a motion to table this item, seconded by Council Member Smith. This Item was tabled 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

L. RECESS TO CORPORATION MEETING: (ITEM 11)

Mayor McComb recessed the Regular council meeting at 1:09 p.m. to hold a special meeting of the North Padre Island Development Corporation.

11. Special Meeting of the North Padre Island Development Corporation

This Corporation Meeting was held.

M. RECONVENE CITY COUNCIL MEETING

Mayor McComb reconvened the regular Council meeting at 1:14 p.m.

N. FUTURE AGENDA ITEMS: (ITEMS 12 - 16)

Mayor McComb referred to Future Agenda Items. City Secretary Rebecca L. Huerta announced that Council Member Hunter abstained from Item 15. Interim City Manager Keith Selman did not have any planned presentations.

12. Resolution authorizing a Service Agreement for Autoscale System Support for Solid Waste Operations

Resolution authorizing a five-year service agreement for autoscale hardware and software maintenance support with Mettler Toledo, Inc., of Columbus, Ohio for a total amount not to exceed \$84,647.

This Resolution was recommended to the consent agenda.

13. Purchase of Guns for the Police Department

Motion authorizing the purchase of new guns and exchange of trade-ins for credit for the Corpus Christi Police Department from Proforce Law Enforcement, of Prescott, Arizona for a total amount not to exceed \$149,840.

This Motion was recommended to the consent agenda.

14. Purchase of Police Utility Vehicles for the Police Department

Motion authorizing the purchase of 23, 2020 Ford Police Interceptors from Silsbee Ford Inc. of Silsbee, Texas and five 2019 Chevrolet Tahoe police pursuit vehicles from Lake Country Chevrolet of Jasper, Texas for a combined total amount not to exceed \$988,851.50 as per the following:

Silsbee Ford Inc.	Lake Country Chevrolet
Silsbee, Texas	Jasper, Texas
\$805,691.00	\$183,160.50

This Motion was recommended to the consent agenda.

15. Resolution for Renewal of Property Insurance for City-Owned Property

Resolution authorizing renewal of property insurance, including All Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown insurance, through Carlisle Insurance Agency, Broker of Record, for upcoming policy year (May 5, 2019 - May 5, 2020) in exchange for annual premium of \$2,194,681.15.

This Resolution was recommended to the consent agenda.

16. Service Agreement for Mowing and Grounds Maintenance Services Of Street Rights-of-Way, Circles and Medians for Storm Water Group 1

Motion authorizing a 42-month service agreement for mowing and grounds maintenance services of street rights-of-way, circles and medians for Storm Water Group 1 with CML Services, LLC of Corpus Christi, Texas for a total amount not to exceed \$309,721.28.

This Motion was recommended to the consent agenda.

U. EXECUTIVE SESSION: (ITEMS 30 - 32)

Mayor McComb deviated from the agenda and referred to Executive Session Item 31. The Council went into executive session at 1:14 p.m. The Council returned from executive session at 2:09 p.m.

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

This E-Session Item was discussed in executive session.

O. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 31.

P. PUBLIC HEARINGS: (ITEMS 17 - 18)

17. First Public Hearing - La Quinta Corridor Annexation

Public hearing on a proposed annexation of up to 1,500 acres of land generally located along the north side of Corpus Christi Bay within San Patricio County. This annexation includes parcels of land located between the Cities of Portland and Gregory from US Highway 181 to Farm-to-Market 2986; and parcels of land located south of State Highway 35, east of US Highway 181, and west of La Quinta Road.

Mayor McComb referred to Item 17. Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to hold the first public hearing as part of the annexation process for the La Quinta Corridor. Mr. McGinn presented the following information: the annexation milestones; an overview of the annexation area; the annexation tract; the annexation area profile; the municipal service plan; and next steps.

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

public. Mayor McComb closed the public hearing.

18. Second Public Hearing for the Annexation of 161.56 acres in the London Area

Public hearing on a proposed annexation of land generally located on both sides of County Road 33 and to the north of FM 43.

Mayor McComb referred to Item 18. Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to hold the second public hearing as part of the petition requesting annexation by area landowners of approximately 161.56 acres in the London Area. Mr. McGinn presented the following information: background on the annexation process; an aerial overview of the annexation tract; the proposed development plan; the fiscal impact analysis; projected revenues; infrastructure/utility improvements to County Road 33; projected increase in street construction revenues; and an annexation schedule.

Mayor McComb opened the public hearing.

Council members discussed the following topics: that this is a voluntary annexation requested by the developers; that the cost of arterials and collectors is not included in the fiscal impact analysis; a future conversation to address arterials and collectors during the annexation process; a request by a council member for staff to provide a presentation and recommendation regarding public improvement districts, municipal utility districts or other options to address projects in the City's extraterritorial jurisdiction.

John Medina, 4931 Mokry, asked questions regarding the location of the annexation and access to the subdivision. Bart Braselton, 5905 Lago Vista Drive, stated that the developers are working with partners in the area for ways to facilitate funding for County Road 33.

Mayor McComb closed the public hearing.

Council members and staff discussed the following: the portion of County Road 22 that is being annexed; the entity responsible for improving County Road 33 in the future; the reason the City is not annexing the remaining portion of County Road 33; discussions with Nueces County and London Independent School District; that if the roadway is improved and dedicated to the City, the City would be responsible for the road; that if the road remains outside the incorporated area, Nueces County would be responsible for the road; cost associated with public safety protection and response; that the City currently answers calls for public safety outside the city-limits; and the need for additional public safety officers in the area in the future.

Q. REGULAR AGENDA: (ITEMS 19 - 20)

19. Second Reading Ordinance - Approving a Developer Agreement for Park Road 22 Bridge (1st Reading 4/16/19)

Ordinance appropriating \$4,000,000 from the TIRZ #2 fund for

construction of the Park Road 22 Bridge; and approving a developer agreement with Diamond Beach Holdings, LLC and Padre Island Holdings, LLC, which certifies the availability of \$11,696,319.50 for the construction of the Park Road 22 Bridge and requires the award of the construction contract for the bridge after the third-party canal is completed.

Mayor McComb referred to Item 19, a developer agreement with Diamond Beach Holdings, LLC and Padre Island Holdings, LLC for development of the third-party canal for the Park Road 22 Bridge. Assistant City Manager Mark Van Vleck and council members discussed the following topics: that construction on the Park Road 22 Bridge will not commence until the canal and bulkhead are substantially complete; the cost of the Park Road 22 Bridge; that if bids for the bridge are higher than anticipated, staff will bring back to City Council; and the expected completion date of the canal. There were no comments from the public.

Council Member Smith made a motion to approve the ordinance, seconded by Council Member Barrera. This Ordinance was passed on second reading 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

Enactment No: 031747

20.

Service Agreement for Body Worn Cameras for the Police Department

Motion authorizing a five-year service agreement for body worn cameras for the Police Department with Turn-Key Mobile, Inc., of Jefferson City, Missouri for a total amount not to exceed \$509,215.

Mayor McComb referred to Item 20. Police Chief Mike Markle stated that the purpose of this item is to approve a five-year service agreement for body worn cameras for the Police Department with Turn-Key Mobile, Inc. for a total amount not to exceed \$509,215.

Council members and Chief Markle discussed the following topics: that repair and maintenance of the cameras are included in the agreement; the benefits of body worn cameras; that the City saved money by storing the data from the camera locally; and a council member requested information regarding grants City-wide.

Mayor McComb called for comments from the public. John Medina, 4931 Mokry, spoke in support of this item and requested that the City release the footage from body cameras related to a recent shooting involving Corpus Christi police officers. Chief Markle stated that the City does not release information during an active investigation.

Council Member Garza made a motion to approve the motion, seconded by

Council Member Barrera. This Motion 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

Enactment No: M2019-063

R. FIRST READING ORDINANCES: (ITEMS 21 - 28)

Mayor McComb referred to First Reading Ordinances. There were no comments from the Council or the public.

Council Member Smith made a motion to approve Items 21 - 28, seconded by Council Member Hunter. These Ordinances were passed on first reading and approved with one vote.

21. First Reading Ordinance - Appropriating funds for "one-time" purchases for the Police Department

Ordinance appropriating \$74,920 from the Unreserved Fund Balance in the Crime Control District Fund for "one-time" expenditures and amending the FY2018-2019 Operating Budget adopted by Ordinance No. 031504 by increasing expenditures by \$74,920.

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

22. First Reading Ordinance - Accepting and appropriating Homeland Security - Operation Stonegarden Grant funds within the Police Department

Ordinance accepting a grant in the amount of \$250,000 from the State of Texas Governor's Homeland Security Grants Division for funding eligible under FY2018 Department of Homeland Security Grant Program Operation Stonegarden; and appropriating \$250,000 in Police Grants Fund.

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

23. First Reading Ordinance - Accepting and appropriating grant funds for the Click It or Ticket program within the Police Department

Ordinance accepting \$17,987.36 from State of Texas, Department of Transportation for FY2019 Click It or Ticket program grant; and appropriating \$17,987.36 in Police Grants Fund.

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

24. First Reading Ordinance - Accepting and appropriating a Citgo donation for the Fire Department

Ordinance authorizing the acceptance of a donation from Citgo in the amount of \$175,000 to be used to support the Corpus Christi Fire Department; and appropriating the funds into the Fire Grant Fund No. 1062.

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

25. First Reading Ordinance - Contract with Naval Air Station Corpus Christi for Wastewater Line Repairs

Ordinance authorizing contract with Naval Air Station Corpus Christi (NASCC) for \$232,411.38 and change order for \$40,769.24 for NASCC wastewater line repairs; and appropriating said payments upon receipt in

the No. 4200 Wastewater Utilities Fund.

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

26. First Reading Ordinance - Amending the AEP Texas, Inc. Electric Franchise Fee 5% Increase

Ordinance of the City Council of the City Of Corpus Christi amending the franchise with AEP Texas Inc. to change compensation or consideration to be paid for use of the public rights-of-way; providing an effective date; providing for acceptance by AEP Texas Inc.; finding and determining that the meetings at which this ordinance was considered were open to the public and in accordance with Texas law.

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

27. First Reading Ordinance - Approving an additional tariff for AEP Texas, Inc. Electric Franchise Fee 5% Increase

Ordinance of the City Council of the City of Corpus Christi approving an additional tariff for the recovery of franchise fees not currently being recovered in base rates by AEP Texas Inc.; and finding and determining that the meetings at which this ordinance was considered were open to the public and in accordance with Texas law.

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

28. First Reading Ordinance - Accepting and Appropriating Revenue

for Revocable Easement to Epic Crude Pipeline, LP

Ordinance accepting and appropriating \$41,029 of revenue from Epic Crude Pipeline, LP; authorizing the City Manager or designee to execute a Revocable Easement to Epic Crude Pipeline, LP to permit one 30-inch pipeline for transportation of crude oil across City owned property known as Mobile Estates Park, operated by the City Park & Recreation Department; appropriating the compensation received into its Community Enrichment Fund No. 4720.

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

S. BRIEFINGS: (ITEM 29)

29. How to Create a Tax Increment Reinvestment Zone for the North Beach Area

Mayor McComb referred to Item 29. Business Liaison Arlene Medrano stated that the purpose of this item is to provide an overview of how to create a Tax Increment Reinvestment Zone (TIRZ) for the North Beach area. Ms. Medrano presented the following information: tools for local economic development; tax increment financing (TIF); a graph on how a TIRZ works; the City's current TIRZ located on the island and downtown; TIRZ requirements; developed and undeveloped areas; TIRZ created by petition; limitations on TIRZ boundaries; the procedure for creating a TIRZ; the contents of the financing plan and project plan; and next steps.

Council members and staff discussed the following topics: the economic feasibility study; that either a city or a county can create a TIRZ; if the City has engaged in conversations with other taxing entities related to participation in the TIRZ; the need to have a partnership with other taxing entities in order to create a TIRZ; the cost of a feasibility study; the potential investment; the difference between an opportunity zone and a TIRZ; that the Texas State Aquarium and U.S.S. Lexington pay only sales tax; that the report from Urban Engineering will provide information regarding the cost of a canal to address drainage on North Beach; staff's meeting with the North Beach Infrastructure Taskforce; and the amount of funding the City has already spent to address drainage on North Beach.

Interim City Manager Keith Selman read the project scope provided by Urban Engineering regarding the Canal Feasibility Study. Council members asked questions regarding the inclusion of the cost of the canal and expanding the scope to include other alternatives to address the drainage.

Larry Urban, Urban Engineering, discussed the feasibility and effectiveness of a canal to address drainage on North Beach.

Council members discussed the following topics: the economic feasibility study; the preliminary list of projects; the definition of residential property in a TIRZ; that the project list include drainage, beach erosion, beach access, and parking; other studies the City has regarding flood mitigation on North Beach; if the canal concept is to mitigate flooding or be an amenity for economic development; the difficulties of a TIRZ financing the drainage problem; expanding the scope to include other alternatives to mitigate the drainage problem; how the City engaged the services of Urban Engineering; the estimated cost of drainage solutions; an analysis of water features that include creating ponds to inventory the water; if a canal concept would work on North Beach; and the estimated amount of funding a TIRZ would receive on North Beach.

Council Member Hernandez made a motion directing the Interim City Manager to work with Urban Engineering to include additional drainage options and the associated costs to the canal feasibility study presented, seconded by Council Member Guajardo and passed unanimously.

T. LEGISLATIVE UPDATE:

None.

U. EXECUTIVE SESSION: (ITEMS 30 - 32)

Mayor McComb referred to the day's executive sessions. The Council went into executive session at 4:08 p.m. The Council returned from executive session at 4:53 p.m.

- 30. 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, an electricity rate case expected to be filed with the Texas Public Utilities Commission by AEP Texas/AEP Texas Central Company/AEP Texas North Company.

This E-Session Item was discussed in executive session.

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

Mayor McComb referred to Item 31 and the following motion was considered:

Motion to appoint Peter D. Zaroni as City Manager, effective May 20, 2019 and authorize the Mayor to execute an employment agreement with said person, with the following parameters: Annual Base Salary - \$300,000 plus 5% at first anniversary; Vehicle Allowance - \$7,200 per year; Cell phone Allowance - \$840 per year; 457 plan payment - \$19,000 per year; all other regular employee

benefits; Severance - 12 months salary & payment of health insurance; and up to \$16,000 for moving & relocation expenses and obligation to establish residence in City.

Mayor McComb and council members expressed appreciation to Interim City Manager Keith Selman for his work and dedication while serving as interim and thanked City staff and the volunteers who assisted during the City Manager candidate process.

Mayor McComb made a motion to approve the motion, seconded by Council Member Guajardo. This Motion 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

Enactment No: M2019-064

32.

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 Voestelpe, 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.

V. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

None.

W. ADJOURNMENT

The meeting was adjourned at 5:08 p.m.