



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, March 26, 2019

11:30 AM

Council Chambers

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

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

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

Mayor McComb called the meeting to order at 11:32 a.m.

- B. Invocation to be given by Pastor Rob Bailey, Southside Community Church.**

Pastor Rob Bailey gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Lisa Aguilar, Senior Assistant City Attorney.**

Senior Assistant City Attorney Lisa Aguilar 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. Presentation from CITGO.  
Proclamation declaring March 2019, "American Red Cross Month".  
Proclamation declaring March 24-31, 2019, "Cesar Chavez Week".  
Proclamation declaring April 1-5, 2019, "Graduate and Professional Student Appreciation Week".  
Proclamation declaring April 6, 2019, "Earth Day-Bay Day" and April 2019 "Earth Month".  
Proclamation declaring April 6, 2019, "Special Olympics Texas - Spring Games Day".  
Proclamation declaring April 1-7, 2019, "National Public Health Week".  
Mayor McComb presented the proclamations.

- 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. Mayor McComb read a statement regarding Agenda Item 55, initiating annexation of up to 5,700 acres along the north side of Corpus Christi Bay. City Attorney Miles K. Risley read the Rules of Decorum for the Council Chambers. City Secretary Rebecca L. Huerta conducted the public comment period. John Panek, 2008 Oak Ridge, Portland, Texas; Nathan East, San Patricio County; Sam Goucher, Portland, Texas; Nina G. Trevino, San Patricio County Commissioner, 113 Moonlite, Portland, Texas; Shawn Cass, 102 Hawthorne, Portland, Texas; Dalia Sanchez, San Patricio Tax Assessor/Collector, 2009 Pecan, Portland, Texas; Pamela Hill, San Patricio Elections Administrator, 14492 CR 1478, Odem, Texas; Ronnie Parks, Mayor of Ingleside; Gary Moore, San Patricio County Commissioner, 604 E. Broadway, Portland; Debra Barrett, President of the San Patricio Drainage District; Errol Summerlin, Portland Texas, member of the Coastal Alliance to Protect Our Environment (CAPE); and Ken Baker, 7471 Idle Hour, spoke in opposition to Agenda Item 55, initiating

annexation of up to 5,700 acres along the north side of Corpus Christi Bay. Brian Watson, 5813 Hugo, spoke regarding the Port of Corpus Christi Authority's affiliation with The Carlyle Group related to the Harbor Island Project. James T.C. Chadden, 1718 Arlington, thanked Council Members Hunter, Barrera, Molina, Roy, and Hernandez for attending an event at Sherrill Park honoring Vietnam veterans and proposed a fundraising opportunity to Council Member Molina for veterans. Susie Luna Saldana, 4710 Hakel, spoke regarding the firm hired to search for a new city manager and annexation. Sylvia Campos, 4410 Fir, spoke in opposition to Agenda Item 38, creating Industrial District No. 4 and Agenda Item 55, initiating annexation of up to 5,700 acres along the north side of Corpus Christi Bay. Rolando Garza, P.O. Box 252, spoke in support of the regional youth sports complex and Agenda Item 55, initiating annexation of up to 5,700 acres along the north side of Corpus Christi Bay.

**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) The Health Fair will be held Saturday, April 5, 2019 from 9:00 a.m. to 1:00 p.m. at 1702 Horne Road. 2) The Stormwater Division, in conjunction with Texas A&M AgriLife, will be hosting a Soil Sampling Demonstration on Friday, March 29, 2019 at 11:00 a.m. at the Museum of Science and History, 1900 N. Chaparral. Soil sampling kits will be available at the following locations: Bay Area Landscape Nursery, City Hall, City of Corpus Christi Water Utilities Building, Ethel Eyerly Senior Center, Gill's Landscape Nursery, Owen R. Hopkins Public Library, South Texas Botanical Gardens, Texas A&M AgriLife Extension, and Turner's Gardenland. 3) A series of community input events will be held regarding the Southside & London Area Development Plan on Monday, April 1, 2019, Tuesday, April 2, 2019, and Thursday, April 4, 2019 at Most Precious Blood Catholic Church - St. Juliana Family Center located at 3502 Saratoga Boulevard.

**a. UTILITY BILLING**

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: progress regarding the Development Services portal; the progress on missed utility bills; and the external audit.

In response to Mayor McComb, Mr. Collins stated that the grace period for missed utility bills will end on June 1, 2019.

**G. MINUTES:**

**2. Regular Meeting of March 19, 2019.**

Mayor McComb referred to approval of the minutes. Council Member Guajardo made a motion to approve the minutes, seconded by Council Member Molina and passed unanimously (Council Member Barrera – absent).

**H. BOARD & COMMITTEE APPOINTMENTS:**

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

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

**Building Standards Board**

**Council Member Molina made a motion to reappoint Dante C. Miller (Home Builder), seconded by Council Member Smith and passed unanimously (Council Member Barrera – absent).**

**Council Member Smith nominated Sheridan A. Benning (At-Large). Council Member Molina nominated Pete G. Cavazos (At-Large). Pete G. Cavazos (At-Large) was appointed with Mayor McComb and Council Members Hunter, Barrera, Garza, Molina, Roy, and Hernandez voting for Pete G. Cavazos and Council Members Guajardo and Smith voting for Sheridan A. Benning.**

**Island Strategic Action Committee**

**Council Member Barrera made a motion to reappoint Aaron B. Huffman (Developer) and Cheri Sperling (Padre Island Business Association), seconded by Council Member Molina and passed unanimously.**

**Council Member Smith made a motion to realign Aaron B. Huffman from Developer to At-Large, seconded by Council Member Guajardo and passed unanimously.**

**Council Member Smith made a motion to appoint Polly L. Balzer (Padre Isles Property Owners Association), seconded by Council Member Molina and passed unanimously.**

**Council Member Smith made a motion to appoint Charles F. Duffley (Developer), seconded by Council Member Barrera and passed unanimously.**

**Council Member Guajardo nominated Kateryna M. Wowk (At-Large). Council Member Hernandez nominated Alan A. Guggenheim (At-Large). Council Member Barrera nominated Kaylynn J. Paxon (At-Large). Kaylynn J. Paxon (At-Large) was appointed with Mayor McComb and Council Members Roy, Molina, Smith, Garza, Barrera, and Hunter voting for Kaylynn Paxon; Council Member Hernandez voting for Alan A. Guggenheim; and Council Member Guajardo voting for Kateryna M. Wowk.**

**Library Board**

Council Member Barrera made a motion to appoint Roberta H. Sewell (Friends of the Libraries Board), seconded by Council Member Hunter and passed unanimously.

#### **Museum of Science and History**

Mayor McComb made a motion to reappoint Christina C. Buttler (Community Advocate), Anita Eisenhower (Community Advocate), Cary Perales (K-12 Education) and Sonia Castillo Plemons (Business Community); reappoint and realign Karen J. Howden to K-12 Education and Claudia C. Huerta to Business Community; and appoint Jack Southard (Higher Education), Kathy Wemer (Higher Education), and Sylvia A. Tryon Oliver (Community Advocate), seconded by Council Member Garza and passed unanimously.

#### **Sister City Committee**

Council Member Garza made a motion to appoint Susane “Westi” Horn (Advertising/Public Relations), seconded by Council Member Hernandez and passed unanimously.

#### **Tree Advisory Committee**

Council Member Garza made a motion to reappoint Kevin Gibbs (At-Large) and Donald C. Fields (AEP Texas Representative), seconded by Council Member Molina and passed unanimously.

Council Member Molina made a motion to appoint Alex H. Husby (Certified Arborist or Urban Forester), seconded by Council Member Roy and passed unanimously.

Council Member Barrera nominated M. Joseph Cerasaro (At-Large). Council Member Roy nominated Carlos Maldonado (At-Large). Carlos Maldonado (At-Large) was appointed with Mayor McComb and Council Members Hunter, Guajardo, Roy, and Hernandez voting for Carlos Maldonado and Council Members Barrera, Garza, Smith, and Molina voting for M. Joseph Cerasaro.

### **I. EXPLANATION OF COUNCIL ACTION:**

### **K. CONSENT AGENDA: (ITEMS 4 - 41)**

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

Mayor McComb referred to the Consent Agenda. City Secretary Rebecca L. Huerta announced that Mayor McComb and Council Member Molina were abstaining on Item 17. A citizen requested that Items 37 and 38 be pulled for individual consideration. Council members requested that Items 8, 17, 21, 24 – 28, and 31 be pulled for individual consideration.

Council Member Guajardo made a motion to approve the consent agenda,

**seconded by Council Member Hunter. The consent agenda items were passed and approved by one vote as follows:**

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

**Abstained:** 0

**4. 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 passed on the consent agenda.**

Enactment No: 031705

**5. 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 passed on the consent agenda.**

Enactment No: 031706

**6. 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 passed on the consent agenda.**

Enactment No: M2019-037

**7. 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 passed on the consent agenda.**

Enactment No: 031707

**9. 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 passed on the consent agenda.**

Enactment No: 031709

**10. 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 passed on the consent agenda.**

Enactment No: M2019-038

**11. 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 passed on the consent agenda.**

Enactment No: M2019-039

**12. 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 passed on the consent agenda.**

Enactment No: 031710

**13. 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 passed on the consent agenda.**

Enactment No: M2019-040

**14. 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 passed on the consent agenda.**

Enactment No: 031711

**15. 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 passed on the consent agenda.**

Enactment No: M2019-041

**16. 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 passed on the consent agenda.**

Enactment No: M2019-042

**18. 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 passed on the consent agenda.**

Enactment No: M2019-044

**19. 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 passed on the consent agenda.**

Enactment No: M2019-045

**20. 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 passed on the consent agenda.**

Enactment No: M2019-046

**22. 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 passed on the consent agenda.**

Enactment No: M2019-048

**23. 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 passed on the consent agenda.**

Enactment No: 031712

**29. 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 passed on the consent agenda.**

Enactment No: M2019-053

**30. 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 passed on the consent agenda.**

Enactment No: 031714

**32. Second Reading Ordinance - Rezoning for a Property located at or near 3202 Interstate 69 (1st Reading 3/19/19)**

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.

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

Enactment No: 031716

**33. Second Reading Ordinance - Rezoning for a Property located at or near 542 Airline Road (1st Reading 3/19/19)**

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

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

Enactment No: 031717

**34. Second Reading Ordinance - Amending City Code to establish vicious dog regulations (1st Reading 3/19/19)**

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

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

Enactment No: 031718

**35. Second Reading Ordinance - Easement Closure for properties located at 118 La Aves Court and 123 Rum Cay Court (1st Reading 3/19/19)**

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.

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

Enactment No: 031719

**36. Second Reading Ordinance - Amendment to City Code of Ordinances for Outside City Limits Water Contracts (1st Reading 3/19/19)**

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.

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

Enactment No: 031720

**39. Second Reading Ordinance - Amending City Code Regarding Commercial Vehicle and Loading Zones (1st Reading 3/19/19)**

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.

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

Enactment No: 031722

**40. Second Reading Ordinance - Lease Agreement for the Fiesta de la Flor Event in Corpus Christi (1st Reading 3/19/19)**

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.

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

Enactment No: 031723

**41. Second Reading Ordinance - Appropriating funds for the Purchase of Heavy Equipment for Utilities (1st Reading 3/19/19)**

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.

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

Enactment No: 031724

**8. 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.

**Mayor McComb referred to Item 8, approving a Chapter 212 Agreement with Gulf Coast Growth Ventures. Mike Culbertson and Iain Vasey, Corpus Christi Regional Economic Development Corporation, and council members discussed the following topics: a council member expressed concern regarding Section 2.2.B. related to the most favored nation clause; that Section 2.2.B. language is in the current industrial district agreements; the reason for including Section 2.2.B. in the agreement with Gulf Coast Growth Ventures; that the current industrial contracts expire in 2024; aligning the terms of all industrial district agreements; and that the payment in lieu of taxes amount of 62.5% should be changed to equal to the industrial district rate for future contracts. There were no comments from the public.**

**Council Member Smith made a motion to approve the resolution, seconded by Council Member Hernandez. This Resolution 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: 031708

**17. 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)

Mayor McComb referred to Item 17. Mayor McComb announced that he and Council Member Molina were abstaining from this item. There were no comments from the public.

Council Member Hernandez made a motion to table this item until a new City Manager is hired, seconded by Council Member Garza.

Council members and Director of Engineering Services Jeff Edmonds discussed the following topics: the terms of the agreement; to wait for a recommendation from the new City Manager regarding management and administration of these types of projects; the reason for increasing the maximum aggregate from \$2,000,000 to \$2,500,000 per agreement; that Bond 2018 has approximately \$20 million worth of facility-type work; that the FMAC agreements that do not exceed \$500,000 can be authorized by the City Manager; that the FMAC allow the City to expedite projects; that, with the exception of the alternate contractor, all the contractors are local; how tabling the item would impact the Bond 2018 projects; a council member suggested reducing the maximum aggregate per contract to \$2,000,000 and removing the renewal terms; if the bonds for Bond 2018 have been sold; council members recommended a one-year agreement; that the current FMAC agreements expire in July; Interim City Manager Selman's recommendation; and providing the City Council with quarterly reports regarding the FMAC.

The motion to table failed with the following vote: Council Member Hernandez voting "Aye"; Council Members Hunter, Roy, Smith, Barrera, Garza, and Guajardo voting "No"; Mayor McComb and Council Member Molina abstained.

Council Member Hernandez made a motion to amend the motion to a one-year agreement, with one option to renew, with City Council approval, with a maximum aggregate of \$2,500,000 per agreement in any one year, seconded by Council Member Garza and passed unanimously (Mayor McComb and Council Member Molina - abstained).

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

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

**Abstained:** 2 - Mayor McComb and Council Member Molina

Enactment No: M2019-043

21.

**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).

**Mayor McComb referred to Item 21, City-Wide Water Distribution Repair and Replacement Indefinite Delivery/Indefinite Quantity (ID/IQ) Program. Executive Director of Water Utilities Dan Grimsbo, Interim Assistant City Manager Constance Sanchez, Director of Engineering Services Jeff Edmonds and Assistant City Manager Mark Van Vleck and a council member discussed how the project is being funded. There were no comments from the public.**

**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: M2019-047

**24.**

**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.

**Mayor McComb referred to Item 24. Director of Water Utilities Kevin Norton stated that the purpose of this item is to authorize the purchase of a mechanical bar screen for Laguna Madre Wastewater Treatment Plant. A council member stated that Items 24 - 28 are related to wastewater treatment plants and questioned the funding for the purchases. Interim Assistant City Manager Constance Sanchez stated that funding is included in the reserve appropriation. There were no comments from the public.**

**Council Member Garza made a motion to approve the motion, seconded by Council Member Smith. 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: M2019-049

**25. 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 item was discussed during Item 24.**

**Council Member Garza made a motion to approve the motion, seconded by Council Member Smith. 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: M2019-050

**26. 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 item was discussed during Item 24.**

**Council Member Garza made a motion to approve the motion, seconded by Council Member Smith. 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: M2019-051

**27. 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 Jourdan, 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 item was discussed during Item 24.

**Council Member Garza made a motion to approve the motion, seconded by Council Member Smith. 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: M2019-052

**28. 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 item was discussed during Item 24.

**Council Member Garza made a motion to approve the resolution, seconded by Council Member Smith. This Resolution 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: 031713

**S. EXECUTIVE SESSION: (ITEMS 58 - 59)**

**Mayor McComb deviated from the agenda and referred to Executive Session Items 58 and 59. The Council went into executive session at 2:19 p.m. The Council returned from executive session at 3:08 p.m.**

**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 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.**

**59.**

**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 an arbitration proceeding relating to discipline of an employee of the City's Fire Department and **pursuant to Texas Government Code § 551.074** (Personnel Matters) to deliberate matters related to discipline and/or dismissal of a City firefighter (including, but not limited to, Ron Martinez), and further including possible action in open meeting related to professional services agreement with Knight Law Firm LLP for legal matters related to the aforesaid arbitration proceeding.

**Mayor McComb referred Item 59 and the following motion was considered:**

**Motion to authorize the City Manager or his designees to execute a contract for professional services with Knight Law Firm, LLP in the maximum amount of \$22,500 for additional services related to the arbitration of the Ron Martinez termination.**

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

**Aye:** 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: M2019-055

## **M. RECESS FOR LUNCH**

**The recess for lunch was held during Executive Session Items 58 and 59.**

**Q. BRIEFINGS: (ITEM 57)****57. Summary of Coastal Bend Birth Defects Inquiries**

Mayor McComb deviated from the agenda and referred to Item 57. Dr. James Mobley, San Patricio Health Authority and Chair of the Regional Health Awareness Board (RHAB), stated that the purpose of this item is to provide a summary of the Coastal Bend Birth Defects inquiries. Dr. Mobley recognized the RHAB members in the audience and presented the following information: that in 2006, birth defects in Corpus Christi were 84% higher than other Texas cities; birth defects from 1999 - 2006; the types of birth defects identified; 2008 Texas birth defects registry possible clusters and results; a study map of the sites; that the U.S. Environmental Protection Agency studied water and determined that water source was not associated with birth defects; that the Agency for Toxic Substance Disease registry studied air quality and determined that air quality rarely reached harmful levels; and the 2018 Texas Birth Defects Registry study area and conclusions. Dr. Mobley reported that there are no clear causes for the birth defects. Dr. Mobley stated that birth defects have been associated with the lack of prenatal care, diabetes, obesity and smoking.

In response to Mayor McComb, Dr. Mobley stated that mothers are interviewed to determine associated factors of birth defects.

**K. CONSENT AGENDA: (ITEMS 31, 37 - 38)****31. Resolution authorizing outside city limits water contracts for River Edge Village - Phase 1 Subdivision.**

Mayor McComb referred to Item 31, authorizing outside city limits water contracts for River Edge Village - Phase 1 Subdivision. In response to a council member, Director of Development Services Nina Nixon-Mendez stated that the subdivision will utilize septic tanks and the wastewater construction fee exemption was approved at a previous Council meeting. There were no comments from the public.

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

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

**Nay:** 1 - Council Member Hernandez

**Abstained:** 0

Enactment No: 031715

**37. Second Reading Ordinance - Interlocal Agreement with the Port of Corpus Christi Authority for a permitting program (1st Reading**

**3/19/19)**

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** referred to Item 37, an interlocal agreement with the Port of Corpus Christi Authority (Port) for a permitting program. **Errol Summerlin**, Citizens Alliance for Fairness and Progress, requested that this item be tabled to allow the Hillcrest neighborhood to determine whether the agreement affects Port-owned properties located in the Hillcrest neighborhood.

Council members and Director of Development Services **Nina Nixon-Mendez** discussed the following topics: that the agreement applies to all Port properties within the City limits; that the agreement does not exempt the Port from zoning, health permits, demolition permits, and fire permits; that the Port shall require all new construction or renovation of buildings, structures, facilities and infrastructure to meet or exceed applicable City Code standards; the termination clause; the reason the Port is required to follow zoning requirements; that the agreement is patterned after other cities; a presentation from the Port to include an update on the buy-out program regarding the new Harbor Bridge; and the livability plan for the neighborhood.

**Council Member Garza** made a motion to approve the ordinance, seconded by **Council Member Smith**.

**Mayor McComb** called for comments from the public. **Daniel Pena**, 2813 Hilbert, spoke in opposition to the Hillcrest Port-owned properties being included in the agreement and spoke regarding property maintenance and rodent control issues in the Hillcrest neighborhood.

**Council Member Garza** withdrew his motion to approve the ordinance and **Council Member Smith** withdrew his second.

**Council Member Roy** made a motion to table this item until April 9, 2019, seconded by **Council Member Hernandez**. This Item was tabled with the following vote:

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

**Absent:** 1 - Council Member Hunter

**Abstained:** 0

**38. Second Reading Ordinance - Creating Industrial District No. 4 (1st Reading 3/19/19)**

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 38, creating Industrial District No. 4. Errol Summerlin, Coastal Alliance to Protect Our Environment (CAPE) expressed concern regarding industrial development and its affects on the environment. In response to a council member, Director of Planning and ESI Daniel McGinn stated that this industrial district is northwest of the Lynodell facility on Violet Road located in Nueces County outside the city limits and adjacent to Industrial District No. 2.

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

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

**Absent:** 1 - Council Member Hunter

**Abstained:** 0

Enactment No: 031721

**L. FUTURE AGENDA ITEMS: (ITEMS 42 - 44)**

Mayor McComb referred to Future Agenda Items. Interim City Manager Keith Selman stated that staff had a planned presentation on Item 44.

**42. Purchase of two Ford F-150 crew cab trucks for the Police Department**

Motion authorizing the purchase of two Ford F-150 crew cab trucks from Silsbee Ford Inc. of Silsbee, Texas for a total amount not to exceed \$62,736.10.

This Motion was recommended to the consent agenda.

**43. Resolution authorizing a service agreement for maintenance and inspection of fire extinguishers**

Resolution rejecting the apparent low bid of Cintas Corporation and the apparent second low bid of Draco Fire and Safety, LLC as non-responsive and authorizing a five-year service agreement for fire extinguishers annual maintenance and inspection with IFS Fire and Safety Inc., of Corpus Christi, Texas, as the lowest responsive bidder, for an amount not to exceed \$153,175.50.

This Motion was recommended to the consent agenda.

**44. Motion appointing Council Member Everett Roy to the American Bank Center's Advisory Council.**

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This Motion was recommended to the consent agenda.

**N. PUBLIC HEARINGS: (ITEMS 45 - 49)**

**45. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 1401 North Alameda Street.**

Case No. 0219-02 HCS 311, LLC: Request for rezoning a property at or near 1401 North Alameda Street from the "RM-1" Multifamily 1 District to the "IL" Light Industrial District.

Planning Commission and Staff Recommendation (February 20, 2019):  
Denial of the change of zoning from the "RM-1" Multifamily 1 District to the "IL" Light Industrial District

Applicants Request (3/4 Vote Required)

Ordinance rezoning property at or near 1401 North Alameda Street from the "RM-1" Multifamily 1 District to the "IL" Light Industrial District.

Mayor McComb referred to Item 45. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to rezone the subject property to allow for the construction of a laydown yard. Ms. Nixon-Mendez presented the following information: an aerial overview of the subject property; the zoning pattern; a rendering of the potential laydown yard; the vacant and improved lots in the area; the neighborhood amenities; transportation access; and "RM-1" and "IL" land use comparisons. Ms. Nixon-Mendez stated that Planning Commission and staff recommend denial of the zoning change.

Council members and staff discussed the following topics: the number of residents in the area; the vacant property in the area; the noise impact; the scheduled completion of the new Harbor Bridge; when the expected redevelopment is proposed to take place; the Downtown Area Development Plan, including redevelopment of the neighborhood; decommissioning of the old wastewater treatment plant; that the laydown yard is a short-term use of the property; the homes occupied adjacent to the property; that the property is located in an opportunity zone; that the property is located across from the Broadway Wastewater Treatment Plant; the zoning pattern for the area; when the Downtown Area Development Plan was approved; a council member recommended zoning "RM-1/SP" with a five-year expiration; that the property was previously the Northside Manor Apartments.

Mayor McComb opened the public hearing. George Clower, 415 Starr, representative for the applicant, spoke regarding: a background of the subject property; the challenges with finding a buyer for the property; the property's proximity to the treatment plant; noise in the area; the realignment of the Harbor Bridge; challenges associated with multi-family and affordable housing in the area; that the area is predominately industrial; and stated that the applicant is open to a special permit. Daniel Pena, 2813 Hulbirt; Adam Carrington, 2949 Riverbend Court; Maury Wolfson, 3535 Santa Fe, Lamont Taylor, 522 Hancock; Eddie Jackson Mathis, 4721 Angela; Gwendolyn Y.

Coleman, 1207 Sam Rankin; and Errol Summerlin, Citizens Alliance for Fairness and Progress, spoke regarding the redevelopment of the area, the proposed livability plan and in opposition to the zoning change. Tim Clower, 415 Starr Street, spoke regarding the safety issues in the area and in support of the zoning change. Mayor McComb closed the public hearing.

Council members discussed the following topics: the reduction of residential in the area; concern with redevelopment of the area; protection of historical areas; when the Downtown Area Development Plan was approved; and industrial uses in the area.

Council Member Roy made a motion to table this item to April 16, 2019 to allow staff work with the applicant regarding a special permit, 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

**46. Second Reading Ordinance - Rezoning for a Property located at or near 3502 County Road 7B. (1st Reading 3/26/19)**

Case No. 0219-03 Mostaghassi Investment Trust: Request for rezoning property at or near 3502 County Road 7B from the "FR" Farm Rural District and the "CG-2" General Commercial District to the "RS-6" Single-Family 6 District.

Planning Commission and Staff Recommendation (February 20, 2019): Approval of the change of zoning from the "FR" Farm Rural District and the "CG-2" General Commercial District to the "RS-6" Single-Family 6 District.

Ordinance rezoning property at or near 3502 County Road 7B from the "FR" Farm Rural District and the "CG-2" General Commercial District to the "RS-6" Single-Family 6 District.

Mayor McComb referred to Item 46. 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 Hernandez made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

**Aye:** 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

**47. Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 213 Kleberg Place.**

Case No. 0219-04 SCCBH, LLC: Request for rezoning property at or near 213 Kleberg Place from the "RM-AT" Multifamily AT District to the "CR-1" Resort Commercial District.

Planning Commission and Staff Recommendation (February 20, 2019): Approval of the change of zoning from the "RM-AT" Multifamily AT District to the "CR-1" Resort Commercial District.

Ordinance rezoning property at or near 213 Kleberg Place from the "RM-AT" Multifamily AT District to the "CR-1" Resort Commercial District.

Mayor McComb referred to Item 47. 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 a hotel. 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 Molina made a motion to approve the ordinance seconded by Council Member Guajardo. This Ordinance was passed on first reading and approve 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

**48. Public Hearing and First Reading Ordinance - Amending the Unified Development Code regarding bars, taverns or pubs**

Ordinance amending the Unified Development Code regarding specific standards relating to bars, taverns or pubs.

Mayor McComb referred to Item 48. Director of Development Services Nina Nixon-Mendez stated that the purpose of this item is to amend the Unified Development Code (UDC) regarding the specific standards related to bars, taverns or pubs to align the UDC with the City's Municipal Codes. This item was tabled at the September 11, 2018 City Council meeting to allow time to conduct public outreach. Ms. Nixon-Mendez presented the following information: the distance requirements for bars, taverns and pubs; the proposed text



amendment; distance requirements in other Texas cities; and public notice.

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

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Hernandez. This Ordinance was passed on first 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

**49.**

**Public Hearing and First Reading Ordinance - Urban  
Transportation Plan map amendment for a segment of Bronx  
Avenue**

Ordinance amending Urban Transportation Plan map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by removing a segment of Bronx Avenue.

Mayor McComb referred to Item 49. Director of Development Services Daniel McGinn stated that the purpose of this item is to amend the Urban Transportation Plan by removing a segment of Bronx Avenue, a collector street between Master Drainage Channel 31 and Lipes Boulevard. Mr. McGinn presented the following information: a map of the subject area; the proposed amendment; the 2016 Transportation Plan; bicycle mobility; and the proposed Airline Crossing Unit 3 plans.

Council members discussed the following topics: Del Mar College's previous request to remove the proposed segment of Bronx Avenue to Yorktown Boulevard; that Del Mar College is paying for the pedestrian bridge and bicycle path; the location of Fire Station 17; and the impact the removal of Bronx Avenue will have on emergency response times.

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

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

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

**Nay:** 1 - Council Member Hernandez

**Abstained:** 0

**O. REGULAR AGENDA: (ITEMS 50 - 55)**

**50. Resolution for a Supply Agreement to Purchase Water Lab Clinical Supplies**

Resolution authorizing a three-year supply agreement for the purchase of water lab clinical supplies with IDEXX Distribution, Inc., of Westbrook, Maine for an amount not to exceed \$105,000.

**Mayor McComb referred to Item 50. Director of Public Health Annette Rodriguez stated that the purpose of this item is to authorize a three-year supply agreement for the purchase of water lab clinical supplies to test water for bacteria in the amount of \$105,000. There were no comments from the Council or the public.**

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

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

**Absent:** 1 - Council Member Molina

**Abstained:** 0

Enactment No: 031725

**51. Resolution authorizing four service agreements for grounds maintenance for Parks Groups 11 - 14**

Resolution authorizing four 42-month service agreements for grounds maintenance services for Parks Groups 11 - 14 with MLC Landscaping, LLC of Corpus Christi, Texas for a total amount not to exceed \$235,193.20.

**Mayor McComb referred to Item 51. Interim Director of Parks and Recreation Becky Perrin stated that the purpose of this item is to approve four 42-month service agreements for grounds maintenance services for Parks Groups 11 - 14 with MLC Landscaping, LLC for the Parks and Recreation Department for a total amount not to exceed \$235,193.20. Ms. Perrin provided a list of the parks in each park group. There were no comments from the public.**

**Council members discussed the following topics: appreciation to Parks and Recreation staff for finding alternative options to save on costs; if contracts require that contract employees be U.S. citizens and prohibit undocumented labor; the contract language related to "Verification Regarding Israel"; and that Parks and Recreation group leaders inspect and accept services as well as report broken or damaged areas of the parks.**

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

**Aye:** 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: 031726

**52. Purchase of Cisco Smartnet network equipment, support and maintenance**

Motion authorizing the purchase of Cisco Smartnet network equipment support and maintenance for one year with Computer Solutions of San Antonio, Texas for a total amount not to exceed \$103,413.99.

**Mayor McComb referred to Item 52. Interim Director of IT Peter Collins stated that the purpose of this item is to purchase Cisco Smartnet network equipment support and maintenance for one year with Computer solutions for a total amount not to exceed \$103,413.99. There were no comments from the Council or the public.**

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

**Aye:** 7 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Molina and Council Member Roy

**Absent:** 2 - Council Member Hunter and Council Member Smith

**Abstained:** 0

Enactment No: M2019-054

**53. Resolution authorizing an agreement for renewal of software support, maintenance and hosting with Bentley Systems for Utilities and Development Services**

Resolution authorizing a three-year agreement for renewal of software support, maintenance, and hosting with Bentley Systems, Inc. of Exton, Pennsylvania for a total amount not to exceed \$457,993.66.

**Mayor McComb referred to Item 53. Interim Director of IT Peter Collins stated that the purpose of this item is to approve a three-year agreement for renewal of software support, maintenance, and hosting with Bentley Systems, Inc. for a total amount not to exceed \$457,993.66 for Utilities and Development Services. There were no comments from the public.**

**A council member asked questions regarding the efficiency of the program and work flow process and requested an update regarding the implementation.**

**Council Member Hernandez made a motion to approve the resolution, seconded by Council Member Roy. This Resolution 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: 031727

**54.**

**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)(Tabled 3/19/19)**

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 54, rezoning of property located at 4130 South Alameda. Director of Development Services Nina Nixon-Mendez stated that the second reading of this item was tabled at the March 19, 2019 Council meeting to allow staff to meet with the neighborhood stakeholders and the applicant to discuss a compromise. At the March 19, 2019 meeting, an alternative zoning was discussed for Tracts 1 and 2 to an "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. The discussion included use of shrubs for screening. Ms. Nixon-Mendez reported that the applicant has rejected the proposal. Staff is recommending a motion to amend the ordinance as presented to include the 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.

In response to a council member, Ms. Nixon-Mendez clarified the amendment.

Council Member Smith made a motion to amend the the ordinance to include the 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 Council Member Garza and passed unanimously.

Mayor McComb called for comments from the public. Mark Adame, 819 N. Upper Broadway, representative for the applicant, spoke in support of the rezoning and stated that the applicant has agreed to landscape for screening.

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

**Aye:** 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: 031728

**55. Initiating annexation of up to 5,700 acres along the north side of Corpus Christi Bay**

Resolution declaring City's intent to begin annexation of up to 5,700 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 55. Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to initiate annexation procedures of up to 5,700 acres along the north side of Corpus Christi Bay. 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 area is entirely within the City of Corpus Christi's extraterritorial jurisdiction (ETJ); the annexation tract; 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 and set two public hearings.**

**Council members discussed the following topics: a financial analysis regarding the City's obligations, including drainage and related issues with the San Patricio Drainage District; how long the area has been in the City's ETJ; that the City of Corpus Christi is the only municipality that can annex this property; that the San Patricio Municipal Water District purchases all of their water from the City of Corpus Christi; that the City of Corpus Christi has negotiated and actively had discussions with industries in the subject area; H.B. 347 regarding annexation; and Mary Rhodes Pipeline.**

**Mayor McComb called for comments from the public. Bobby Nedbalek, San Patricio County, and Rob Jorgenson, 131 Sabine, Portland, Texas, spoke in opposition to annexation.**

**Mayor McComb stated that the City of Corpus Christi has a right to annex this area and is doing what is in the best interest of the community.**

**Council Member Smith 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 Garza, Council Member Guajardo, Council Member Hernandez, Council Member Molina, Council Member Roy and Council Member Smith

**Nay:** 1 - Council Member Hunter

**Abstained:** 0

Enactment No: 031729

Mayor McComb called for a recess at 5:53 p.m. Mayor McComb reconvened the Council meeting at 6:00 p.m.

**P. FIRST READING ORDINANCES: (ITEM - 56)**

**56. First Reading Ordinance - Accepting and appropriating grant funds for Local Emergency Planning Committee (LEPC) for Fire Department**

Ordinance authorizing execution of all documents necessary to accept a grant to the City of Corpus Christi/Nueces County Local Emergency Planning Committee in the amount of \$5,000 from Texas Commission on Environmental Quality; and appropriating \$5,000 in No. 1062 LEPC Fund.

Mayor McComb referred to Item 56. Joanne Salge, Fire Department, stated that the purpose of this item is to accept a grant from the Texas Commission on Environmental Quality (TCEQ) to support the City of Corpus Christi - Nueces County Local Emergency Planning Committee (LEPC) in the amount of \$5,000. There were no comments from the Council or the public.

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

**Aye:** 6 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Hunter, Council Member Molina and Council Member Smith

**Absent:** 3 - Council Member Guajardo, Council Member Hernandez and Council Member Roy

**Abstained:** 0

**R. LEGISLATIVE UPDATE:**

None.

**S. EXECUTIVE SESSION: (ITEMS 58 - 60)**

Mayor McComb referred to Executive Session Item 60. The Council went into executive session at 6:02 p.m. The Council returned from executive session at 7:33 p.m.

**60. 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 60. Mayor McComb announced that a Special City Council Meeting will be held on Tuesday, April 2, 2019 at 9:00 a.m. regarding the new City Manager search. Mayor McComb stated that the item will be discussed in executive session and anticipates that the list will be narrowed down to finalists.

**T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

Mayor McComb referred to Identify Future Agenda Items. The following item was identified: an update from the North Beach Task Force on April 9, 2019.

**U. ADJOURNMENT**

The meeting was adjourned at 7:38 p.m.