



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final-revised

### City Council

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Tuesday, November 16, 2021

11:30 AM

Council Chambers

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Addendums may be added on Friday.

***Public Notice: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (at 361-826-3105) at least 48 hours in advance so that appropriate arrangements can be made.***

***Si Usted desea dirigirse al Concilio y cree que su inglés es limitado, habrá un intérprete inglés-español en todas las juntas del Concilio para ayudarle.***

***This meeting may be held via videoconference call pursuant to Texas Government Code § 551.127. If this meeting is held via videoconference call or other remote method of meeting, then a member of this governmental body presiding over this meeting will be physically present at the location of this meeting unless this meeting is held pursuant to Texas Government Code § 551.125 due to an emergency or other public necessity pursuant to Texas Government Code § 551.045.***

- A. Mayor Paulette M. Guajardo to call the meeting to order.**
- B. Invocation to be given by Pastor David Bendett, Rock City Church.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Rebecca Simpson, W.B. Ray High School student.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [21-1633](#) Proclamation declaring November 16, 2021 as "Tom Schmid Day".  
Proclamation declaring November 13 - 21, 2021 as "National Hunger & Homelessness Awareness Week".  
Presentation for The Biggest Heart Challenge Trophy.  
Swearing-In Ceremony for Newly Appointed Board, Commission, committee and Corporation Members.**

**F. PUBLIC COMMENT - APPROXIMATELY 12:00 P.M.** To speak during this public comment period, you must sign up before the meeting begins. Each speaker is limited to a total of no more than 3 minutes per speaker. You will not be allowed to speak again on an item when the Council is considering the item. Time limits may be restricted further by the Mayor at any meeting. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Written comments may be submitted at [cctexas.com/departments/city-secretary](http://cctexas.com/departments/city-secretary). Electronic media that you would like to use may only be introduced into the City system IF approved by the City's Information Technology (IT) Department at least 24 hours prior to the Meeting. Please contact IT at 826-3211 to coordinate. This is a public hearing for all items on this agenda.

**G South Texas Botanical Gardens & Nature Center Presentation by Michael Womack, Executive Director & Horticulturist**

**H. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**

**a. Fourth Quarter 2021 Budget & Finance Report**

**b. American Rescue Plan City Projects' Update**

**c. Republic Services Recycling Center Tour on National Recycling Day**

**d. Holiday Closures**

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

**J. EXPLANATION OF COUNCIL ACTION:**

*For administrative convenience, certain of the agenda items are listed as motions, resolutions, or ordinances. If deemed appropriate, the City Council will use a different method of adoption from the one listed; may finally pass an ordinance by adopting it as an emergency measure rather than a two reading ordinance; or may modify the action specified.*

**K. CONSENT AGENDA: (ITEMS 2 - 23)**

*NOTICE TO THE PUBLIC: The following items are consent motions, resolutions, and ordinances of a routine or administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

**2. [21-1614](#) Approval of the November 9, 2021 Regular Meeting Minutes.**

**Sponsors:** City Secretary's Office

*Consent - Second Reading Ordinances*

3. [21-1213](#) Ordinance authorizing the execution of the First Amended Lease and Operating Agreement with Texas State Aquarium Association to adjust the term to 20 years from the effective date of this amendment and provide up to \$3,000,000.00 for construction of new Wildlife Rescue Center.  
**Sponsors:** Finance & Procurement
4. [21-1472](#) Ordinance authorizing acceptance of a grant in an amount of \$48,724.61 from State of Texas, Criminal Justice Division for Violence Against Women Program with a cash match of \$14,402.72 and in-kind match of \$6,960.00; transferring \$14,402.72 from the General Fund to the Police Grants Fund; appropriating \$63,127.33 in the Police Grants Fund; and authorizing one full-time civilian employee for a Victim Case Manager.  
**Sponsors:** Police Department
5. [21-1473](#) Ordinance authorizing acceptance of a grant in an amount of \$129,212.45 from State of Texas, Criminal Justice Division for Victims of Crime Act Grant with a cash match of \$28,000.00 and in-kind match of \$4,320.00; transferring \$28,000.00 from the General Fund to the Police Grants Fund; appropriating \$157,212.45 in the Police Grants Fund; and authorizing three full-time employees for Victim Case Managers.  
**Sponsors:** Police Department
6. [21-1474](#) Ordinance authorizing acceptance of a grant in an amount of \$98,964.86 from the State of Texas, Criminal Justice Division for Victims of Crime Community Outreach Program with a cash match of \$3,300.00 and in-kind match of \$21,500.00; transferring \$3,300.00 from the General Fund to the Police Grants Fund; appropriating \$102,264.86 in the Police Grants Fund; and authorizing two full-time civilian employees.  
**Sponsors:** Police Department
7. [21-1498](#) Ordinance authorizing the acceptance of a grant from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, in an amount of \$192,413.00 for the FY 2021 Edward Byrne Memorial Justice Assistance Grant program for the Corpus Christi Police Department to purchase equipment such as tasers, a forensic laser, and riot shields; and appropriating \$192,413.00 in the Police Grants Fund with \$96,206.00 to be distributed to Nueces County based on an interlocal agreement with the City acting as the fiscal agent, at no charge to Nueces County, and the remaining \$96,207.00 to be used by the City.  
**Sponsors:** Police Department
8. [21-1469](#) Zoning Case No. 0921-02, Ed Rachal Foundation: (District 1) Ordinance rezoning multiple properties at or near 2210 Mary Street from the "RS-6" Single-Family 6 District, "RM-3" Multifamily District, and the "CN-1"

Neighborhood Commercial District to the "CI" Intensive Commercial District. (Planning Commission and Staff recommend Denial of "CI" and in lieu thereof approval of "RS-6/SP" Single-Family 6 District with a Special Permit) (3/4 vote required to approve less restrictive use or density than the recommendation of the Planning Commission)

**Sponsors:** Development Services

9. [21-1465](#) Ordinance exempting Lot 1, Block 1, Hale Horse Ranch, located north of FM 665 and west of CR 763 with the frontage along CR 32, from payment of wastewater acreage fee under section 8.5.2.G.1 of the Unified Development Code; requiring a sanitary sewer connection agreement.

**Sponsors:** Development Services

10. [21-1516](#) Ordinance abandoning and vacating a 15-foot-wide, by approximately 69.29-foot long (1,039 sq. ft.) portion of an existing 15-foot-wide easement out of Joslin Tracts, Block 2, Lots 6, located at 7602 South Padre Island Drive.

**Sponsors:** Development Services

11. [21-1464](#) Ordinance amending Corpus Christi Code Section 55-113 to authorize the City Manager to execute Outside City Limits Water Service Contracts for subdivisions with two lots or less.

**Sponsors:** Development Services

12. [21-0791](#) Ordinance authorizing execution of a one-year lease with Emerald City Cargo, LLC, for cargo storage and office space at the Corpus Christi International Airport in exchange for an annual payment of \$18,903.00, with such lease having up to five one-year renewals.

**Sponsors:** Aviation Department

13. [21-1527](#) Ordinance approving Addendum No. 1 to Lease Agreement with Corpus Christi Baseball Club, L.P., providing for Type A funding in an amount not to exceed \$701,800.00 on a reimbursement basis to make certain capital improvements to the Whataburger Field property in accordance with Major League Baseball Requirements.

**Sponsors:** Finance & Procurement

14. [21-1551](#) Ordinance accepting and appropriating a grant in the amount \$7,808,211.00 from the U.S. Department of the Treasury and authorizing a one-year service agreement for Grant Administrator Services of Emergency Rental Assistance in an amount not to exceed \$1,170,565.00, with Hagerty Consulting Inc. of Evanston, Illinois, effective upon issuance of a notice to proceed; and amending the budget.

**Sponsors:** Neighborhood Services

*Consent - Public Safety First Reading Ordinances*

15. [21-1606](#) Ordinance authorizing acceptance of a grant from State Farm Insurance in an amount of \$10,000.00 for the Police Department Crime Reduction Unit to purchase supplies used to promote and support Neighborhood on Watch groups throughout Corpus Christi; and appropriating \$10,000.00 in the Police Grants Fund.

**Sponsors:** Police Department

16. [21-1615](#) Ordinance authorizing acceptance of a grant from State Farm Insurance in an amount of \$10,000.00 for the Auto Burglary and Auto Theft Holiday Public Awareness Campaign which educates the community on the prevention of auto burglaries and auto theft; and appropriating \$10,000.00 in the Police Grants Fund.

**Sponsors:** Police Department

*Consent - Contracts and Procurement*

17. [21-1601](#) Motion authorizing the lease-purchase, via JP Morgan, of three 2022 medic units and the cash purchase of one 2022 medic unit all from McCall-F, Inc., dba Sterling McCall Ford, of Houston, Texas, based on the cooperative purchasing agreement with Local Government Purchasing Cooperative dba BuyBoard, for a total amount of \$1,132,973.56, effective upon issuance of letter of acceptance, with FY 2022 funding in the amount of \$303,772.18 available through the General Fund.

**Sponsors:** Fire Department and Finance & Procurement

18. [21-0820](#) Motion authorizing a five-year service agreement with EMR Elevator, Inc. of Arlington, Texas in an amount not to exceed \$ 903,263.00 for elevator, escalator, dumbwaiter and wheelchair lift preventive maintenance program and preexisting repairs, via The Interlocal Purchasing System (TIPS) Cooperative effective upon issuance of notice to proceed, with FY 2022 funding in an amount not to exceed \$150,660.50 available in the Asset Management - Facilities Fund.

**Sponsors:** Asset Management Department and Finance & Procurement

19. [21-1440](#) Motion authorizing a one-year service agreement with ProTech Mechanical, Inc. of Corpus Christi, Texas, to replace the HVAC main trunkline duct and components for the Aircraft Rescue and Fire Fighting (ARFF) station located at the Corpus Christi International Airport (CCIA) in the amount of \$68,174.00 with FY2022 funding available from the Airport Fund.

**Sponsors:** Aviation Department and Finance & Procurement

20. [21-1504](#) Motion authorizing a five-year service agreement with Freeit Data Solutions of Austin, Texas, in an amount of \$201,636.22 for uninterruptible

power supply professional services, batteries, hardware and support and maintenance for five-years effective upon issuance of a notice to proceed, with FY 2022 funding available in the Information Technology Fund.

**Sponsors:** Information Technology Services and Finance & Procurement

21. [21-1468](#) Motion authorizing a one-year supply agreement with two additional one-year options with Waller County Asphalt, Inc. of Hempstead, Texas, for all-weather asphalt mix material for the Public Works Department, for an estimated amount of \$208,935.00 and a potential cost of \$632,805.00 if options are exercised, with FY 2022 funding in an amount not to exceed \$191,523.75 available through the Street Maintenance Fund.

**Sponsors:** Public Works/Street Department and Finance & Procurement

*Consent - Capital Projects*

22. [21-0911](#) Motion authorizing the award of a professional services contract to Kimley-Horn, Austin, Texas, to provide design, bid, and construction phase services for the Bill Witt Park Pool and Facility Design in an amount of \$798,000.00, located in Council District 5, with FY 2022 funding available from the Parks and Recreation Bond 2020 Fund.

**Sponsors:** Engineering Services, Parks and Recreation Department and Finance & Procurement

*General Consent Items*

23. [21-1616](#) Resolution authorizing the name change of the Public Works Department Building #21 to the Richard E. Martinez Public Works Facility in honor of the late Public Works Department Director, Richard E. Martinez.

**Sponsors:** Public Works/Street Department

**L. RECESS FOR LUNCH**

*The City Council will take a lunch break at approximately 1:30 p.m.*

**M. PUBLIC HEARINGS: (ITEMS 24 - 27)**

*The following items are public hearings and public hearings with first reading ordinances. Each item will be considered individually.*

24. [21-1501](#) Zoning Case No. 0921-03, MVR Construction Company: (District 5) Ordinance rezoning a property at or near 3538 Airline Road from the "FR" Farm Rural District to the "RM-3" Multifamily District. (Planning Commission and Staff recommend Approval)

**Sponsors:** Development Services

25. [21-1502](#) Zoning Case No. 0921-01, Richard Jurach, Jerry Jurach, Patricia Hunt, and Paula Carter: (District 5) Ordinance rezoning property at or near 3942 Cimarron Boulevard from the "FR" Farm Rural District to the "RM-2" Multifamily District. (Planning Commission and Staff recommend denial of

"RM-2" Multifamily District in lieu thereof "RS-6/SP" Single-Family 6 District with a Special Permit) (3/4 vote required to approve less restrictive use or density than the recommendation of the Planning Commission)

**Sponsors:** Development Services

26. [21-1520](#) Ordinance exempting Country Acres, Lots 4A & 4B, east of FM 1889 and north of CR 48, from the payment of a not to exceed amount of \$3,676.14 for the wastewater lot or acreage fee under Section 8.5.2.G.1 of the Unified Development Code; requiring a sanitary sewer connection agreement. (Planning Commission and staff recommend denial of fee waiver)

**Sponsors:** Development Services

27. [21-1524](#) Ordinance exempting Drillen Subdivision, west of CR 73 and north along FM 624, from the payment of the wastewater lot or acreage fee under Section 8.5.2.G.1 of the Unified Development Code; requiring a sanitary sewer connection agreement.

**Sponsors:** Development Services

**N. INDIVIDUAL CONSIDERATION ITEMS:**

*The following items are motions, resolutions and ordinances that will be considered and voted on individually.*

**O. FIRST READING ORDINANCES: (ITEMS 28 - 29)**

28. [21-1525](#) Ordinance ratifying a partial postponement until January 1, 2022, of the effective date of Ordinance No. 032551 by amending the implementation date for a disposal fee increase made applicable to waste haulers with City disposal contracts.

**Sponsors:** Solid Waste Operations

29. [21-1561](#) Ordinance amending Chapter 55 of the Corpus Christi Code to require industrial facilities to have either a reduced pressure backflow device or air gap at each City meter servicing potable water; a double check assembly for fire service lines; an industrial district affidavit upon installing, repairing, or replacing a reduced pressure backflow preventer or an air gap; annual backflow preventer testing; and providing for penalty.

**Sponsors:** Utilities Department

**P. BRIEFINGS: (ITEM 30)**

*Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. No action will be taken and no public comment will be solicited. The City Manager or City Council Liaison for any city board, commission, committee or corporation (including Type A or B Corporation) may report on the action(s) or discussion(s) of any such body's public meeting that occurred within one month prior to this City Council meeting.*

30. [21-1620](#) Briefing from Flatiron/Dragados on the Harbor Bridge Replacement Project

Sponsors: Public Works/Street Department

**Q. EXECUTIVE SESSION: (ITEMS 31 - 32)**

*PUBLIC NOTICE is given that the City Council may elect to go into executive session at any time during the meeting in order to discuss any matters listed on the agenda, when authorized by the provisions of the Open Meeting Act, Chapter 551 of the Texas Government Code, and that the City Council specifically expects to go into executive session on the following matters. If the Council elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding officer. The City Council may deliberate and take action in open session on any issue that may be discussed in executive session. The description of an item in "Executive Sessions" constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and his determination that said item may be legally discussed in Closed Meeting in compliance with Chapter 551 the Texas Government Code.*

31. [21-1623](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the ON Stevens Water Treatment Plant Basins Improvement Project, Texas Local Government Code Chapter 252, Texas Government Code Chapter 2269, contracting provisions relating to responsiveness and responsibility of bidders, prior performance of bidders on the aforementioned project, prior litigation to which said bidders or related entities are a party, including, but not limited to *MWH Constructors, Inc. vs. Tarrant Regional Water District, MWH Constructors Inc vs. Houston Area Water Corporation, City of Escondido vs. MWH Americas, Inc.*

32. [21-1626](#) **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 a potential Interlocal Cooperation Agreement for Remote Magistration with the Texas Office of Court Administration and ordinances and statutes related to said activity and agreement, and other legal issues related to municipal court operations, magistrations, and other activities involving the administration of court cases.

**R. ADJOURNMENT**