



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, August 11, 2020

11:30 AM

Council Chambers

Addendums may be added on Friday.

- A. Mayor Joe McComb to call the meeting to order.
- B. Invocation to be given by Mayor Joe McComb.
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag.
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.
- E. **PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COUNCIL.** To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Council. This meeting will be broadcast at cctexas.com/services/council-meeting-agendas-minutes-video. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Council should be provided in written format and presented to the City Secretary and/or designee no later than five minutes after the start of each meeting of the City Council. Testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's door and on the City website, and allow for electronic submission. The written public testimony shall be provided to members of City Council prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This testimony shall serve as the required public testimony pursuant to Texas Government Code 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference. The public may participate remotely by following the instructions of the City Secretary at cctexas.com/departments/city-secretary.
- F. **CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. **GOVERNMENT ACTIONS RELATED TO CORONA VIRUS**

G. MINUTES:

1. [20-0931](#) Regular Meeting of July 28, 2020

H. BOARD & COMMITTEE APPOINTMENTS:

2. [20-0933](#) Construction Trade Advisory & Appeals Board

I. 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. A motion to reconsider may be made at this meeting of a vote at the last regular, or a subsequent special meeting; such agendas are incorporated herein for reconsideration and action on any reconsidered item.

J. CONSENT AGENDA: (ITEMS 3 - 15)

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. Unless otherwise stated below, Ordinances should be presumed to be second readings.

3. [20-0926](#) One-Reading Ordinance calling for a special election for Infrastructure Bond 2020 Program to be on November 3, 2020 in the City of Corpus Christi for the authorization of bond issuances for the City by ad valorem taxes totaling \$75 million without a property tax rate increase to fund 42 projects under the following propositions: Streets (\$61 million), Parks (\$12 million), and Public Safety (\$2 million).

Sponsors: Engineering Services and City Secretary's Office

Consent - Second Reading Ordinances

4. [20-0868](#) Ordinance ordering a general election to be held on November 3, 2020, in the City of Corpus Christi for the election of Mayor and Eight Council Members; providing for procedures for holding such election; providing for notice of election and publication thereof; providing for establishment of branch early voting polling places; designating polling place locations; authorizing a joint election with Nueces County, and a runoff election, if one is necessary, on December 15, 2020; authorizing execution of a Joint Election Agreement with Nueces County; and enacting provisions incident and relating to the subject and purpose of this ordinance.

Sponsors: City Secretary's Office

5. [20-0872](#) Ordinance authorizing acceptance and appropriation of a grant for \$7,234,755 in Community Development Block Grant Disaster Recovery ("CDBG-DR") funding from the Texas General Land Office to construct the Airport Tributary Detention Pond project; authorizing acceptance and appropriation of a sub-grant award of \$163,244 from the Texas Division of Emergency Management (TDEM) Hazard Mitigation Grant Program for the La Volla Creek Drainage Improvement Phase I project; appropriating an additional \$8,636,006 as City matching funds from the Stormwater Capital Improvements Program (\$7,600,000 for the CDBG-DR grant and \$1,036,006 for the TDEM sub-grant); amending the budget; and designating authorized signatories for contractual and financial documents pertaining to the CDBG-DR Grant Contract No. 20-065-133-C445.

Sponsors: Development Services

Consent - Contracts and Procurement

6. [20-0848](#) Motion authorizing a six-month service agreement with PlayCore Wisconsin, Inc. dba GameTime for a total amount not to exceed \$247,145.94 for the purchase and installation of 14 shade structures at various parks located throughout the City, with funding in an amount of \$247,145.94 available through the FY 2020 Community Enrichment Fund.
- Sponsors:** Parks and Recreation Department and Contracts and Procurement
7. [20-0758](#) Motion authorizing a three-year service agreement for fire extinguisher inspection, annual maintenance services, and the purchase of replacement fire extinguishers and parts with IFS Fire and Safety Inc., for a total amount of \$58,807.90, for field use by Gas Operations' employees, effective upon issuance of notice to proceed with FY 2020 funding available through the Gas Fund in the amount of \$3,267.11.
- Sponsors:** Gas Department and Contracts and Procurement
8. [20-0788](#) Motion authorizing the lease-purchase of three replacement freightliner vehicles: one 2021 Freightliner M2-112 TRA heavy crew truck and two 2020 Freightliners M2-106 SRA 6-8 cubic yard dump trucks from Houston Freightliner, Inc., in an amount of \$370,161.05, for Gas Operations, effective upon issuance of letter of acceptance with FY 2020 funding available through the Gas Fund in the amount of \$12,338.70.
- Sponsors:** Gas Department and Contracts and Procurement
9. [20-0791](#) Motion authorizing the lease-purchase of two F550 crew cab trucks from Silsbee Ford, Inc., in an amount of \$141,642.79, one truck will be an addition to the fleet and the other truck will be a replacement for Gas Operations, effective upon issuance of letter of acceptance with FY 2020 funding available through the Gas Fund in the amount of \$4,721.43.
- Sponsors:** Gas Department and Contracts and Procurement

10. [20-0794](#) Motion authorizing the lease-purchase of one 2021 Western Star 4700SF dump truck from Lonestar Freightliner Group, LLC, in an amount of \$175,918.42, for Gas Operations as a replacement unit, effective upon issuance of letter of acceptance with FY 2020 funding available through the Gas Fund in the amount of \$5,863.95.
Sponsors: Gas Department and Contracts and Procurement
11. [20-0867](#) Motion authorizing a three-year service agreement with Synergy Sweeping Services, LLC of Corpus Christi, Texas in an amount not to exceed \$2,307,576.00 to perform street sweeping services throughout the City with funding in an amount of \$128,198.67 available through the FY 2020 Storm Water Fund.
Sponsors: Public Works/Street Department and Contracts and Procurement
12. [20-0803](#) Motion authorizing a purchase of one 2020 Hyster H90FT lift truck forklift from Briggs Equipment, in an amount of \$60,053.12, as a replacement unit for in-house use by the Asset Management Department, effective upon issuance of letter of acceptance with funding available through the FY 2020 Fleet Maintenance Fund.
Sponsors: Asset Management Department and Contracts and Procurement

General Consent Items

13. [20-0846](#) Resolution authorizing the submission of a grant application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$157,601; and authorizing an Interlocal Agreement with Nueces County for the distribution of JAG Program funds in an amount of \$78,800 to Nueces County should the grant be awarded and the remaining \$78,801 to be used by the City.
Sponsors: Police Department
14. [20-0729](#) Resolution authorizing an Interlocal Cooperation Agreement with Nueces County for reconstruction and annexation of County Road 33.
Sponsors: Planning & Environmental Services
15. [20-0888](#) Resolution to create and enter the Harbor Bridge Right-of-Way Coalition to be made up of three representatives of the City of Corpus Christi, three representatives of Nueces County, three representatives of the Port of Corpus Christi Authority, one representative of the Downtown Management District, and one representative of the Metropolitan Planning Organization.
Sponsors: Assistant City Manager

K. RECESS FOR LUNCH

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

L. PUBLIC HEARINGS: (ITEMS 16 - 17)

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

16. [20-0839](#) Zoning Case No. 0620-01, Camacho Resources, LLC (District 1). Ordinance rezoning property at or near 7585 Leopard Street from the "IL" Light Industrial District and "RMH" Manufactured Home District to the "IH" Heavy Industrial District. Planning Commission and Staff recommend Denial of the change of zoning from the "IL" Light Industrial District and "RMH" Manufactured Home District to the "IH" Heavy Industrial District, in lieu thereof, approval of the "IL/SP" Light Industrial District with a Special Permit (SP) with conditions. (3/4 vote required to overrule the recommendation of the Planning Commission).

Sponsors: Development Services

17. [20-0879](#) Ordinance designating 258.9 acres within the jurisdiction of the City of Corpus Christi as a Tax Increment Financing District to be known as "Reinvestment Zone Number Five, City Of Corpus Christi, Texas" pursuant to petition by owners of Crosstown Commons subdivision; setting a maximum City financial participation of 75% over 20 years and a maximum contribution of \$9,000,000; and establishing a Board of Directors for the Reinvestment Zone.

Sponsors: Finance & Business Analysis

M. REGULAR AGENDA: (ITEM 18)

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

18. [20-0947](#) Resolution determining that the proposed citizen-initiated "Petition for Charter Amendment related to the Prohibition of the Use, Acquisition and Sale of Desalinated Water" failed to comply with Texas Local Government Code § 9.004 because it was not signed by at least 5% of the qualified voters of the City of Corpus Christi, Texas.

Sponsors: City Secretary's Office

N. FIRST READING ORDINANCES: (ITEMS 19 - 20)

19. [20-0437](#) Ordinance authorizing an Interlocal Cooperation Agreement with Nueces County to reimburse \$200,000 to the City related to the engineering design cost associated with the extension of Junior Beck Drive from Dead End to Old Brownsville Road and accepting and appropriating a Financial Assistance Award in an amount of \$3,000,000 from the United States Department of Commerce-Economic Development Administration for the design and construction of Junior Beck Drive located in City Council District 3, with a City match of \$750,000 with funding available through the 2018 Bond Program and amending the Capital Improvement Program Budget and appropriating grant Funds in the Street CIP Fund.

Sponsors: Engineering Services and Public Works/Street Department

20. [20-0854](#) Ordinance authorizing execution of all documents necessary to enter into a Consent Decree with the United States of America and State of Texas regarding improvements, operation and maintenance of the City wastewater system and appropriating \$1,187,000 for civil penalty for the United States, attorney fees for the State of Texas, and City legal and consultant services related to finalizing and obtaining court approval of said decree.

Sponsors: Water Utilities Department

O. **BRIEFINGS:**

Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. Council may give direction to the City Manager, but no other 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.

P. **EXECUTIVE SESSION: (ITEMS 21 - 22)**

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.

21. [20-0944](#) **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 sanitary sewer overflows and the City's sanitary sewer system, water system, and/or drainage system and/or potential future litigation involving the U.S. Environmental Protection Agency, State of Texas, and/or U.S. Department of Justice and the potential approval of attorney's fees, expert fees, and expenses for negotiations and/or litigation with the aforesaid entities.
22. [20-0953](#) **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 matters in collective bargaining agreement(s) with the Corpus Christi Professional Firefighters' Association, pension matters involving City employees, other potential collective bargaining matters, and potential approval in open session of a collective bargaining agreement with the Corpus Christi Professional

Firefighters' Association.

Q. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Per Council Policies, an item may be added to the agenda by four members of the City Council. Council may give direction to the City Manager to add an item to a future agenda, but no other action will be taken, and no public comment solicited.

R. ADJOURNMENT

ADDITIONAL INSTRUCTIONS / INSTRUCCIONES ADICIONALES

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.

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.

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.