



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, January 23, 2018

11:30 AM

Council Chambers

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

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

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.

- A. Mayor Joe McComb to call the meeting to order.**
- B. Invocation to be given by Pastor Claude Axel, Mount Pilgrim Baptist Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Dan Grimsbo, Executive Director of Water Utilities.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [18-0125](#) Commendation for Corpus Christi Crime Stoppers - In Recognition of receipt of the Texas Crime Stoppers 2016 Productivity Award.**
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. ELEVATED STORAGE TANK UPDATES**
 - b. OTHER**

G. MINUTES:

2. [18-0147](#) Regular Meeting of January 16, 2018

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

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

- 1. MAKE A STATEMENT OF FACTUAL INFORMATION.**
- 2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.**
- 3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.**

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

K. CONSENT AGENDA: (ITEMS 3 - 10)

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.

3. [18-0019](#) **Professional Services Contract for Parks Master Plan Update**

Motion authorizing the City Manager, or designee, to execute a professional services contract with Freese and Nichols of Corpus Christi, Texas in the amount of \$72,555 for the Parks Master Plan Update.

Sponsors: Parks and Recreation Department and Engineering Services

4. [18-0011](#) **Construction Contract for Yorktown Boulevard from Lake Travis Drive to Everhart Road (Bond 2014, Proposition 1) (Council Priority - Streets)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Berry Contracting LP dba Bay, Ltd, of Corpus Christi, Texas in the amount of \$2,028,791.86 for Yorktown Boulevard from Lake Travis Drive to Everhart Road for the Base Bid. (Bond 2014 Proposition 1)

Sponsors: Engineering Services and Street Department

5. [17-1566](#) **Construction Contract for Staples Street from Kostoryz Road to Brawner Parkway (Bond 2012, Proposition 1) (Council Priority - Streets)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Reytec Construction Resources, Inc., of Houston, Texas in the amount of \$10,715,524.30 for Staples Street from Kostoryz Road to Brawner Parkway for Base Bid 1 (PCC). (Bond 2012 Proposition 1)

Sponsors: Engineering Services and Street Department

6. [17-1574](#) **Contract Amendment No. 2 for Allison Wastewater Treatment Plant Lift Station and Plant Improvements (Capital Improvement Plan)**

Motion authorizing the City Manager, or designee, to execute Amendment No. 2 to a professional services contract with Urban Engineering, of Corpus Christi, Texas in the amount of \$618,902, for a total restated fee of \$912,522, for Allison Wastewater Treatment Plant (WWTP) Lift Station and Plant Improvements for design, bid, and construction phase services. (Capital Improvement Program - CIP)

Sponsors: Engineering Services and Water Utilities Department

7. [17-1569](#) **Construction Contract for LaVolla Creek Drainage Channel Excavation, Phase 1 (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Haas Anderson Construction of Corpus Christi, Texas in the amount of \$1,256,389 for the La Volla Creek Drainage Channel Excavation, Phase 1 project (Capital Improvement Program).

Sponsors: Engineering Services and Water Utilities Department

8. [17-1553](#) **Supply Agreement for Brass Fittings for the Water Department (Council Priority - Water)**

Motion authorizing the City Manager or designee to execute a supply agreement with Ferguson Enterprises, Inc. of Corpus Christi, Texas for Brass Fittings for the Water Department in accordance with Request for Bid (RFB) No. 1362, based on the lowest responsive, responsible bid for a total amount not to exceed \$144,149.15, with \$32,033.00 budgeted in FY2017-18. The term of this agreement is for 36 months.

Sponsors: Water Utilities Department and Purchasing Division

9. [18-0017](#) **Service Agreement for Debris Removal for one year not-to-exceed amount of \$279,510, with two additional one-year options for a potential multi-year amount up to \$838,530**

Motion authorizing the City Manager or designee to execute a service agreement with CrowderGulf, LLC of Theodore, Alabama for Debris Removal for the City of Corpus Christi in accordance with Request for Bid (RFB) No. 1372, based on the lowest responsive, responsible bid for a total amount not-to-exceed \$279,510, budgeted in FY2017-18; the term of this agreement is for one year with option to extend for up to two additional one-year periods, by mutual agreement, with a total potential multi-year amount of up to \$838,530.

Sponsors: Solid Waste Operations and Purchasing Division

10. [18-0051](#) **Resolution creating the Corpus Christi B Corporation and adopting a Certificate of Formation (Council Priority - Economic Development)**

Resolution finding that it is advisable that the Corpus Christi B Corporation be created as a Type B Corporation under the Development Corporation Act of 1979 and governed by chapters 501 and 505 of the Texas Local Government Code, approving Certificate Of Formation for the corporation, and specifying the public purposes which the corporation may further on behalf of the City of Corpus Christi.

Sponsors: Business Liaison

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEM 11)**11. [18-0115](#) Public Hearing and First Reading Ordinance - Rezoning property located at 901 Airline Road**

Case No. 0717-01 Alrich Enterprises Inc., DBA Richard Sanchez Motors and Ben L. Herndon, Jr.: A change of zoning from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District. The property is described as being Koolside, Block 6, Lots 24 and 25 less portion to right-of-way and Lot 26, located at the intersection of Airline Road and Gollihar Road, north of McArdle Road and south of South Alameda Street.

Planning Commission and Staff Recommendation (November 15, 2017): Denial of the change of zoning from the "ON" Neighborhood Office District and 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:

Ordinance amending the Unified Development Code ("UDC"), upon application by Alrich Enterprises Inc., D/B/A Richard Sanchez Motors and Ben L. Herndon, Jr. ("Owner"), by changing the UDC Zoning Map in reference to the property described as Koolside, Block 6, Lots 24 and 25 less portion to right-of-way and Lot 26, from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 12 - 15)

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

12. [17-1473](#) Second Reading Ordinance - Amending the Code of Ordinances to Allow a Third-Party Inspection Reporting System (Council Priority - Water) (1st Reading 1/9/18)

Ordinance amending Corpus Christi Code of Ordinances, Sections 14-281 & 14-291 authorizing third-party inspection reporting system for

backflow preventers; authorizing the execution of a one year agreement with Brycer, LLC, of Warrenville, IL for a third-party inspection reporting system, with the option to renew annually with City Council approval; and providing for penalties and publication.

Sponsors: Development Services

13. [17-1456](#) **Second Reading Ordinance - Creating Restrictions for Barge Dock Parking (1st Reading 12/12/17)**

Ordinance adding Chapter 53, Section 178 "Barge Dock Parking" to the Corpus Christi Code of Ordinances to prohibit parking at barge dock from 10:00 p.m. to 6:00 a.m.; and providing an effective date, for severance, for penalty and for publication.

Sponsors: Assistant City Manager, Business Liaison and Police Department

14. [17-1507](#) **Resolution authorizing payment of Final Claim Settlement for Oso Golf Course Cart Barn**

Resolution authorizing payment to Foresight Corpus Christi Golf LLC for final claim settlement of \$4,372.00 in replacement expenses for the Oso Golf Course cart barn damaged by fire on September 30, 2016.

Sponsors: Parks and Recreation Department

15. [18-0112](#) **Ordinance - Amending the Capital Improvement Program Budget to add Cefé Valenzuela Landfill 3C Expansion and appropriating funds for the same**

Ordinance amending the FY 2018 Capital Improvement Program Budget adopted by Ordinance No. 031249 to add Project #E17118 Cefé Valenzuela Landfill Sector 3C Disposal Cell Expansion; increasing expenditures in the amount of \$823,251; and authorizing the City Manager, or designee, to execute a Professional Services contract with Hanson Professional Services of Corpus Christi, Texas in the amount of \$823,251 for the Cefé Valenzuela Landfill Sector 3C Disposal Cell Expansion for design, bid and construction phase services; and declaring an emergency.

Sponsors: Solid Waste Operations and Engineering Services

O. **FIRST READING ORDINANCES: (ITEMS 16 - 22)**

16. [18-0046](#) **First Reading Ordinance - Accepting and appropriating a donation for the Corpus Christi Smoke Alarm Program**

Ordinance authorizing the City Manager or designee to accept a donation from Walmart in the amount of \$1,000 to be used to support the Corpus Christi Smoke Alarm Program; and appropriating \$1,000 from Walmart into the Fire Grant Fund No. 1062.

Sponsors: Fire Department

17. [18-0050](#) **First Reading Ordinance - Accepting and appropriating the 2017 Helping Heroes Grant Program funds**

Ordinance authorizing the City Manager or designee to accept a grant from Koch Companies Public Sector, LLC 2017 Helping Heroes Grant Program in the amount of \$10,000.00 to be used to purchase a Hazardous Chemical Detector; and appropriating \$10,000.00 from Koch Companies Public Sector; LLC into the Fire Grant Fund No. 1062.

Sponsors: Fire Department

18. [17-1520](#) **First Reading Ordinance - Amending City Code of Ordinances, Revising the City's Drought Contingency Plan (Council Priority - Water)**

Ordinance revising Drought Contingency Plan; Amending City Code of Ordinances, Chapter 55, Article XII Water Resource Management, regarding water resource management including drought restrictions, providing an effective date of February 1, 2018; and providing for penalties.

Sponsors: Water Utilities Department

19. [18-0016](#) **First Reading Ordinance - Construction Contract for Mary Rhodes Pipeline Protection Upgrade (Capital Improvement Program) (Council Priority - Water)**

Ordinance rejecting the apparent low bid of Down South Field Services, Inc. as non-responsive and authorizing the City Manager to execute a contract with Integrated Corrosion Companies, Inc. of Houston, Texas as the lowest responsive/responsible bidder in the amount of \$525,732.63 for the Mary Rhodes Pipeline Cathodic Protection Upgrades.

Sponsors: Water Utilities Department and Engineering Services

20. [18-0118](#) **First Reading Ordinance - Lease Agreement for the 2018 Fiesta De La Flor Event (Council Priority - Economic Development)**

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Corpus Christi Convention and Visitors Bureau (CCCVB) for 2018 Fiesta de la Flor event and related activities to be held on April 13, 2018 and April 14, 2018, 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.

Sponsors: Parks and Recreation Department

21. [17-1491](#) **First Reading Ordinance - Construction Contract for the Dr. Hector P. Garcia Park Hike and Bike Trail (Bond 2012)**
- Ordinance appropriating \$264,000 of anticipated revenue from the Texas Department of Transportation in Fund No. 3280 for the Dr. Hector P. Garcia Park Hike and Bike Trail; changing the FY 2018 Capital Improvement Program Budget adopted by Ordinance No. 031249 to increase revenues and expenditures by \$264,000; and authorizing the City Manager, or designee, to execute a construction contract with Mako Contracting, LLC., of Corpus Christi, Texas in the amount of \$305,106.60 for the Dr. Hector P. Garcia Park Hike and Bike Trail project for the base bid. (Bond 2012)
- Sponsors:** Parks and Recreation Department and Engineering Services
22. [17-1573](#) **First Reading Ordinance - Amending City Code to reflect the increase of employee's contribution toward dependent premiums**
- Ordinance amending Chapter 39 of the Corpus Christi Code of Ordinances to revise Article III. - EMPLOYEE COMPENSATION AND CLASSIFICATION SYSTEM; providing for severance, publication, penalty, and an effective date.
- Sponsors:** Human Resources
- P. **FUTURE AGENDA ITEMS: (ITEMS 23 - 25)**
- The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.*
23. [18-0096](#) **Purchase of Five Utility Terrain Vehicles for Beach Operations**
- Motion authorizing the City Manager, or designee, to purchase five Kubota RTV-X900G-A utility terrain vehicles for beach operations from Ewald Kubota, of Corpus Christi, Texas, based on Request for Bids No. 272 based on the lowest responsive, responsible bid for an amount of \$80,585.
- Sponsors:** Parks and Recreation Department, Fleet Maintenance Services and Purchasing Division
24. [18-0082](#) **Construction Contract for Police Vehicle Impound Yard and Garage Phase 2 (Bond 2012, Proposition 7)**
- Motion authorizing the City Manager, or designee, to execute a construction contract with Barcom Construction, Inc., of Corpus Christi, Texas in the amount of \$779,279.78 for the Police Vehicle Impound Yard and Garage Phase 2 (Rebid) project for the base bid and additive alternate one. (Bond 2012, Proposition 7)
- Sponsors:** Engineering Services and Police Department

25. [18-0009](#) **Resolution Directing Use of \$3.4 Million Dedicated to Residential Streets (Council Priority - Streets)**

Resolution directing the City Manager to spend \$3,400,000 for residential street reconstruction in accordance with Option No. 3 discussed at the December 19, 2017 City Council Meeting.

Sponsors: Street Department and Engineering Services

Q. BRIEFINGS: (ITEMS 26 - 30)

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.

26. [18-0124](#) **Nueces County Appraisal District (NCAD) Presentation**

Sponsors: Assistant City Manager, Office of Management and Budget and Financial Services Department

27. [18-0039](#) **Corpus Christi Fire Department Staffing Update**

Sponsors: City Manager's Office

28. [17-1558](#) **Preserving the Birth and Death Records of the City of Corpus Christi**

Sponsors: Health Department

29. [18-0107](#) **Municipal Solid Waste (MSW) Charge Update**

Sponsors: Solid Waste Operations

30. [18-0099](#) **Bayfront Master Plan**

Sponsors: Assistant City Manager and Environmental and Strategic Initiatives

R. EXECUTIVE SESSION: (ITEMS 31 - 34)

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. [18-0064](#) **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 City's professional**

service management agreement for the Corpus Christi Museum of Science and History and potential claims related to repairs to said museum.

32. [18-0053](#) **Executive Session pursuant to Section Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the natural gas utility system.
33. [18-0130](#) **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 municipal solid waste system service charge, Section 21-47 et seq. of the Corpus Christi Code of Ordinances, state, federal, and local regulation of solid waste disposal and transportation, and federal and state constitutional provisions related to flow control, land development, and municipal charges and fees.
34. [18-0144](#) **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 water supplies for industrial and other development, desalination, potential interlocal agreements with water districts and other governmental entities involving water or other utility services, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential agreements for the economic development agreement(s) with business prospects that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and/or wastewater services, and potential creation of entities that could provide or assist in the provision of the aforementioned services, **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), including, but not limited to, potential contracts for the provision of water to said business prospect(s).

S. 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.

T. ADJOURNMENT