



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, April 26, 2022

11:30 AM

Council Chambers

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 Adam Carrington, Brroks AME Worship Center.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Kaleb Castillo, Richard King High School Student.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**

E. 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. 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.

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

- a. Nueces County Appraisal District Process
- b. Engaging Advisory Boards and Commissions
- c. Recognition of National Laboratory Professionals Week
- d. Plumber's to People \$100,000 check by NextEra Energy

G. BOARD & COMMITTEE APPOINTMENTS: (NONE)

H. 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.

I. CONSENT AGENDA: (ITEMS 1 - 26)

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.

- 1. [22-0761](#) One reading ordinance establishing the process and type of notice required for a joint public hearing of the City Council and the Planning Commission for zoning map and zoning text amendments.(Requires 2/3 Vote)

Sponsors: Development Services

2. [22-0744](#) Approval of the April 19, 2022 Regular Meeting Minutes

Sponsors: City Secretary's Office

Consent - Second Reading Ordinances

3. [22-0602](#) Zoning Case No. 0222-05, ERF Real Estate, Inc.: (District 2) Ordinance rezoning property at or near 4130 South Alameda Street from the "RM-1" Multifamily District and "RM-1/SP" Multifamily District with a Special Permit to the "CN-1" Neighborhood Commercial District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

4. [22-0603](#) Zoning Case No. 0322-01, South Texas Rainbow Limited Partnership: (District 5) Ordinance rezoning a property at or near 6626 Williams Drive from the "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

5. [22-0713](#) Ordinance approving a substantial amendment to the City's FY 2018-2019 Consolidated Annual Action Plan ("CAAP") to reprogram \$300,000 from the Community Development Corporation of Brownsville homebuyer project under the HOME Investment Partnerships Program ("HOME") to Greenwood Manor, LP's ALMA at Greenwood affordable rental housing project under the HOME Program in the City's FY 2021-2022 CAAP. This ordinance also approves a substantial amendment to the City's FY 2021-2022 CAAP to accept and appropriate \$751,373 in Program Income to Greenwood Manor, LP's ALMA at Greenwood under the HOME Program.

Sponsors: Neighborhood Services

6. [22-0708](#) Ordinance authorizing an affordable housing agreement for \$160,560.00 between the Corpus Christi Business & Job Development Corporation (Type A) and the Corpus Christi Housing Finance Corporation and authorizing an affordable housing agreement for \$1,191,871.00 between the Corpus Christi B Corporation (Type B) and the Corpus Christi Housing Finance Corporation for the construction of ALMA at Greenwood a 152-unit affordable rental Housing project for households at or below 60 percent of the area median income located on 10.554 acres on the southeast corner of Greenwood Drive and Gollihar Road east of West Point Road; appropriating \$160,560.00 from unreserved fund balance of the Business and Job Development Fund and \$1,191,871.00 from the unreserved fund balance of the Type B Affordable Housing Fund; and amending the budget.

Sponsors: Neighborhood Services

7. [22-0542](#) Zoning Case No. 0222-04, Exclusive Housing, LLC.: (District 2) Ordinance rezoning property at or near 1333 Logan Avenue from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

8. [22-0535](#) Ordinance amending the Unified Development Code to delegate approval of wastewater lot or acreage fee exemptions to the Director of Development Services.

Sponsors: Development Services

9. [22-0540](#) Ordinance authorizing a Revocable Easement and a Temporary Construction Easement with Kinder Morgan Tejas Pipeline LLC for 0.05 acres of revocable easement and a temporary workspace easement of 1.51 acres to realign a portion of an existing 24-inch pipeline that transports natural gas, gaseous products, crude oil and other hydrocarbons or minerals in liquid or gaseous form on City owned property, operated by Solid Waste Department, located at the intersection of County Road 20 and County Road 57, appropriating \$11,200 into the City's Solid Waste Operating Fund and reimbursent to LA Farms in an amount of \$2,764 from Solid Waste Operating Fund for crop damages.

Sponsors: Engineering Services

10. [22-0593](#) Ordinance authorizing a Wastewater Trunk Line Construction and Reimbursement Agreement with Braselton Development Company, Ltd. to construct off-site wastewater trunk line improvements for a planned residential subdivision within the city limits, London Towne Unit 6, with a completion date of 24 months; and appropriating \$82,935.48 from the Wastewater Trunk System Trust Fund to reimburse the developer per the agreement. (District 3)

Sponsors: Development Services

11. [22-0595](#) Ordinance authorizing a Wastewater Trunk Line Construction and Reimbursement Agreement with Braselton Development Company, Ltd. to construct off-site wastewater trunk line improvements for a planned residential subdivision within the city limits, London Towne Unit 7, with a completion date of 24 months; and appropriating \$110,296.96 from the Wastewater Trunk System Trust Fund to reimburse the developer per the agreement. (District 3)

Sponsors: Development Services

Consent - Public Safety First Reading Ordinances

12. [22-0610](#) Ordinance authorizing acceptance of a grant in the amount of \$75,000.00

from the State of Texas Body-Worn Camera Grant Program with a City cash match of \$25,000.00 for the purchase of replacement Panasonic body cameras and related equipment for the Police Department; and appropriating \$75,000 in the Police Grants Fund.

Sponsors: Police Department

Consent - Contracts and Procurement

13. [22-0424](#) Motion authorizing a four-month service agreement with Valley Garden Center, Inc. dba Southern Landscapes of McAllen, in an amount not to exceed \$224,256.00 for the purchase and installation of trees at City parks with funding available from the FY 2022 General Fund.
Sponsors: Parks and Recreation Department and Finance & Procurement
14. [22-0628](#) Motion authorizing a one-year service agreement renewal, with Great South Texas Corp, dba Computer Solutions of San Antonio, through the DIR Cooperative, for SmartNet network equipment support and maintenance for the Information Technology Department, in an amount of \$189,257.62, with FY 2022 funding from the Information Technology Fund.
Sponsors: Information Technology Services and Finance & Procurement
15. [22-0506](#) Resolution authorizing the purchase of one Atlas Copco blower from Atlas Copco Compressors, LLC, of New Braunfels for \$68,804.00 for the Broadway Wastewater Treatment Plant, a division of the Utilities Department, with FY 2022 funding from the Wastewater Fund.
Sponsors: Utilities Department and Finance & Procurement
16. [22-0510](#) Motion authorizing a three-year supply agreement with Geveko Markings Inc. from Gainesville, Georgia, through the Texas Smart Buy Cooperative, in an amount not to exceed \$321,532.72, for the purchase of traditional traffic control thermoplastic pavement markings material for the Public Works Department with FY 2022 funding in the amount of \$44,658.00 available from the Street Maintenance Fund.
Sponsors: Public Works/Street Department and Finance & Procurement
17. [22-0577](#) Resolution authorizing a two-year supply agreement with Broen, Inc., of Houston, in an amount not to exceed \$528,421.10 for the purchase of ball valves for the Gas Department, with FY 2022 funding of \$110,088.73 from the Gas Fund.
Sponsors: Gas Department and Finance & Procurement
18. [22-0769](#) Motion to authorize execution of the first amendment to the Professional Services Agreement with Maria Gomez Molina, PE to provide consulting services as Acting Director of the City's Public Works Department increasing the contract by up to \$75,000 and increasing the term by 90 days, with an option for an additional 60 days up to \$50,000, with FY 2022 funding available in the Streets Fund and Storm Water Fund.

Sponsors: Public Works/Street Department

Consent - Capital Projects

19. [22-0492](#) Resolution authorizing an Advance Funding Agreement in an amount of \$17,548.10 for reimbursement of direct costs to the Texas Department of Transportation for the 2022 Highway Safety Improvements Program to install advanced warning signals, signs, raised median, and school zone improvements for the following locations: South Port Avenue from Tarlton Street to Sarita Street, Texan Trail from Staples Street to Buccaneer Drive, and Texan Trail from Buccaneer Drive to Swantner Drive with a total projects value of \$110,988.10, with FY 2022 funding available from Street 2018 Bond Proposition 1.”

Sponsors: Engineering Services, Public Works/Street Department and Finance & Procurement

20. [22-0043](#) Motion authorizing a professional services contract with Urban Engineering, Corpus Christ, TX, to provide design, bid, and construction phase services for SH 286 Water Line Relocation in an amount not to exceed \$447,643.00, located outside City limits, with FY 2022 funding available from Water Capital Fund.

Sponsors: Engineering Services, Water Utilities Department and Finance & Procurement

General Consent Items

21. [22-0489](#) Resolution authorizing an amendment to the Interlocal Cooperation Agreement with Del Mar College District for a 50-year lease for the location of the City’s new Police Training Academy in an annual amount of \$10.00 and increasing the lease space from five to nine acres of property located at or near Rodd Field Road and Yorktown Boulevard for appropriate spacing for a 1/4 mile running track.

Sponsors: Engineering Services and Police Department

22. [22-0006](#) Motion authorizing a service agreement with Nueces Center for Mental Health and Intellectual Disabilities in the amount of \$64,000.00 to provide comprehensive psychiatric evaluations and medication management.

Sponsors: Neighborhood Services

23. [22-0638](#) Resolution authorizing the Interlocal Agreement with Nueces County for City Lifeguard Services. The City will provide lifeguard personnel for the public beach within Nueces County Padre Balli Park with Nueces County reimbursing the City for lifeguard services provided from March 12 - 28, 2022 and from May 27 - September 6, 2022, for an estimated total cost of \$57,068.

Sponsors: Parks and Recreation Department

24. [22-0551](#) Motion authorizing agreements between the City of Corpus Christi and South Texas Institute for the Arts, Inc., The Botanical and Nature Center of South Texas, Inc., and Texas State Aquarium Association from October 1, 2021 through September 30, 2022 wherein the City shall provide funding on a reimbursement basis through the FY21-22 Hotel Occupancy Tax Fund in a total amount not to exceed \$350,000.00 to South Texas Institute for the Arts, Inc., \$65,000 to The Botanical and Nature Center of South Texas, Inc., and \$300,000.00 to Texas State Aquarium Association.

Sponsors: Parks and Recreation Department

25. [22-0743](#) Resolution to accept a Public Improvement District Petition by Diamond Beach Holdings, LLC for the proposed Whitecap Preserve Development and set a public hearing under Section 372.009 of the Texas Local Government Code to consider feasibility and advisability of establishing the district, authorizing, and directing the publication, mailing of notices of the public hearing, providing for a severability clause, and providing an effective date.

Sponsors: Assistant City Manager and Economic Development

26. [22-0770](#) Motion to authorize renewal of an agreement with the United Corpus Christi Chamber of Commerce to support the operations and activities of the South Texas Military Task Force during Fiscal Year 2022 in the amount of \$75,000.

Sponsors: Communications & Intergovernmental Affairs

J. RECESS FOR LUNCH

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

K. PUBLIC HEARINGS:

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

L. INDIVIDUAL CONSIDERATION ITEMS:

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

M. FIRST READING ORDINANCES: (ITEM 27)

27. [22-0757](#) Ordinance authorizing execution of all documents necessary to accept, amend, and appropriate a grant contract between the Department of State Health Services and the Corpus Christi-Nueces County Public Health District in the amount of \$66,544.00 with a City match of \$13,309.00, for the period September 1, 2022, through August 31, 2023, to provide tuberculosis prevention and control services under the Health Grant.

Sponsors: Health Department

N. BRIEFINGS: (ITEM 28)

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.

28. [22-0661](#) HALFF Associates, Inc. will provide a complete summarization for the development projects, plans, and goals presented in the 10-Year Parks and Recreation Master Plan and Bill Witt Master Plan.

Sponsors: Parks and Recreation Department

O. EXECUTIVE SESSION: (ITEMS 29 - 30)

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.

29. [22-0711](#) **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 case of *Isidoro Berro v. City of Corpus Christi*, including potential consideration of settlement offers and/or fees for attorneys, engineers, other expert witnesses assisting in this case, deposition fees, and court costs, and updates on litigation in other cases.

30. [22-0773](#) **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 related to the Texas Pollutant Discharge Elimination System permit process, Texas laws and rules of the Texas Commission of Environmental Quality, Texas Water Development Board, State Water Implementation Fund for Texas, and the U.S. Environmental Protection Agency related to funding for water treatment plants, desalination plants, discharge permits, intake permits, desalination, and other permits related to water treatment, and administrative procedures related thereto, applications for permits and TWDB funding of water treatment facilities by the City and by the Port, the Port of Corpus Christi Authority, and appointment of the Port Commissioners and **Texas Government Code § 551.074** (personnel matters) to deliberate the appointment, evaluation and duties of a public

officer or employee (City of Corpus Christi Appointee #1, Appointee #2, and Appointee #3 to Port Commission of Port of Corpus Christi Authority of Nueces County, Texas)

P. ADJOURNMENT