



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final

### City Council

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Tuesday, July 30, 2019

11:30 AM

Council Chambers

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**Addendums may be added on Friday.**

**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 Betty Vestal, Church of Acts.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Richard Gonzalez, Safety Coordinator, Risk Management.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [19-1001](#) Proclamation declaring July 25, 2019, "National Intern Day".  
Proclamation declaring August 5-11, 2019, "National Farmers Market Week".  
Proclamation declaring August 8-10, 2019, "32nd Reunion "Mighty, Mighty Hornets" Solomon Melvin Coles Alumni Association Days".**

**F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:****a. OTHER****G. MINUTES: (ITEM 2)**

2. [19-1038](#) Regular Meeting of July 16, 2019.

**H. BOARD & COMMITTEE APPOINTMENTS:**

- 2.a. [19-1048](#) Charter Review Ad Hoc Committee

**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 Communication department at 361-826-3211 to coordinate. All items on this agenda are considered public hearings.**

**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 - 17)**

*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. [19-0575](#) Ordinance annexing for full purpose approximately 161.56 acres of land into the territorial limits of the City of Corpus Christi and extending the boundary limits of said city so as to include said hereinafter described property within said city limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of said city; and adopting a service plan.  
*Sponsors:* Planning and Environmental/Strategic Initiatives
4. [19-0638](#) Zoning Case No. 0419-02 Braselton Development Company, Ltd: Ordinance zoning property at or near 0 county Road 33 to the "RS-4.5" Single-Family 4.5 District.  
*Sponsors:* Development Services
5. [19-0951](#) Ordinance accepting and appropriating \$289,765.00 from the Federal Aviation Administration Grant and authorizing reimbursement of expenses for additional fencing, security cameras, and server upgrades/replacements within the airport terminal building as part of the Perimeter Fencing Project and amending the FY 2018-2019 Capital Budget.  
*Sponsors:* Aviation Department

6. [19-0964](#) Ordinance authorizing lease agreement with SMG to allow use of streets bounded by Fitzgerald Street, N. Water Street, Resaca Street and Shoreline Blvd. and including portions of Bayfront Park located along Shoreline Blvd. between Resaca Street and Fitzgerald Street for the 2019 Coastal Bender event and related activities to be held on August 1 - 4, 2019, which requires SMG to pay all permit fees required for the event, estimated at \$1,000.00.
- Sponsors:** City Manager's Office and American Bank Center
7. [19-0940](#) Ordinance appropriating \$208,138.33 from the Fleet Fund Future Replacement balance; amending the FY2018-2019 operating budget adopted by Ordinance 031548 to increase expenditures; and approving the purchase of seven trucks from Silsbee Ford of Silsbee, Texas, via GoodBuy Purchasing Cooperative for a total amount not to exceed \$208,138.33.
- Sponsors:** Gas Department and Contracts and Procurement
8. [19-0919](#) Motion awarding three (3) separate two-year Master Services Agreements (MSAs) with Professional Service Industries, Rock Engineering & Testing Laboratory, and Terracon Consultants, Inc., up to the amount of \$1,000,000 each to provide geotechnical engineering and construction materials testing for various Bond and CIP projects with funds available from Street Bonds 2012, 2014, 2016 and 2018, Street Operations and various Utility funds as required.
- Sponsors:** Engineering Services
9. [19-0832](#) Motion approving Amendment No. 1 to a contract with HDR, Inc. of Austin, Texas for an update to the rate model in the amount of \$91,000.00 for a total not to exceed amount of \$134,400.00 with two optional 1-year technical support renewals for \$49,500.00 each to be approved administratively for a total contract cost of \$233,400.00 for the Utility Rate Model Analysis and Implementation project with funding available from Water Utilities Operations Budget.
- Sponsors:** Utilities Department and Engineering Services
10. [19-0900](#) Motion authorizing the purchase of nine replacement 2020 model freightliner M2-106 SRA trucks from Houston Freightliner, Inc. of Houston, Texas, via Buy Board Cooperative for a total amount not to exceed \$1,207,583.00, funded through the Water, Wastewater, Storm Water and Fleet Maintenance Service Funds. These units are replacing trucks used daily by Water Utilities Department repair and construction crews.
- Sponsors:** Utilities Department and Contracts and Procurement
11. [19-0923](#) Motion authorizing the lease purchase of three replacement 2020 model Western Star trucks consisting of two rear packing refuse trucks and one water tanker truck for an amount not to exceed \$624,276.48 from Grande Truck Center of San Antonio, Texas, and five replacement 2020 model

Freightliner trucks consisting of one 18 cubic yard dump truck, three brush container trucks and one rear steer brush loader from Houston Freightliner of Houston Texas for a total amount not to exceed \$960,135.00, plus a total estimated allowable interest for lease of \$175,942.60, for a combined total amount not to exceed \$1,760,354.08 funded through the General Fund.

**Sponsors:** Solid Waste Operations and Contracts and Procurement

12. [19-0917](#) Motion authorizing a three-year supply agreement with Ferguson Enterprises, LLC of Corpus Christi, Texas, for the purchase of concrete mix in various types for a total amount not to exceed \$64,855.83, with the first-year funding through the Stores Fund.

**Sponsors:** Contracts and Procurement

13. [19-0961](#) Motion authorizing an agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi for management of the investment of Corporation Funds

**Sponsors:** Financial Services Department

14. [19-0962](#) Motion authorizing an agreement between the Corpus Christi B Corporation and the City of Corpus Christi for management of the investment of Corporation funds.

**Sponsors:** Financial Services Department

15. [19-1028](#) Motion to set the Public hearing for the City of Corpus Christi Fiscal Year 2019-2020 Budget for September 10, 2019 during the regular City Council meeting beginning at 11:30 am at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

**Sponsors:** Office of Management and Budget

16. [19-1034](#) Motion setting September 17, 2019 as the date of the adoption of the ad valorem tax rate of \$0.646264 per \$100 valuation.

**Sponsors:** Financial Services Department

17. [19-1036](#) Motion setting a public hearing on the ad valorem tax rate for August 27, 2019 and a second public hearing for September 10, 2019 during the City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

**Sponsors:** Financial Services Department

**L. RECESS FOR LUNCH**

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

**M. PUBLIC HEARINGS: (ITEMS 18 - 20)**

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

18. [19-0959](#) Public Hearing and Second Reading Ordinance closing, abandoning and vacating a 12,632 square foot portion of public street, Broadway Court

lying between Water Street and Shoreline Boulevard, conditioned upon payment of \$240,000.00 for fair market value of the improved street.

**Sponsors:** Development Services

19. [19-0949](#) Zoning Case No. 0619-01: Mt. Olive Lutheran Church (Council District 5) Ordinance rezoning property at or near 5101 Saratoga Boulevard (State Highway 357) from the "RS-6" Single-Family 6 District to the "ON" Neighborhood Office District. Planning Commission and Staff recommend Approval.

**Sponsors:** Development Services

20. [19-1033](#) Ordinance abandoning and vacating a 4-foot wide by approximately 107-feet in length (433 sq. ft.) portion of an existing utility easement out of Lot 3, Block 4, Manhattan Estates Unit 7, located at 3729 Berkeley Dr.

**Sponsors:** Development Services

**N. REGULAR AGENDA: (NONE)**

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

**O. FIRST READING ORDINANCES: (ITEMS 21 - 23)**

21. [19-0965](#) Ordinance authorizing the acceptance of a grant from the Office of the Attorney General for the Internet Crimes Against Children (ICAC) Task Force program, in the amount of \$10,100 to purchase equipment and supplies for the ICAC program within the Police Department; and appropriating the \$10,100 in the Police Grants Fund.

**Sponsors:** Police Department

22. [19-0943](#) Ordinance appropriating \$77,350.00 from the Fleet Fund Future Replacement balance; amending the FY2018-2019 operating budget adopted by Ordinance 031548 to increase expenditures by \$77,350.00; and approving the purchase of four trailer-mounted portable air compressors from ROMCO Power Systems of Corpus Christi, Texas, via NJPA-Sourcewell Cooperative for a total amount not to exceed \$77,350.00 funded from the Fleet Maintenance Service Fund.

**Sponsors:** Gas Department and Contracts and Procurement

23. [19-0740](#) Ordinance awarding a contract to Haas-Anderson Construction, LTD in the amount of \$11,016,599.50 for construction of Ayers Street Pedestrian improvements and turn lane addition from South Padre Island Drive (SPID) to Gollihar Road for the base bid and additive alternate no. 1 with asphalt pavement; amending the FY2019 Capital Improvement Program Budget to support the use of Bond 2014 Proposition 1 funds, increase the budget, and funds are available in Bond 2014 Streets and various utility funds.

**Sponsors:** Street Department and Engineering Services

**P. BRIEFINGS: (ITEM 24)**

*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.*

24. [19-1029](#) Briefing on the Proposed FY2020 Annual Operating Budget and Capital Budget for fiscal year beginning October 1, 2019.

**Sponsors:** City Manager and Office of Management and Budget

**Q. EXECUTIVE SESSION: (ITEMS 25 - 27)**

*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.*

25. [19-1023](#) **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 contracts related to waste management, handling, and disposal and state and federal regulations related to landfill management, disposal of solid waste, and/or recycling, including but not limited to, the City's contracts with Republic Services, Cefe Landfill Tx, LP, BFI Waste Services of North America, Inc. and BFI Waste Systems of Texas, LP. and related entities, and provisions related to mediation, arbitration, and termination of agreements for the aforementioned functions.
26. [19-1024](#) **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 franchise agreement(s) with AEP Texas Central Company and fees payable pursuant to said franchise(s).
27. [19-1025](#) **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning the lawsuit of *Salinas Construction Technologies, Ltd. and Salinas and Sons, Inc. v. City of Corpus Christi* and the potential approval of attorney's fees, expert fees, and expenses in said case.

**R. 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.*

**S. ADJOURNMENT**