



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, July 16, 2024

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 Guajardo to call the meeting to order.**
- B. Invocation to be given by Reverend Claude Axel with Mount Pilgrim Baptist Church.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Jaelyn Karaca, 2nd grader at Yorktown Christian Academy.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS: (ITEM 1)**
 - 1. [24-1045](#) Retirement Recognition of Valente Olivarez, TxDOT Corpus Christi District Engineer**

F. PUBLIC COMMENT - APPROXIMATELY 12:00 P.M. To speak during this public comment period on a city-related matter or agenda item, 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 Communications Department at least 24 hours prior to the Meeting. Please contact Communications at 826-3211 to coordinate. This is a public hearing for all items on this agenda.

G. BOARD & COMMITTEE APPOINTMENTS: (ITEM 2)

2. [24-1104](#) Planning Commission (3 vacancies)
Airport Zoning Commission (3 vacancies)

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 3 - 22)

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. [24-1128](#) Approval of the May 13, 2024 Budget Goal Setting Workshop Minutes, and June 18 and June 25, 2024 Regular Meeting Minutes

Consent - Second Reading Ordinances

4. [24-0877](#) Ordinance accepting \$139,501 for an Air Quality Planning Grant from the Texas Commission on Environmental Quality to provide air quality planning activities through December 31, 2025.

Sponsors: Health Department

5. [24-0887](#) Ordinance authorizing acceptance and future amendments of a Tuberculosis Prevention and Control Grant for \$114,925.00 with a cash match of \$22,985.00 from the Department of State Health Services

(DSHS); appropriating \$137,910.00 to provide funding activities in support of tuberculosis prevention and control services for the period September 1, 2024, through August 31, 2025, authorizing two existing FTE's funded by this grant.

Sponsors: Health Department

6. [24-0902](#) Ordinance appropriating \$43,570.00 from an increase in the HIV Surveillance Grant Program administered by the Department of State Health Services (DSHS) for the period September 1, 2024, through August 31, 2025, to provide HIV surveillance and control services, authorizing one existing FTE position funded by this grant.

Sponsors: Health Department

7. [24-1008](#) Ordinance ending Presiding Judge Jacqueline Del Llano Chapa's current term and reappointing Jacqueline Del Llano Chapa as Presiding Judge for a two-year term of office beginning August 1, 2024, and ending August 1, 2026, effectively staggering the Presiding Judge term from Full-time and Part-time Municipal Court Judges' terms.

Sponsors: Municipal Court Committee

8. [24-0937](#) Zoning Case No. ZN8192, MF Newton Investments LLC (District 4). Ordinance rezoning a property at or near 2245 Flour Bluff Drive from the "RS-6" Single-Family 6 District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit; providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval).

Sponsors: Development Services

9. [24-0932](#) Zoning Case No. ZN8185, Toreros Investment II LLC (District 4). Ordinance rezoning a property at or near 635 Yorktown Boulevard from the "FR" Farm Rural District to the "CC/SP" Commercial Compatible District with a Special Permit; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval. Applicant originally requested a zoning change to the "R-MH" Manufactured Home District. Applicant consents to staff's recommendation).

Sponsors: Development Services

Consent - Contracts and Procurement

10. [24-0849](#) Motion approving the purchase of one new MX908 Handheld Mass Spectrometer for chemical detection of controlled substances from FarrWest Environmental Supply, of Schertz, Texas, through the HGAC Cooperative for the Corpus Christi Police Department for \$72,997.17, with FY 2024 funding in the amount of \$72,997.17 from the FY 2024 Police General Fund.

Sponsors: Police Department and Contracts and Procurement

11. [24-0903](#) Motion authorizing the execution of a one-year supply agreement, with two one-year options, with ACT Pipe & Supply, Inc., of Houston with an office in Corpus Christi, in an amount not to exceed \$345,022.00, with a potential up to \$1,035,066.00 if options are exercised, to purchase fire hydrants for Corpus Christi Water, with FY 2024 funding of \$86,255.50 from the Water Fund.
Sponsors: Corpus Christi Water and Finance & Procurement
12. [24-0885](#) Motion authorizing the execution of a one-year supply agreement with Ferguson Enterprises, LLC, of Corpus Christi, for the purchase of manhole covers for Corpus Christi Water, in an amount not to exceed \$142,604.45, with FY 2024 funding of \$47,534.80 from the Wastewater Fund.
Sponsors: Corpus Christi Water and Finance & Procurement
13. [24-0965](#) Motion authorizing a three-year supply agreement, with two one-year options, with Martin Marietta Southwest, LLC, of San Antonio, in an amount not to exceed \$1,520,700.00 and a potential up to \$2,534,500.00 if options are exercised, to purchase crushed limestone for the Public Works Department, with FY 2024 funding of \$126,725.00 from the Streets Fund.
Sponsors: Public Works/Street Department and Finance & Procurement
14. [24-0871](#) Resolution authorizing the acquisition of 20 replacement and nine additional vehicles/heavy equipment by various City Departments, of which 21 units will be outright purchases and eight units will be lease-purchases, through the BuyBoard, Sourcewell, HGAC, and TIPS Cooperatives for a total amount of \$6,700,089.63, with FY 2024 funding amount for these 29 units totaling \$4,381,549.00, with \$669,152.87 coming from the General Fund, \$2,445,218.84 coming from the Fleet Equipment Replacement Fund, \$1,054,365.89 coming from the Storm Water Fund, \$112,689.40 coming from the Facility and Property Management Fund, and \$100,122.00 coming from the Wastewater Fund, with the remaining balance of \$2,318,540.63 for the lease purchase items being funded through the annual budget process.
Sponsors: Asset Management Department and Finance & Procurement
15. [24-0976](#) Motion authorizing a one-time purchase of 12 roll-off containers from Wastequip Manufacturing Company, LLC of Beeville, Texas through the Buyboard Purchasing Cooperative for \$112,294.00 for Solid Waste Services, with FY 2024 funding from the General Fund.
Sponsors: Solid Waste Operations and Finance & Procurement
16. [24-0785](#) Motion authorizing the execution of a one-year service agreement with Big Truck Rentals of Tampa, Florida, through OMNIA Partners Cooperative Purchasing, in an amount not to exceed \$240,200.00, for the rental of two roll-off trucks for Solid Waste Services, with FY 2024 funding of \$62,750 from the General Fund.

Sponsors: Solid Waste Operations and Finance & Procurement

17. [24-0985](#) Motion to purchase additional Infor Workforce Management (WFM) software licenses from Infor, LLC, for a total amount of \$640,056.99, with the license fee to be paid annually to align the new WFM licenses with existing licenses expiring in 2027, with FY 2024 funding of \$68,856.99 from the IT Enterprise Applications Fund and remaining payments to be budgeted in future fiscal years.

Sponsors: Information Technology Services and Finance & Procurement

18. [24-0982](#) Motion authorizing two amendments to the contract with Infor, LLC, of New York, NY, in a combined amount not to exceed \$303,783.63, to provide a dedicated server environment for the advance testing of software patches and to provide support services for the enhancement of Infor's Public Sector module, respectively, through the contract term's ending date of October 30, 2026, with FY 2024 funding of \$144,177.80 from the IT Enterprise Applications Fund, and remaining payments to be budgeted in future fiscal years.

Sponsors: Information Technology Services and Finance & Procurement

Consent - Capital Projects

19. [24-0999](#) Resolution authorizing a construction contract to Max Underground Construction of Corpus Christi, Texas in the amount of \$2,417,262.99 for the reconstruction of Elizabeth Street, from Santa Fe to Staples, with new asphalt pavement, sidewalks, curbs and gutters, installation of ADA compliant curb ramps, signage, pavement markings, upgraded street illumination, and Utilities improvements, located in Council District 1 with FY 2024 funding available from the Type B Street, Storm Water, Water, Wastewater and Gas Capital Funds.

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

General Consent Items

20. [24-0220](#) Resolution authorizing an amendment to the Interlocal Agreement between the City of Corpus Christi and San Patricio County to increase the annual cost from \$18,500.00 to \$28,000.00 for inspection, calibration, technical support, and annual certifications for the Corpus Christi Police Department's intoxilyzer program, with FY 2024 funding in the amount of \$28,000.00 from the Law Enforcement Trust Fund State.

Sponsors: Police Department

21. [24-0992](#) Resolution reaffirming the City of Corpus Christi's Investment Policy and Investment Strategies for fiscal year 2024-2025.

Sponsors: Finance & Procurement

Consent - First Reading Ordinances

22. [24-0644](#) Ordinance authorizing an amendment to the Highway Bridge Replacement and Rehabilitation Program Advance Funding Agreement with the Texas Department of Transportation to add sidewalks and bicycle lanes to the Yorktown Mud Bridge Project with the City's contribution of \$2,000,000.00 cash and \$1,158,184.00 in in-kind project structural improvement work, appropriating \$2,000,000.00 from the Storm Water Fund to the Storm Administration Fund and amending the FY 2023-2024 Operating Budget, located in Council District 5.

Sponsors: Public Works/Street Department

J. **RECESS FOR LUNCH**

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

K. **PUBLIC HEARINGS: (ITEMS 23 - 30)**

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

23. [24-0539](#) Ordinance authorizing a Wastewater Trunk Line Construction and Reimbursement Agreement up to \$1,978,937.16 with MPM Development to construct a wastewater trunk line for the proposed residential development located off the northwest side of Haven Dr. and Warrior Rd. intersection, also known as Haven Subdivision, requiring construction completion within 24 months; and authorizing future transfer and appropriation of Water and Wastewater Trust Fund revenue up to \$1,978,937.16 to reimbursement the developer in accordance with the agreement. (District 1).
24. [23-2023](#) Ordinance amending the City's Water Master Plan with the addition of a twelve-inch water line located along Saratoga Boulevard southeast of Old Brownsville Road and northwest of County Road 35 to serve proposed and future development along Saratoga Boulevard.
25. [24-0070](#) Ordinance authorizing a Water Arterial Transmission & Grid Main Construction and Reimbursement Agreement up to \$899,000 with Saratoga 400 Partners, LLC to construct a water arterial transmission grid main related to Saratoga Ridge subdivision off Saratoga Blvd, between Old Brownsville Rd and Greenwood Rd; and authorizing future transfer and appropriation of Water and Wastewater Trust Fund revenue up to \$899,000.00 to reimburse the developer in accordance with the agreement. (District 3).

Sponsors: Development Services

26. [24-0071](#) Ordinance authorizing a Wastewater Trunk System Construction and

Reimbursement agreement up to \$4,131,000.00 with Saratoga 400 Partners, LLC to construct a wastewater trunk line related to the Saratoga Ridge subdivision located off Saratoga Blvd, between Old Brownsville Rd and Greenwood Rd; and authorizing future transfer and appropriation of Water and Wastewater Trust Fund revenue up to \$4,131,000.00 to reimburse the developer in accordance with the agreement. (District 3).

Sponsors: Development Services

27. [24-1027](#) Zoning Case No. ZN8208, 2130 Rand Morgan Road LLC (District 1). Ordinance rezoning a property at or near 2130 Rand Morgan Road from the “RS-6” Single-Family District to the “R-MH” Manufactured Home District; providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval).

Sponsors: Development Services

28. [24-1028](#) Zoning Case No. ZN8261, Margo Lyn Moore (District 4). Ordinance rezoning a property at or near 7317 South Padre Island Drive (State Highway 358) from the “RS-6” Single-Family District to the “CG-2” General Commercial District; providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval).

Sponsors: Development Services

29. [24-1029](#) Zoning Case No. ZN8270, Ferco Homes LLC (District 2). Ordinance rezoning a property at or near 1501 South 19th Street from the “RS-6” Single-Family District to the “RM-1” Multi-Family District; providing for a penalty not to exceed \$2,000 and publication (Planning Commission and Staff recommend approval).

Sponsors: Development Services

30. [24-0996](#) Ordinance adopting the City Fiscal Year 2025 and U.S. Department of Housing and Urban Development (HUD) Program Year 2024 Annual Action Plan (AAP) for the Community Development Block Grant (CDBG) budget in the amount of \$3,135,388, the Emergency Solutions Grant (ESG) budget in the amount of \$234,083, and the HOME Investment Partnerships Program (HOME) budget in the amount of \$1,369,386 for a total of \$4,738,857 annual HUD funding; amending the Citizen Participation Plan (CPP); authorizing the execution of all necessary documents to submit the AAP and CPP; authorizing a staff complement of 18 positions; accepting and appropriating funding for the approved AAP projects and authorizing the execution of funding agreements, amendments, environmental review records, and other documents necessary to implement the FY 2025 PY 2024 AAP.

Sponsors: Planning and Community Development Department

L. INDIVIDUAL CONSIDERATION ITEMS: (ITEM 31)

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

31. [24-1158](#) Motion directing the City Manager and Corpus Christi Water to begin discussions with the Catahoula Water Company on a possible joint venture to acquire water rights from the Eshelman-Vogt Groundwater Project, as requested by **Council Members Pusley, Hunter, and Hernandez.**

M. BRIEFINGS: (ITEMS 32 - 33)

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.

32. [24-1065](#) Nueces Center for Mental Health and Intellectual Disabilities Briefing on providing citizens living with mental illnesses with comprehensive psychiatric evaluation and treatment services, medications, and wellness services.
33. [24-1062](#) Quarterly Briefing by the Corpus Christi Regional Economic Development Corporation (CCREDC)

Sponsors: Economic Development

N. EXECUTIVE SESSION: (ITEMS 34 - 38)

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.

34. [24-1038](#) **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 regulations, legal rights, and contracts related to surface water from the Nueces River and other sources, groundwater from the Evangeline Aquifer, and other sources, desalination, legal restrictions on and permits required for the provision of water, regulations and contracts of water conservation and improvement districts and groundwater conservation districts (including, but not limited to Nueces County Water Conservation and Improvement District #3 and the San Patricio Groundwater Conservation District), TCEQ and EPA regulations related to water, state and federal regulations related to construction of water-related infrastructure, state restrictions on rates and charges for utilities, statutory restrictions on the issuance of debt and

governmental contracting, and potential authorization of contracts for attorneys and consultants to assist in matters related to water.

35. [24-1095](#) **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 industries, infrastructure, utilities, and property in the City's extraterritorial jurisdiction, services thereto, annexation, Texas Local Gov't Code service plans, industrial district agreements (IDA's), and Chapters 42, 43 and 212 of the Texas Local Government Code § 43.0116, et. seq., rates for utilities, actions for limitation of rates, Texas Water Code § 13.043 and associated statutes and regulations, and **Texas Government Code § 551.087** to discuss and deliberate regarding potential financial or other incentive(s) to business prospects(s) that the governmental body seeks to have locate, stay, or expand in or near the territory of the City and with which the City will be conducting economic development negotiations, authorizing preparation of service plans for areas to be considered for annexation, and authorizing professional services agreements and amendments thereto with attorneys, engineers, and other consultants involved in the aforementioned actions.
36. [24-1096](#) **Executive Session pursuant to Texas Gov't Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the cases of *Salinas Construction Technologies, Ltd. and Salinas and Sons, Inc. 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.
37. [24-1153](#) **Executive Session pursuant to Texas Gov't Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to personnel matters and the City Auditor and **Texas Gov't Code § 551.074** (personnel matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee (including, but not limited to, the City Auditor).
38. [24-1154](#) **Executive Session pursuant to Texas Gov't Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to personnel matters and the City Manager and **Texas Gov't Code § 551.074** (personnel matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee (including, but not limited to, the City Manager).

O. ADJOURNMENT