



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, December 14, 2021

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 Associate Pastor Brandon Cunningham, Grace Community Church.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Sydney Quimby, Mary Carroll High School student.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [22-0032](#) Commendation recognizing James Perez, Small Business Owner for 24 Years in Business as Mattress Firm.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.**

F. 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.

G. South Texas Military Task Force Briefing by RDML Robert D. Westendorff, Chief of Naval Air Training (CNATRA)

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

c. Cole Park Pier Ribbon Cutting and Community Event on December 17

a. Operation Heat Help

d. City Service Holiday Schedule

b. Holiday Recycling Tips

e. Overview of Virtual Public Meeting for Seawater Desalination by Mike Murphy, Chief Operating Officer for Water Utilities

f. United Way Charitable Campaign Closeout

g. Kevin Norton farewell and other staff announcements

I. BOARD & COMMITTEE APPOINTMENTS:

**2. [22-0008](#) Coastal Bend Council of Governments (9 vacancies)
Port of Corpus Christi Authority of Nueces County, TX (1 vacancy)**

J. 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.

K. MOTION TO RECONSIDER: (ITEM 3)

If the motion to reconsider passes by the required two-thirds vote, then the reconsidered item shall be voted on at the same meeting.

3. [21-1525](#) Ordinance ratifying a partial postponement until January 1, 2022, of the effective date of Ordinance No. 032551 by amending the implementation date for a disposal fee increase made applicable to waste haulers with City disposal contracts.

Sponsors: Solid Waste Operations

L. CONSENT AGENDA: (ITEMS 4 - 33)

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.

4. [22-0018](#) Approval of the December 7, 2021 Regular Meeting Minutes.

Sponsors: City Secretary's Office

Consent - Second Reading Ordinances

5. [21-1618](#) Ordinance authorizing the acceptance of four grants totaling \$189,547.47 from the Texas Office of the Governor-Homeland Security Grant Division, Homeland Security Grant Program which include Bomb Squad Portable Detection for \$70,940.40, Hazmat Response Enhancement for \$34,950.22, Corpus Christi Police Department Special Weapons and Tactics Enhancement for \$54,952.05, and Bomb Squad Safety Enhancement for \$28,704.80; and appropriating \$189,547.47 in the FY 2022 Fire Grants Fund.

Sponsors: Fire Department

6. [21-1553](#) Zoning Case No. 1021-02, BHHN, LLC.: (District 3) Ordinance rezoning property at or near 8902 State Highway 44 from the "RS-6" Single-Family 6 District to the "IC" Industrial Compatible District. (Planning Commission and Staff recommend Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "IC" Industrial Compatible District, in lieu thereof approval of the "CC/SP" Commercial Compatible District with a Special Permit) (3/4 vote required to approve less restrictive use or density than the recommendation of the Planning Commission)

Sponsors: Development Services

7. [21-1728](#) Ordinance amending the Corpus Christi Code to remove Chapter 3 Article I and amend Chapter 49 Article I to consolidate the City's requirements for

installations on, across and over public right of way and to amend petitions to close streets; establishing a penalty.

Sponsors: Public Works/Street Department

8. [21-1619](#) Ordinance accepting an additional \$417,658.38 for an Air Quality Planning Grant from the Texas Commission on Environmental Quality (TCEQ); and appropriating in the No. 1071 Community Enrichment Grant Fund for air quality monitoring service and amending the term through December 31, 2023, with funding available in the No. 1071 Community Enrichment Grant fund.
- Sponsors:** Public Works/Street Department
9. [21-1617](#) Ordinance accepting and appropriating \$30,000 from PetSmart Charities to be used for animal medical expenses.
- Sponsors:** Neighborhood Services
10. [21-1604](#) Ordinance accepting and appropriating \$200,000 from the Texas Department of Housing and Community Affairs' ("TDHCA") allocation of Coronavirus Aid, Relief and Economic Security Act ("CARES" Act) from the U.S. Department Of Housing and Urban Development's ("HUD") Community Development Block Grant-Coronavirus ("CDBG-CV") funding for a Texas Emergency Mortgage Assistance Program; authorizing the City Manager or designee to execute all documents necessary to accept, appropriate and disburse the funds and to execute all agreements, amendments and all other documents necessary to implement the program.
- Sponsors:** Neighborhood Services
11. [21-1723](#) Ordinance authorizing a software development and support agreement with Raftelis Financial Consultants, Inc., in the amount of \$200,000.00 for a parcel data management software application for the City's Storm Water Drainage Utility System; appropriating \$200,000.00 from the unreserved fund balance in the Storm Water Fund; and amending the FY 2022 Operating Budget.
- Sponsors:** Public Works/Street Department and Finance & Procurement
12. [21-1650](#) 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 \$48,345.00 with a City match of \$9,669.00 for the period January 1, 2022, through December 31, 2022, to provide tuberculosis prevention and control services under the Health Grant.
- Sponsors:** Health Department
13. [21-1413](#) Ordinance authorizing Amendment No. 1 of \$4,727,170.00 to Contract with Texas Department of State Health Services which provides \$18,073,609.00 for COVID-19 Vaccination services provided May 14, 2021, through June 30, 2024, to be used to increase, train, and monitor

vaccine sites and providers; and appropriating the funds in the Health Grant Fund.

Sponsors: Health Department

14. [21-1659](#) Ordinance Approving the Calendar Year 2022 Annual Audit Plan to be implemented by the City Auditor's Office

Sponsors: City Auditor

Consent - Contracts and Procurement

15. [21-1330](#) Resolution authorizing a six-month service agreement with C & S Plating & Bumper Recycling, Inc., dba C & S Truck and Van Equipment, of Corpus Christi, Texas, in an amount not to exceed \$200,000.00 for installation and repairs of emergency equipment in City of Corpus Christi Police Department service vehicles with FY 2022 funding available in the General Fund.

Sponsors: Police Department and Finance & Procurement

16. [21-1448](#) Motion authorizing a three-year service agreement with Russell James, dba R & R Delivery Service, for the Elderly Nutrition Program - Home Delivered Meals in an amount not to exceed \$668,250.00, with FY 2022 funding in an approximate amount of \$167,062.50 available in the Elderly Nutrition Program Grant Fund.

Sponsors: Parks and Recreation Department and Finance & Procurement

17. [21-1514](#) Motion authorizing a one-year supply agreement, with two additional one-year period options for cold mix - cold laid asphalt for Street Operations, for an estimated amount of \$1,988,325.00 and a potential cost of \$6,218,100.00 if options are exercised, with Vulcan Construction Materials, LLC of Birmingham, Alabama with an office in San Antonio, Texas, with FY 2022 funding in an amount not to exceed \$1,822,631.25 available through the Streets Maintenance Fund.

Sponsors: Public Works/Street Department and Finance & Procurement

18. [21-1258](#) Motion authorizing a professional services contract with HVJ Associates, Inc. of Austin, Texas, for an amount not to exceed \$1,435,519.35 for Pavement Condition Evaluation Survey & Pavement Management Software System Project of which \$1,190,513.53 from the Street Fund and \$245,005.82 from the Storm Water Operations Fund.

Sponsors: Public Works/Street Department and Finance & Procurement

19. [21-1631](#) Motion authorizing a one-year supply agreement with two one-year option periods, in an amount not to exceed \$127,103.00 and a potential amount not to exceed \$381,309.00 if option periods are exercised, for ductile iron pipe accessories for the City Warehouse with Hajoca Corporation, dba Moore Supply Co., of Corpus Christi, Texas with FY 2022 funding in the amount of \$95,327.28 available in the Stores Fund.

Sponsors: Finance & Procurement and Utilities Department

20. [21-1632](#) Resolution authorizing a five-year service agreement with Area Electronics Systems, Inc., dba DataON Storage, of Anaheim, California, in an amount not to exceed \$225,354.00 for the purchase of Azure Stack Hyperconverged Infrastructure (HCI) hardware with support and warranty for off-site backup storage of all Police video data, with funding for FY 2022 in the amount of \$225,354.00 from the Information Technology Fund.

Sponsors: Information Technology Services, Police Department and Finance & Procurement

21. [21-1658](#) Motion authorizing the purchase of laptop computers, monitors, and accessories from Dell Marketing, LP, of Round Rock, TX, in an amount not to exceed \$124,927.00, for compatibility with digital plan review software applications utilized by the Development Services Department, through the DIR Cooperative, with FY 2022 funding available through the Development Services Fund.

Sponsors: Information Technology Services, Development Services and Finance & Procurement

22. [21-1609](#) Resolution authorizing a 36-month service agreement, with an additional 36-month renewal option, with KorTerra Inc. of Chanhassen, Minnesota for an estimated amount of \$89,394.00, with a total estimated amount not to exceed \$178,788.00 if the option period is exercised, for the purchase of software access to the KorWeb 811 line locate work order management and database services for Gas Operations, effective upon issuance of notice to proceed, with FY 2022 funding in the amount not to exceed \$22,348.50 available in the Gas Fund.

Sponsors: Gas Department and Finance & Procurement

23. [22-0013](#) Resolution authorizing the acquisition of 122 vehicles and machinery by various departments in the amount of \$12,138,349.14, with such items to be acquired in the manner, at the amounts, and from the sources stated with FY 2022 funding in the amount of \$9,869,954.73.

Sponsors: Asset Management Department and Finance & Procurement

Consent - Capital Projects

24. [21-0490](#) Motion authorizing Amendment No. 1 to a professional services contract with HDR, Inc., Corpus Christi, TX, to provide design, bid, and construction phase services for improvements to the booster pump stations located at Bloomington, Texas and Woodsboro, Texas associated with the Mary Rhodes Pipeline raw water delivery system in an amount of \$831,000.00 for a total contract value not to exceed \$878,560.00, with FY 2022 funding available from the Water Capital Fund.

Sponsors: Engineering Services, Utilities Department and Finance & Procurement

25. [21-1531](#) Motion awarding a construction contract to Associated Construction

Partners, Ltd, Boerne, Texas, for the installation of control valves and pumps at the Holly and Rand Morgan Elevated Storage Tanks in an amount of \$4,669,500.00, located in Council Districts 1 and 5, with FY 2022 funding available from the Water Capital Fund.

Sponsors: Engineering Services, Utilities Department and Finance & Procurement

26. [21-1533](#) Motion awarding a construction contract to CSA Construction, Inc., of Houston, Texas, for Aeration Coarse Bubble Improvements under the Oso Water Reclamation Plant Process Upgrades and Breakpoint Chlorination Decommissioning project in an amount of \$4,107,000.00, located in Council District 4, with FY 2022 funding available from the Wastewater Capital Fund.

Sponsors: Engineering Services, Utilities Department and Finance & Procurement

27. [21-1536](#) Motion awarding a construction contract to Clark Pipeline Services, LLC, Corpus Christi, Texas, for the Port Avenue Water Line Replacement project in an amount of \$4,856,722.99, located in Council Districts 1 and 2, with FY 2022 funding available from the American Rescue Plan Act.

Sponsors: Engineering Services, Utilities Department and Finance & Procurement

28. [21-1608](#) Motion authorizing a professional services contract with EN Engineering of Warrenville, Illinois to conduct the 2022 Periodic Corrosion Monitoring Survey for the Mary Rhodes Pipeline in an amount of \$109,851.00, with FY 2022 funding available from the Water Capital Fund.

Sponsors: Engineering Services, Utilities Department and Finance & Procurement

29. [21-0915](#) Motion awarding a professional services contract to Halff Associates Inc., Corpus Christi, Texas, to provide design, bid, and construction phase services for the West Guth Park Enhancements in an amount of \$174,940.00, located in Council District 1, with FY2022 funding available from the Parks and Recreation Bond 2020 Fund.

Sponsors: Engineering Services, Parks and Recreation Department and Finance & Procurement

30. [21-1534](#) Motion awarding a construction contract to Bay Ltd. and Grace Paving and Construction, Inc., both from Corpus Christi, Texas, in the total amount of \$19,848,223.78, for the FY 2022 Residential Street Rebuild Program Base Bid F for 43 neighborhood street projects citywide in an amount of \$6,876,814.10 to Bay Ltd., Base Bid G in an amount of \$5,957,926.48 to Grace Paving and Construction Inc., and Base Bid H in an amount of \$7,013,483.20 to Bay Ltd., with FY 2022 funding available from the Residential Street Reconstruction, Storm Water, Wastewater, Water and Gas Capital Funds.

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

General Consent Items

31. [21-1729](#) Resolution authorizing submission of a grant application for \$75,000.00 to the State of Texas under the Body-Worn Camera Grant Program with City cash match of \$25,000.00 to equip Corpus Christi Police Department police officers with body-worn cameras.

Sponsors: Police Department

32. [22-0003](#) Resolution adopting the Housing Development Fee Waivers for Non-qualifying Homebuyers Program Guidelines as authorized by the City of Corpus Christi Fiscal Year 2021-2022 Operating Budget.

Sponsors: Neighborhood Services

33. [22-0024](#) Resolution authorizing the City Manager to negotiate a final real estate term sheet necessary to acquire real property interests at or near the Inner Harbor Nueces Bay Boulevard and the La Quinta Channel for seawater desalination and treatment plant(s) from Flint Hills Resources Corpus Christi, LLC and Occidental Chemical Corporation, respectively.

Sponsors: Utilities Department

M. RECESS FOR LUNCH

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

N. PUBLIC HEARINGS: (ITEMS 34 - 35)

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

34. [21-1647](#) Zoning Case No. 1021-06, Walker Holdings and Development, LLC.: (District 1) Ordinance rezoning property at or near 3202 Interstate 69 from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

35. [21-1644](#) Ordinance adopting text amendments to the Unified Development Code (UDC) to remove the Planning Commission from historic designation review process and to identify grounds for undue hardship the Board of Adjustment may consider for a variance (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

O. INDIVIDUAL CONSIDERATION ITEMS:

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

P. FIRST READING ORDINANCES: (ITEMS 36 - 38)

36. [21-1554](#) Zoning Case No. 1021-03, SRPC Properties, LLC.: (District 2) Ordinance rezoning property at or near 1645 14th Street from the "RS-TF" Two-Family

District and “CG-2” General Commercial District to the “RM-2” Multifamily District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

37. [22-0002](#) Ordinance revising the Infill Housing Incentive Program Guidelines as authorized by Article II, Chapter 20 of the City of Corpus Christi Code of Ordinances; authorizing a two-year agreement with the Corpus Christi B Corporation to provide Type B affordable housing funding in the amount of \$1,000,000 for costs related to the Infill Housing Incentive Program; appropriating \$500,000 from The Type B Fund; and amending the operating budget.

Sponsors: Neighborhood Services

38. [21-1663](#) Briefing on Short Term Rental Policy Development and Ordinance amending Chapter 5 of the Corpus Christi Code to require a permit for the operation of short-term rentals; and providing for publication.

Sponsors: Planning & Environmental Services

Q. BRIEFINGS: (ITEMS 39 - 42)

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.

39. [21-1610](#) Overview of the Procurement Policy Analysis performed by Weaver and Presentation on Proposed Local Preference Ordinance

Sponsors: Finance & Procurement

40. [22-0009](#) North Beach Canal Request for Information (RFI) Update

Sponsors: Assistant City Manager

41. [22-0011](#) Storm Water Fee Implementation Overview (January 2022)

Sponsors: Public Works/Street Department

42. [22-0023](#) Donation of \$30,000 by Greg Perkes to the Coastal Bend Community Foundation for replacement of the two swing sets at West Guth Park.

Sponsors: Parks and Recreation Department

R. EXECUTIVE SESSION: (ITEMS 43 - 46)

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.

43. [22-0012](#) **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 potential purchase, exchange, lease, and/or value of property at or adjacent to the Puerto Del Sol RV Park at Rincon Point, and **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, and/or value of the aforementioned areas of said real property.
44. [22-0027](#) **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 purchase, exchange, lease, or value of real property rights for desalination and water treatment, transmission, and storage facilities, including areas at or near the (1) the Inner Harbor Ship Channel Seawater Desalination Site at or in the vicinity of Nueces Bay Blvd, Summers St., Palm Dr., John St., and Broadway Street, Nueces Bay Heights Subdivision, Sunset Place Subdivision, and the Industrial Canal and (2) the La Quinta Channel Seawater Desalination Site involving various properties between Highway 361 and the La Quinta Ship Channel and areas in and adjacent to said locations, and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property rights at or in the vicinity of the aforementioned locations) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, including, but not limited to Flint Hills Resources, Occidental Chemical Corporation, Chemours Company and affiliates thereof.
45. [22-0033](#) **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 *Graham Construction Services, Inc. v. City of Corpus Christi, Xylem Water Solutions and Atlas Copco Compressors v. Carollo Engineers, PC, Travelers Casualty and Surety Company, Control Panels USA, Inc. and Fluid Components International LLC, and City of Corpus Christi v. Carollo Engineers, P.C.* 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.
46. [22-0037](#) **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 approval of the Global

Opioid Settlement negotiated by Texas Attorney General, including potential approval of all documents necessary to authorize said settlement including, but not limited to a “Resolution authorizing participation in the proposed opioid crisis settlement through the Texas Attorney General’s office; and adopting and approving the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet”.

S. ADJOURNMENT