



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, October 25, 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 Guajardo to call the meeting to order.**
- B. Invocation to be given by Chaplain Charles Antwine, Corpus Christi Police Department.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Norma Duran, Management Assistant, City Secretary's Office.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - 1. [22-1863](#) Introduction of Dr. Fauzia Khan, Director of Public Health for the Corpus Christi-Nueces County Health District**
 - 2. [22-1813](#) Introduction of Al Arreola Jr., newly appointed CEO of the United Corpus Christi Chamber of Commerce**
 - 3. [22-1865](#) Making Strides Against Breast Cancer - Awareness Walk on Saturday, October 29, 2022**

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. 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 4 - 13)

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. [22-1799](#) Approval of the October 18, 2022 Regular Meeting Minutes

Sponsors: City Secretary's Office

Consent - Second Reading Ordinances

5. [22-1649](#) Ordinance authorizing the acceptance of a grant from the Commission on State Emergency Communication under the Texas 9-1-1 Entity subrecipient subaward grant contract in the amount of \$317,845.60 for the implementation of the NexGen 9-1-1 system; and appropriating \$317,845.60 in the Police Grants Fund.(Requires 2/3 Vote)

Sponsors: Police Department

6. [22-1684](#) Ordinance authorizing the acceptance of a grant from The Hartford in the amount of \$10,000.00 to the Corpus Christi Fire Department to support community-wide fire safety education efforts and programming; and

appropriating \$10,000 into Fire Grant Fund. (Requires 2/3 Vote)

Sponsors: Fire Department

7. [22-1681](#) Ordinance authorizing a Water Arterial Transmission Grid Main Construction and Reimbursement Agreement (“Agreement”) for up to \$67,917.98 with MPM Development, LP (“Developer”) for the construction of a water arterial transmission grid main line for a residential development located on Farm Road 43 (Weber Road) and West of County Road 33, East of Digger Lane, with a completion date of within 24 months; appropriating future revenues of \$67,917.98 from the Water Arterial Transmission & Grid Main Trust Fund to reimburse the developer in accordance with the agreement. (District 3) (Requires 2/3 Vote)

Sponsors: Development Services

8. [22-1682](#) Ordinance authorizing an amendment in the amount of \$1,801,799.00 to the Wastewater Lift Station, Gravity, and Force Main Line Construction and Reimbursement Agreement with The Mostaghasi Investment Trust, DBA Sun George Contracting Company, to construct the Wastewater Lift Station for River Ridge Unit 4; transferring \$39,694.18 from the Wastewater Collection Line Trust Fund, \$163,925.70 from the Water Distribution Main Trust Fund, and \$615,966.67 from the Water Arterial Transmission & Grid Main Trust Fund to the Wastewater Trunk System Trust Fund; authorizing appropriation of \$1,609,387.00 from the Wastewater Trunk System Trust Fund and transferring future revenues in the amount of \$192,412.00 to reimburse the developer per the amended agreement. (District 1) (Requires 2/3 Vote)

Sponsors: Development Services

Consent - Contracts and Procurement

9. [22-1638](#) Motion authorizing a one-year service agreement with Carahsoft Technology Corporation of Reston, Virginia in the amount of \$80,689.33, for the purchase of DocuSign Electronic Signature and Contract Routing Tool and related Support through the DIR Cooperative for City departments with FY 2023 funding available in the Information Technology Fund. (Requires 2/3 Vote)

Sponsors: Information Technology Services and Finance & Procurement

Consent - Capital Projects

10. [21-0485](#) Motion authorizing a professional services contract with Freese and Nichols, Inc., Corpus Christ, Texas, to provide design, bid, and construction phase services for Wesley Seale Dam Instrumentation Rehabilitation in an amount not to exceed \$358,005.32, with FY 2023 funding available from Water Capital Fund. (Requires 2/3 Vote)

Sponsors: Engineering Services, Water Utilities Department and Finance &

Procurement

11. [22-0960](#) Resolution rejecting the bid of American Abatement, LLC as non-responsive and authorizing execution of a construction contract with Camacho Demolition, LLC Corpus Christi, TX as the lowest responsive, responsible bidder in the amount of \$3,052,008.30 for the Broadway Wastewater Treatment Plant Demolition project, located in City Council District 1, with FY 2023 funding available from the Wastewater Capital Fund. (Requires 2/3 Vote)

Sponsors: Engineering Services, Corpus Christi Water and Finance & Procurement

General Consent Items

12. [22-1711](#) Motion approving the 2022 Property Tax Levy of \$163,012,950.99 based on the adopted property tax rate of \$0.620261 per \$100 valuation, in accordance with Section 26.09 (e) of the Texas Tax Code.

Sponsors: Finance & Procurement

13. [22-1181](#) Resolution authorizing outside city limits water contract with MPM Development, LP to provide public water to Gemini Acres Unit 1. (Developer will work to achieve voluntary annexation for all future Units of Gemini Acres.) (Requires 2/3 Vote)

Sponsors: Development Services

J. **RECESS FOR LUNCH**

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

K. **PUBLIC HEARINGS: (ITEMS 14 - 16)**

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

14. [22-1733](#) Case No. 0922-01 Ryan Thurman (District 3): Ordinance rezoning property at or near 7017 Ayers Street, located along the west side of Ayers Street, south of Greenwood Drive, and east of the Crosstown Expressway (TX-286 N), from the "FR" Farm Rural District to the "IL" Light Industrial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommended approval of the zoning change from the "FR" Farm Rural District to the "IL" Light Industrial District.)(Requires 2/3 Vote)

Sponsors: Development Services

15. [22-1734](#) Case No. 0922-02 HEP Javelina Company, LLC: (District 1): Ordinance rezoning property at or near 1230 McBride, located along the east side of McBride Lane, north of Interstate 37 and south of Up River, from the "IL" Light Industrial District to the "IH" Heavy Industrial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and

Staff recommend approval of the zoning change from the from the “IL” Light Industrial District to the “IH” Heavy Industrial District.)(Requires 2/3 Vote)

Sponsors: Development Services

16. [22-1735](#) Case No. 0922-03 Douglas N. and Joye Posey (District 1): Ordinance rezoning property at or near 14446 Northwest Boulevard, located along the northside of Northwest Boulevard, south of Riverwood Drive, and west of River Hill Drive, from the “RS-6” Single-Family 6 District and the “CG-2” General Commercial District to the “CG-2” General Commercial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission recommend approval of the zoning change to the “CG-2” General Commercial District. Staff recommends denial of the zoning change to the “CG-2” General Commercial District and in lieu thereof approval of a “ON/SP” Neighborhood Office District with a Special Permit) (Requires 2/3 Vote)

Sponsors: Development Services

L. INDIVIDUAL CONSIDERATION ITEMS: (ITEM 17)

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

17. [22-1566](#) Presentation and Ordinance adopting the North Beach Drainage Improvement Project Plan and repealing Ordinance No. 031970 authorizing a previous drainage solution.(Requires 2/3 Vote)

Sponsors: Engineering Services

M. FIRST READING ORDINANCES: (ITEMS 18 - 24)

18. [22-1778](#) Ordinance authorizing the acceptance of a grant from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, in an amount of \$206,608.00 for the FY 2022 Edward Byrne Memorial Justice Assistance Grant program for the Corpus Christi Police Department to partially fund the purchase of 445 tasers as part of a previously approved five-year supply agreement; and appropriating \$206,608.00 in the Police Grants Fund with \$103,304.00 to be distributed to Nueces County based on an interlocal agreement and the remaining \$103,304.00 to be used by the City.(Requires 2/3 Vote)

Sponsors: Police Department

19. [22-1779](#) Ordinance accepting a grant in the amount of \$94,500.00 from the State of Texas Governor’s Homeland Security Grants Division for overtime and retirement for Corpus Christi Police Department sworn officers supporting law enforcement activities that help to reduce human-trafficking, drug smuggling, and other organized crime; and appropriating \$94,500.00 in the Police Grants Fund.(Requires 2/3 Vote)

Sponsors: Police Department

20. [22-1787](#) Ordinance accepting a grant in the amount of \$20,000.00 from the State of Texas, Criminal Justice Division for Rifle-Resistant Body Armor for the Corpus Christi Police Department for the purchase of 40 additional pieces of rifle resistant body armor; and appropriating \$20,000.00 in the Police Grants Fund.(Requires 2/3 Vote)
Sponsors: Police Department
21. [22-1737](#) Ordinance authorizing execution of all documents necessary to accept, amend, and appropriate a grant contract between the Department of State Health Services (DSHS) and the Corpus Christi-Nueces County Public Health District (CCNCPHD) to add \$72,379.00 for calendar year 2022, and \$105,208.00 for calendar year 2023 to provide prevention and control services for Sexually Transmitted Diseases (STDs), including Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS); and amending the operating budget.(Requires 2/3 Vote)
Sponsors: Health Department
22. [22-1750](#) 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 to add \$48,348 with a City match of \$9,670 for Tuberculosis Prevention and Control - Federal Grant Program to provide tuberculosis prevention and control services for the period January 1, 2023, through December 31, 2024; and amending the operating budget.(Requires 2/3 Vote)
Sponsors: Health Department
23. [22-1650](#) Ordinance authorizing a professional services contract with Hanson Professional Services Inc. in the amount of \$143,057.50 for the Northwest Blvd Drainage Feasibility Study, an FY 2022 budget initiative; appropriating \$143,057.50 from unreserved fund balance in 1020 General Fund and amending the FY 2023 Public Works Operating Budget; Council District 1.(Requires 2/3 Vote)
Sponsors: Engineering Services, Public Works/Street Department and Finance & Procurement
24. [22-1700](#) Ordinance authorizing Amendment No. 5 to the service agreement with Sec-Ops, Inc., for citywide security guard services in an amount not to exceed \$410,904.13, with FY 2023 funding from various funds.(Requires 2/3 Vote)
Sponsors: Finance & Procurement

N. BRIEFINGS: (NONE)

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.

O. EXECUTIVE SESSION: (ITEMS 25 - 26)

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. [22-1789](#) **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 in *Lina Monique Garza, Richard Mojica, Individually and on Behalf of the Estate of Emilio Mojica, Deceased v. City of Corpus Christi, Texas; Phillip Peterson, in his individual capacity; Antonio Contreras, in his individual capacity; Zakquery Rodgers, in his individual capacity; and Jimmy Leal, in his individual capacity* 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.

26. [22-1801](#) **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.

P. ADJOURNMENT