



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, October 19, 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 Pastor Greg Hood, REACH Ministries.
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Michelle Shin, Veteran's Memorial High School student.
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.
- E. Proclamations / Commendations
 - 1. [21-1456](#) Presentation of Flag to the Family of Richard Martinez on behalf of Governor Abbott.
Proclamation declaring October 15, 2021 - November 15, 2021 as "Hindu Heritage Celebration Month".
Proclamation declaring September 2021 as "Suicide Prevention Month".
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. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

- a. 42nd Fire Fighter Academy Graduation Recap
- b. Announcement of new Public Works Director, Rolando Mata
- c. JFK Causeway Maintenance Project Update, Presented by TXDOT
- d. Connections to Assistance Event at Salinas Park, Presented by Tracey Cantu, Interim Director of Neighborhood Services
- e. COVID-19 Virtual Town Hall Reminder
- f. Seawater Desalination Update by Michael Murphy, Chief Operations Officer

H. BOARD & COMMITTEE APPOINTMENTS: (NONE)

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.

J. CONSENT AGENDA: (ITEMS 2 - 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.

2. [21-1457](#) Approval of the October 12, 2021 Regular Meeting Minutes.

Sponsors: City Secretary's Office

Consent - Second Reading Ordinances

3. [21-1325](#) Ordinance accepting a grant in the amount of \$59,000.00 from the State of Texas Governor's Homeland Security Grants Division for overtime and retirement for sworn police officers supporting the FY 2022 Local Border Security Program; and appropriating \$59,000.00 in the Police Grants Fund.

Sponsors: Police Department

4. [21-1277](#) Zoning Case No. 0821-04, Michael Gallardo and Nancy Torres: (District 2) Ordinance rezoning property at or near 4110 Molina Drive from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

5. [21-1278](#) Zoning Case No. 0821-05, Michael McDonough: (District 3) Ordinance rezoning property at or near 6342 Old Brownsville Road from the "RS-6" Single-Family 6 District to the "FR" Farm Rural District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

6. [21-0997](#) Zoning Case No. 0721-01, Southern Builders Co, LLC (District 2). Ordinance rezoning a property located at or near 548 Cole Street from the "CG-2" General Commercial District and "RS-6" Single-Family 6 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

7. [21-1395](#) Ordinance amending the City's Film Ordinance to only require permits for filming that excludes the public from public property, providing for fee and insurance waivers, and providing for existing penalties.

Sponsors: Finance & Procurement

Consent - Public Safety First Reading Ordinances

8. [21-1323](#) Ordinance authorizing the acceptance of a \$15,000 grant from the Coastal Bend Regional Advisory Council for the Corpus Christi Fire Department Web Emergency Operations Center operations; and appropriating \$15,000 into the Fire Grants Fund.

Sponsors: Fire Department

Consent - Contracts and Procurement

9. [21-1302](#) Motion authorizing a three-year supply agreement with two one-year renewal options with Ergon Asphalt & Emulsions, Inc., of Austin, Texas, for emulsion oil in an amount not to exceed \$1,252,485.00, and potential \$2,080,275.00 if options are exercised, with FY 2022 funding in an amount not to exceed \$417,495.00 available through the Streets Fund.
Sponsors: Public Works/Street Department and Finance & Procurement
10. [21-1329](#) Motion authorizing a three-year service agreement with two additional one-year options in an amount not to exceed \$137,640.00 for the initial three-year term and a potential amount not to exceed \$232,120.00 if both option years are exercised, for mowing and grounds maintenance for Group Storm Water Group 2 (Rights of way, triangles, circles, interchange, and medians in 24 areas), with Maldonado Nursery & Landscaping Inc. of San Antonio, Texas with an office in Corpus Christi, Texas for the Public Works Department, with FY 2022 funding in an amount not to exceed \$45,880.00 available through the Storm Water Fund.
Sponsors: Public Works/Street Department and Finance & Procurement
11. [21-1379](#) Motion authorizing the approval of an additional services request with Pape-Dawson Engineers, Inc., San Antonio, Texas, for a comprehensive storm water master plan in a total amount of \$1,192,000.00 with FY 2022 funding available from the Development Services Fund.
Sponsors: Development Services

Consent - Capital Projects

12. [21-0907](#) Motion authorizing the award of a professional services contract to LJA Engineering, Corpus Christi, Texas, to provide design, bid, and construction phase services for the Salinas Park Improvements project, located in Council District 3, in an amount of \$69,625.00, with FY 2022 funding available from the Community Development Block Grant Fund.
Sponsors: Engineering Services, Parks and Recreation Department and Finance & Procurement
13. [21-0998](#) Resolution rejecting the low bid of Clore Equipment, LLC as non-responsive for failure to demonstrate the required experience by not completing the Statement of Experience and awarding a construction contract to Reytec Construction Resources, Inc., Corpus Christi, TX, for the reconstruction of Callicoatte Road from IH37 to Up-River Road, located in City Council District 1, with new concrete pavement and utility improvements in an amount of \$1,927,197.50, with FY 2022 funding available from the Streets Bond 2018, Storm Water, Wastewater, Water, and Gas Funds.
Sponsors: Engineering Services, Public Works/Street Department and Finance & Procurement

K. RECESS FOR LUNCH

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

L. 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. [21-1089](#) Zoning Case No. 0621-07, John C. Tamez (District 3). Ordinance rezoning property at or near 2302 County Road 43 from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

15. [21-1382](#) Ordinance amending the Urban Transportation Plan map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by shifting a proposed C1 Minor Residential Collector to the east, thereby extending Martin Street toward the south approximately 1,100 feet and connecting Martin Street to Lands Road.

Sponsors: Planning & Environmental Services

16. [21-1381](#) Ordinance accepting and appropriating three Federal Emergency Management Agency - Public Assistance reimbursement grants in the amounts of up to \$4,315,109.40 (sidewalk project), \$9,214,870.50 (channel project) and \$49,841.92 (stormwater project) for the Packery Channel Restoration to the Parks and Storm Water CIP Funds; and awarding a construction contract to Callan Marine, Ltd., in an amount of \$12,359,049.30 for the Packery Channel Restoration Project, located in Council District 4, with FY2022 funding available from the Parks, TIF2, and Storm Water CIP Funds.

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

M. INDIVIDUAL CONSIDERATION ITEMS:

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

N. FIRST READING ORDINANCES: (ITEMS 17 - 22)

17. [21-1391](#) Ordinance authorizing a special events agreement with the Buccaneer Commission, Inc. for 2022-2026 Buc Day Festival and related activities to allow use of City property including Shoreline Blvd. between Water's Edge Park and Resaca as well as the barge dock and the circle driveway adjacent to the American Bank Center, with payment of fees not to exceed \$50,550 in 2022, with an annual 3% revenue escalation.

Sponsors: Parks and Recreation Department

18. [21-1475](#) Ordinance authorizing an interlocal agreement with Nueces County (“County”) for park improvements including a splash pad water feature at Westhaven Park located near the intersection of Cliff Maus Drive at Rockford Drive, with third party construction costs not to exceed \$375,000.00, of which the County will pay \$200,000.00 and the City will pay up to \$175,000.00 for construction, with the City also responsible for the installation of water and wastewater lines needed for the project, estimated to be \$75,000.00, and permitting for the project; appropriating \$250,000.00 from the unreserved fund balance in the Community Enrichment Fund; and amending the operating budget.
- Sponsors:* Parks and Recreation Department
19. [21-1424](#) Ordinance approving the First Amended and Restated Addendum No. 1 to Lease Agreement with Foresight Corpus Christi Golf, L.L.C. a Texas Limited Liability Company, which provides for \$500,000.00 from the Corpus Christi B Corporation for the addition of lighting improvements at the practice range and executive 9-hole course at the Gabe Lozano Golf Course; appropriating \$500,000 from the Type B Fund; and amending the operating and capital budgets.
- Sponsors:* Parks and Recreation Department
20. [21-0133](#) Ordinance authorizing the acceptance of the Gulf of Mexico Energy Security Act (“GOMESA”) grant funding from the Texas General Land Office - Coastal Management Program and appropriating an amount of \$130,043.00 in the Community Development Grant Fund; and authorizing a Real Estate Sales Contract with Tracy Duncan in an amount of \$355,000.00 for the acquisition of 22.2427 acres of land located adjacent to Laguna Madre and in the Redhead Pond area, for stormwater re-route associated with the Bond 2018 Laguna Shores street reconstruction projects, located in Council District 4, with FY 2022 funding available from the Community Development Grant Fund.
- Sponsors:* Engineering Services
21. [21-1213](#) Ordinance authorizing the execution of the First Amended Lease and Operating Agreement with Texas State Aquarium Association to adjust the term to 20 years from the effective date of this amendment and provide up to \$3,000,000.00 for construction of new Wildlife Rescue Center.
- Sponsors:* Finance & Procurement
22. [21-1185](#) 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 in the amount of \$1,550,000 for the period August 18, 2021 through June 30, 2023 for activities to establish, expand, train and sustain public health workforce in support of Coronavirus 2019 (COVID-19) response through the following: hiring four full-time public health positions (two project managers, one public information officer and one accountant),

adjusting compensation for current Health District staff who were involved in the pandemic response March 2020 through May 2021, providing indirect cost reimbursement for general government support, and procuring office supplies.

Sponsors: Health Department

O. RECESS FOR CORPORATION MEETING: (ITEM 23)

23. [21-1454](#) Annual Board Meeting of the Corpus Christi Housing Finance Corporation to elect officers, consider a resolution amending and reaffirming the Corpus Christi Housing Finance Corporation's Investment Policy and Investment Strategy, consider a resolution increasing the bond issuance fee and consider an inducement resolution for \$15,000,000 in Multifamily Revenue Bonds for a new 144 unit affordable housing multi-family development at Greenwood Drive and Golihar Road.

Sponsors: Neighborhood Services

P. RECONVENE CITY COUNCIL MEETING:

Q. 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.

R. EXECUTIVE SESSION: (ITEM 24)

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.

24. [21-1476](#) **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 Corpus Christi-Nueces County Public Health District, various lawsuits, including, but not limited to, *John F. Smith v. Nueces County Texas and/or Corpus Christi-Nueces County Public Health District*, other legal issues related to the personnel, structure, and/or operation of said district, Texas Health and

Safety Code Chapter 121, the *Cooperative Agreement to Operate a Public Health District* and amendments, reformations, and attachments thereto, other laws and regulations governing public health districts, members and membership in the public health district, grants to the members of the public health district, and any potential actions that may be performed pursuant to the aforesaid statutes, agreement(s), and regulations.

S. **ADJOURNMENT**