



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, July 23, 2019

11:30 AM

Council Chambers

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 David Kelly, Trinity Worship.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Kristy Glick, Management Assistant, Development Services.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-0960](#) Proclamation declaring July 2019, "Watch Your Car Month".
Proclamation declaring July 21-27, 2019, "Feria De Las Flores Week" and July 27, 2019, "Feria De Las Flores Day".
Commendation for Captain Philip M. Brock, United States Navy.**

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**a. OTHER****G. MINUTES: (NONE)****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. 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 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. Unless otherwise stated below, Ordinances should be presumed to be second readings.

2. [19-0933](#) Ordinance adopting the fiscal year (FY) 2019-2020 Consolidated Annual Action Plan (CAAP) for the Community Development Block Grant (CDBG) budget in the amount of \$2,650,562.00, the Emergency Solutions Grant (ESG) budget in the amount of \$225,067.00, and the HOME Investment Partnerships (HOME) budget in the amount of \$1,055,648.00 for a total of \$3,931,277.00 of entitlement funding from the United States Department of Housing and Urban Development (HUD) and authorizing the City Manager or designee to execute all documents necessary to submit the CAAP, authorizing a staff complement of 27 positions; accept and appropriate funding for the approved CAAP projects and further execute funding agreements, amendments or other documents necessary to implement the FY2019-2020 CAAP with organizations for approved projects.
Sponsors: Housing and Community Development
3. [19-0613](#) Ordinance amending the Urban Transportation Plan map of MobilityCC, a transportation element of the City's Comprehensive Plan, for streets proposed in the London area between SH 286 and FM 763 and between the Oso Creek and FM 43; and amending MobilityCC by adding a HikeBikeCC map for the West Oso Creek Wilderness Trail.
Sponsors: Planning and Environmental/Strategic Initiatives
4. [19-0881](#) Ordinance disannexing approximately 662.51 acres located along Texas State Highway 361 and areas south of State Highway 361 from the City of Corpus Christi, Texas; adjusting the City boundaries accordingly and affirming annexations and boundaries; providing for severance, publication, and an effective date.
Sponsors: Planning and Environmental/Strategic Initiatives
5. [19-0935](#) Ordinance authorizing the establishment of Industrial District No. 8 within the Extraterritorial Jurisdiction of the City of Corpus Christi, Texas; and authorizing Industrial District Agreement with property owners within the Industrial District.
Sponsors: Planning and Environmental/Strategic Initiatives
6. [19-0939](#) Ordinance approving the amendment to the Tax Increment Reinvestment Zone #2 Amended Project & Financing Plans approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas, on

June 10, 2019.

Sponsors: Business Liaison

7. [19-0798](#) Ordinance authorizing an agreement with Nueces County Victims' Memorial Garden for donation and acceptance of Memorial Garden to be placed at Cole Park.
Sponsors: Parks and Recreation Department
8. [19-0597](#) Motion awarding a contract to Mako Contracting, LLC in the amount of \$603,463.91 for construction associated with Tennis Center Repairs and Upgrades, including removing and replacing three (3) existing tennis courts at the HEB Tennis Center funded by the 2012 Park Bond Program.
Sponsors: Engineering Services and Parks and Recreation Department
9. [19-0950](#) Motion authorizing the lease purchase of heavy equipment consisting of two mini excavators and three backhoes for excavations during installation of gas taps and service lines by Gas Operations from Doggett Heavy Machinery of Corpus Christi, Texas, for a total amount not to exceed \$542,760.32 funded through the Gas Fund.
Sponsors: Gas Department and Contracts and Procurement
10. [19-0884](#) Motion authorizing a two-year supply agreement for gas meters, that will be used for new services and replacement of models no longer supported, with Wilnat, Inc., dba Koons Gas Measurement of Tulsa, Oklahoma for the total amount not to exceed \$974,035.00, with the first year funded through the Gas Fund.
Sponsors: Gas Department and Contracts and Procurement
11. [19-0937](#) Motion authorizing the purchase of two replacement crew trucks from Silsbee Ford of Silsbee, Texas, for a total amount not to exceed \$106,861.11 funded through the Gas Fund.
Sponsors: Gas Department and Contracts and Procurement
12. [19-0660](#) Motion authorizing a one-year service agreement for rental of nine pickup trucks (half-ton), plus contingency vehicles to be used on a daily or weekly basis when needed, with United Rentals, Inc. of Corpus Christi, Texas, for an amount not to exceed \$113,361.10, with one additional one-year option for a total potential multi-year amount not to exceed \$226,722.20, with the first-year funding through the Water, Wastewater, and Gas Funds. The trucks will be used by Gas Department and Water Utilities Department to meet daily operational requirements while production and delivery of newly purchased replacement vehicles transpires.
Sponsors: Utilities Department, Gas Department and Contracts and Procurement
13. [19-0936](#) Resolution authorizing an agreement with Corpus Christi Alumina, LLC under Chapter 212 of the Texas Local Government Code, relating to the development of property in the City's extraterritorial jurisdiction.
Sponsors: Planning and Environmental/Strategic Initiatives

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEM 14)

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

14. [19-0959](#) 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

N. RECESS TO CORPORATION MEETING: (ITEM 15)

15. [19-0886](#) Meeting of the North Padre Island Development Corporation

Sponsors: Business Liaison

O. RECONVENE THE COUNCIL MEETING:**P. REGULAR AGENDA: (ITEMS 16 - 17)**

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

16. [19-0749](#) Motion awarding a contract to CGC General Contractors, Inc. of San Antonio, Texas for construction of a covered pavilion associated with the Packery Channel Pavilion Boat Launch project in the amount of \$218,387.70 for the base bid with funding available from the Tax Increment Reinvestment Zone #2.

Sponsors: Engineering Services and Parks and Recreation Department

17. [19-0968](#) Resolution amending Financial Budgetary Policies adopted by Resolution 031547 and providing financial policy direction on preparation of the annual budgets.

Sponsors: Office of Management and Budget

Q. FIRST READING ORDINANCES: (ITEMS 18 -20)

18. [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

19. [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

20. [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

R. BRIEFINGS: (ITEM 21)

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.

21. [19-0958](#) The 2020 Census helps to determine everything from the eligibility for federal funding to elected representation. The Complete Count Committee and Nueces Together (non-profit) are working together to ensure robust participation in the 2020 Census. Judge Canales will address Council regarding participation in their effort.

T. EXECUTIVE SESSION: (ITEM 22)

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.

22. [19-0983](#) **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 and potential litigation with the U.S.

Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Attorney General, and/or U.S. Department of Justice concerning the City's sanitary sewer system and/or water system, dissolved oxygen standards in Oso Bay, sanitary sewer overflows, and other regulatory matters related to the City's wastewater treatment plants.

U. 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.

V. ADJOURNMENT