



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, January 17, 2017

2:00 PM

Council Chambers

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 5:30 P.M. ON CITY-RELATED MATTERS THAT ARE NOT SCHEDULED ON THE AGENDA. PUBLIC COMMENT ON AGENDA ACTION ITEMS WILL BE HEARD AT THE TIME THE COUNCIL CONSIDERS THE AGENDA ITEM. 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 Dan McQueen to call the meeting to order.**
- B. Invocation to be given by Pastor David Bendett, Rock City Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Dr. Gloria Randall Scott, Volunteer at Solomon Coles High School.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations:**
 - 1. [17-0105](#) Swearing-In Ceremony for Newly Appointed Board, Commission and Committee Members.**
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. OTHER**

G. MINUTES:

2. [17-0066](#) Regular Meeting of January 10, 2017.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [17-0067](#) Airport Board
Committee for Persons with Disabilities
Crime Control and Prevention District Board
Parks and Recreation Advisory Committee

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. CONSENT AGENDA: (ITEMS 4 - 12)

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. [16-1430](#) **Service Agreement for On-Call Plumbing Services for the Corpus Christi Fire Department**

Motion authorizing City Manager, or designee, to execute a service agreement with Smart Plumbing, Inc., of Corpus Christi, Texas, for plumbing services, in accordance with Request for Bids No. 176, based on lowest, responsive and responsible bid for a total amount not to exceed \$76,115.00, with an estimated expenditure of \$51,000 in FY2016- 2017. The term of the agreement is for one year with option to extend for up to one additional one year period, subject to the approval of the Contractor and the City Manager, or designee.

Sponsors: Fire Department and Purchasing Division

5. [16-1428](#) **Amending Service Agreement to include Actuarial Services for the Human Resources Department**

Motion authorizing the City Manager or designee to amend a service agreement with Foster & Foster Actuaries and Consultants of Ft. Meyers, Florida to provide professional actuarial services for the Human

Resources Department for a total amount not to exceed \$34,500.00 of which \$7,666.67 is required in FY 2016-2017. The agreement is established for a three year period and includes an option to extend for one additional two year period, subject to the approval of the City Manager or designee.

Sponsors: Human Resources and Purchasing Division

6. [16-1380](#) **Reimbursement Resolution for Certificates of Obligation**

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds from the proceeds one or more series of tax-exempt or taxable obligations to be issued by the City in an aggregate amount not to exceed \$2,500,000 for authorized purposes relating to constructing various City improvements; authorizing matters incident and related thereto; and providing an effective date.

Sponsors: Financial Services Department, Street Department and Solid Waste Operations

7. [17-0014](#) **Second Reading Ordinance - Aligning Funds after Debt Refunding (1st Reading 1/10/17)**

Ordinance authorizing the appropriation and transfer of approximately \$2,781,207.34 of bond proceeds from various City Utility System CIP funds to Fund 3543 Streets TMPC CO CIP Fund; and the appropriation and transfer of approximately \$2,781,207.34 of related debt liability from various City Utility System operating funds to Fund 2010 General Obligation Debt Service Fund; amending the Fiscal Year 2017 operating budget adopted by Ordinance No. 030965 to increase revenues and expenditures by approximately \$2,781,207.34 each; and providing an effective date.

Sponsors: Financial Services Department

8. [16-1431](#) **Second Reading Ordinance - Accepting and appropriating additional grant funding for Police support in the Houston High Intensity Drug Trafficking Area (HIDTA) (1st Reading 1/10/17)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept additional grant funding in the amount of \$28,898.82 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Departments role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA); and appropriating the \$28,898.82 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

9. [16-1385](#) **Second Reading Ordinance - Amending the Ethics Code as recommended by the Ethics Commission (1st Reading 1/10/17)**

Ordinance amending the City Code of Ethics by revising sections to expand conflict of interest prohibitions; to prohibit disclosure or use of confidential information; to prohibit City Councilmember from participating in appointment of a person who contributed \$2700 or more to the Councilmember's campaign; to prohibit registration as a lobbyist within 2 years of leaving City service; to provide clarification of Ethics Commission review of Financial Disclosure Reports; providing for severance and providing for publication.

Sponsors: Legal Department

10. [16-1318](#) **Second Reading Ordinance - Closing a utility easement located at 3749 Pope Drive (1st Reading 1/10/17)**

Ordinance closing, abandoning, and vacating a 0.028-Acre portion of an existing utility easement out of a part of Lot 16, Block 8 of Hopper Addition No. 2, located at 3749 Pope Drive and requiring the owner, Fernando Fernandez, to comply with the specified conditions; authorizing the City Manager or designee to execute a Utility Relocation Agreement; appropriating \$31,000 into Gas Fund #4130 to be used to cap an 8-inch wrapped steel line and construct a new 8-inch wrapped steel line, and changing the FY 2016-2017 Operating Budget adopted by Ordinance number 030965- to increase revenues and expenditures each by \$31,000.

Sponsors: Development Services

11. [16-1390](#) **Second Reading Ordinance - Appropriating funds for the Advance Funding Agreement and Interlocal Agreement for the Strategic Integration (Travel Demand Model) Feasibility Study (Bond 2014, Proposition 2) (1st Reading 1/10/17)**

Ordinance appropriating \$368,000 of anticipated revenues from the Texas Department of Transportation (TXDOT); authorizing the City Manager, or designee, to execute an Advance Funding Agreement with TXDOT for the Strategic Integration (Travel Demand Model) Feasibility Study with a payment of \$18,400 due to TXDOT for reimbursement of direct state costs, and to execute an Interlocal Agreement with the Regional Transportation Authority (RTA) for their participation (\$55,200) in this project. (Bond 2014, Proposition 2)

Sponsors: Engineering Services

12. [17-0006](#) **Second Reading Ordinance - Appropriating Funds for the Collier Pool Renovations Rebid Package B (Restroom and Office Building) (Bond 2012, Proposition 4) (1st Reading 1/10/17)**

Ordinance appropriating \$29,943.70 from forfeited bid bond proceeds in the No. 3280 Park CIP Fund for the Collier Pool Renovations Rebid Package B (Restroom and Office Building) Project E14008; changing the FY 2017 Capital Improvement Budget adopted by Ordinance No. 030936; increasing revenues and expenditures in the amount of

\$29,943.70. (Bond 2012, Proposition 4)

Sponsors: Parks and Recreation Department and Engineering Services

K. PUBLIC HEARINGS: (ITEM 13)

13. [17-0096](#) **Public Hearing and First Reading Ordinance - Amending the Code of Ordinances by revising Chapter 14 Development Services Article II City of Corpus Christi Technical Construction Codes and Chapter 55, Utilities**

Ordinance amending Section 14-281, 14-231, 14-291, and 55-37 of the City's Code of Ordinances to amend the City's adopted International Plumbing, Building and Residential Codes, authorize the City to inspect, install, repair, and replace backflow assemblies and place the cost of said work on customer utility bills, amend other requirements related to the provision of water to reduce the chance of contamination of the City's water supply, and providing for penalties, publication, severance, and an effective date.

Sponsors: Development Services

L. REGULAR AGENDA: (ITEM 14)

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

14. [17-0077](#) **One-Reading Action Item - Resolution supporting the economic development efforts of the Corpus Christi Regional Economic Development Corporation, the Port of Corpus Christi and other community partners to attract new businesses and industry to the Coastal Bend**

Resolution expressing the full support and continued cooperation for the partnerships, incentives, investments, and job-creating strategies which will diversify the Coastal Bend economy, sustain the economic engines driving these communities, protect and enhance the quality of life and environment, instill community pride and solidarity of spirit and achieve career goals through expansion of academic and job opportunities.

Sponsors: Intergovernmental Relations and Economic Development

M. FIRST READING ORDINANCES: (ITEMS 15 - 18)

15. [17-0058](#) **First Reading Ordinance - Conversion and reclassification of 24 Firefighter I positions to 24 Firefighter II - EMS positions effective February 1, 2017 pursuant to Resolution No. 030964 and Settlement Agreement.**

Ordinance amending Ordinance No. 030965 Section 4. to convert and reclassify 24 Firefighter I positions to 24 Firefighter II-EMS positions

effective February 1, 2017 pursuant to Resolution No. 030964 and settlement agreement.

Sponsors: Fire Department

16. [17-0026](#) **First Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located south of South Padre Island Drive (SH 358), west of Flour Bluff Drive, along Glenoak Drive.**

Ordinance authorizing City Manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with David E. and Christine L. Harris ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$141,334.85 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

17. [17-0009](#) **First Reading Ordinance - Accepting and appropriating two donations for the North Beach Breakwater Plaza, North Shoreline Repair and Enhancement Project (Bond 2012, Proposition 8)**

Ordinance accepting and appropriating a donation in the amount of \$25,000 from the USS Lexington and a donation in the amount of \$25,000 from the Texas State Aquarium in Fund No. 3530 for the North Beach Breakwater Plaza, North Shoreline Repair and Enhancement Project E12129; Changing the FY 2017 Capital Improvement Budget adopted by Ordinance No. 030936 to increase revenues and expenditures by \$50,000. (Bond 2012, Proposition 8)

Sponsors: Engineering Services and Parks and Recreation Department

18. [17-0010](#) **First Reading Ordinance - Approving the Amendment to the Revised Project and Financing Plans for the Reinvestment Zone Number Two**

Ordinance approving the amendment to the Tax Increment Reinvestment Zone No. 2 Amended Project & Financing Plan approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas on January 17, 2017 regarding Park Road 22 Bridge Project, Packery Channel Monitoring and Improvements, and Budget Approval Process.

Sponsors: Interim Assistant City Manager

N. FUTURE AGENDA ITEMS: (ITEMS 19 - 29)

The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.

19. [17-0012](#) **Appointing Financial Advisor for Solid Waste Certificates of Obligation**
- Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Taxable Series 2017B in an amount not to exceed \$2,500,000.
- Sponsors:** Financial Services Department
20. [17-0093](#) **Resolution approving publication of Notice of Intention to Issue Certificates of Obligation**
- Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.
- Sponsors:** Financial Services Department
21. [16-1376](#) **Resolution approving a Homebuyer Assistance Program agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi.**
- Resolution approving an agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi for the Type A Affordable Housing Program - Homebuyer Assistance Program in the amount of \$107,500; and authorizing the City Manager or designee to execute said agreement.
- Sponsors:** Housing and Community Development
22. [16-1447](#) **Engineering Construction Contract for Corpus Christi International Airport (CCIA) Runway 18-36 and Associated Work**
- Motion authorizing the City Manager, or designee, to execute a construction contract with GL Contracting / Double Rafter H Construction Company, LLC. - Joint Venture of San Antonio, Texas in the amount of \$1,094,167.18 for the CCIA Runway 18-36 and Associated Work for the Base Bid (Asphalt Option) with a 90/10% respective share of contract costs between the FAA and the City.
- Sponsors:** Engineering Services and Aviation Department
23. [17-0007](#) **Engineering Construction Contract for City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program (Capital Improvement Program)**
- Motion authorizing the City Manager, or designee, to execute a construction contract with IPR South Central LLC of Pasadena, Texas in the amount of \$4,000,000 for the City-Wide Collection System

Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity Program (ID/IQ) for the Total Base Bid. The initial contract is anticipated as a two (2) year (730 calendar days) base contract, with three (3) optional one (1) year (365 calendar days) extensions subject to availability of funding and satisfactory contractor performance. The optional contract extension will not exceed an amount of \$2,000,000 per year and will be administratively authorized by the City Manager or designee based on available funding. (Capital Improvement Program)

Sponsors: Engineering Services and Water Utilities Department

24. [17-0008](#) **Engineering Construction Contract for Greenwood Drive Storm Water Improvements**

Motion authorizing the City Manager, or designee, to execute a construction contract with Clark Pipeline Services, LLC. of Corpus Christi, Texas in the amount of \$469,401.98 for the Greenwood Drive Storm Water Improvements.

Sponsors: Street Department, Water Utilities Department and Engineering Services

25. [17-0089](#) **Resolution approving Street Preventative Maintenance Program (SPMP) FY 2017 Annual Work Plan**

Resolution approving the concepts, direction, and general work plan for the Fiscal Year (FY) 2017 Street Preventative Maintenance Program (SPMP).

Sponsors: Street Department and Engineering Services

26. [17-0052](#) **Reimbursement Resolution for Certificates of Obligation**

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds from the proceeds one or more series of tax-exempt or taxable obligations to be issued by the City in an aggregate amount not to exceed \$9,650,000 for authorized purposes relating to constructing various City improvements; authorizing matters incident and related thereto; and providing an effective date.

Sponsors: Financial Services Department

27. [17-0015](#) **Resolution approving a Supply Agreement for Liquid Caustic Soda Solution**

Resolution rejecting all initial bids submitted for the purchase of liquid caustic soda ("chemical"); finding that the purchase of the chemical is necessary to preserve and protect the public health and safety of the City's residents; obtaining pricing through competitive solicitation; and authorizing the City Manager or designee to execute a one-year supply contract for the chemical with Univar of Kent, Washington, in an amount not to exceed \$1,362,882.00, of which an estimated expenditure of \$908,588.00 in FY2016-2017 is funded by the Water Fund, and includes

up to four one-year renewals.

Sponsors: Water Utilities Department and Purchasing Division

28. [17-0062](#) **Disbursement of Council Member Carolyn Vaughn's FY2016/2017 Salary & Car Allowance**

Motion authorizing the City Manager or designee to distribute Council Member Carolyn Vaughn's FY2016/2017 budgeted salary and associated payroll taxes, which are not to be received by Council Member Vaughn, in the amount of \$6,459.00, to Animal Care Services to be used to transport canines to other cities for the purpose of adoption and Council Member Carolyn Vaughn's FY2016/2017 budgeted car allowance and associated payroll taxes, which are not to be received by Council Member Vaughn, in the amount of \$4,521.30, to Animal Care Services to be used for the provision of diagnostic testing and the treatment of cruelly treated canines housed at the City's Animal Care Services facility.

Sponsors: City Secretary's Office

29. [17-0063](#) **Disbursement of Council Member Paulette M. Guajardo's FY2016/2017 Salary**

Motion authorizing the City Manager or designee to execute an agreement with 911 Park Place d.b.a. Mission 911, a Texas non-profit corporation, of Corpus Christi Texas, in the amount of \$4,950.73, to be funded by Council Member Paulette M. Guajardo's FY2016/2017 budgeted city council salary and associated payroll taxes, which are not to be received by Council Member Guajardo, in support of programs provided by 911 Park Place d.b.a. Mission 911 in the City of Corpus Christi, Texas.

Sponsors: City Secretary's Office

O. **BRIEFINGS: (ITEM 30)**

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.

30. [16-1399](#) **Financing Options**

Sponsors: Financial Services Department

- P. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 5:30 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. This Public Comment period is for items that are NOT on the Agenda. Your presentation will be 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 Public Communications department at 361-826-3211 to coordinate.**

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.

Q. EXECUTIVE SESSION: (ITEMS 31 - 34)

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.

- 31. [17-0054](#) Executive Session pursuant to Section 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 TxDOT Harbor Bridge Project and pursuant to Texas Government Code § 551.072 to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, area of and related to TC Ayers Park and other City Property in vicinity of existing or proposed Harbor Bridge) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in**

negotiations with a third person.

32. [17-0055](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning the legal issues related to classification and conversion of Fire Department employees and Chapter 143 of the Texas Local Government Code.
33. [17-0094](#) **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 pending and potential employment law litigation against the City, the Health District, and/or the officers and employees of said entity(ies), including potential approval of settlement(s), authorization of employment of attorneys and experts, and other actions related to said litigation.
34. [17-0100](#) **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 Railroad Commission Applications of Petro Waste Environmental, LP to operate a commercial disposal facility in McMullen County, Texas on a 1500 acre tract located approximately four miles north of Tilden, Texas.

R. **ADJOURNMENT**