



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, April 9, 2019

11:30 AM

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 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 Deacon Fred Castillo, Our Lady of Perpetual Help Catholic Church.**
- C. Pledge of Allegiance to the Flag of the United States 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. Proclamations / Commendations**
 - 1. [19-0480](#) Proclamation declaring April 7-13, 2019, "National Crime Victims' Rights Week".
Proclamation declaring April 8-13, 2019, "Week of the Young Child".
Proclamation declaring April 12-13, 2019, "Fiesta de la Flor Days" and CITGO Presentation.
Proclamation declaring April 14-20, 2019, "National Public Safety Telecommunicators Week".

Proclamation declaring April 2019, "Corpus Christi Safe Digging Month".
Swearing-In Ceremony for Newly Appointed Board, Commission,
Committee and Corporation Members.

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

a. UTILITY BILLING UPDATE

**b. [19-0471](#) TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS)
PRESENTATION**

c. OTHER

G. MINUTES:

**2. [19-0495](#) Regular Meeting of March 26, 2019, Workshop Meeting of March 28, 2019
and Special Meeting of April 2, 2019.**

H. BOARD & COMMITTEE APPOINTMENTS:

**3. [19-0474](#) Airport Board
Board of Adjustment
Corpus Christi Downtown Management District
Senior Companion Program 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. 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 Public Communications 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 4 - 11)

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. [19-0359](#) Purchase of two Ford F-150 crew cab trucks for the Police Department

Motion authorizing the purchase of two Ford F-150 crew cab trucks from Silsbee Ford Inc. of Silsbee, Texas for a total amount not to exceed \$62,736.10.

Sponsors: Asset Management Department, Police Department and Purchasing

Division

5. [19-0263](#) **Resolution authorizing a service agreement for maintenance and inspection of fire extinguishers**

Resolution rejecting the apparent low bid of Cintas Corporation and the apparent second low bid of Draco Fire and Safety, LLC as non-responsive and authorizing a five-year service agreement for fire extinguishers annual maintenance and inspection with IFS Fire and Safety Inc., of Corpus Christi, Texas, as the lowest responsive bidder, for an amount not to exceed \$153,175.50.

Sponsors: Fleet Maintenance Services and Purchasing Division

6. [19-0433](#) **Motion appointing Council Member Everett Roy to the American Bank Center's Advisory Council.**

Sponsors: City Manager's Office

7. [19-0377](#) **Second Reading Ordinance - Rezoning for a Property located at or near 3502 County Road 7B. (1st Reading 3/26/19)**

Case No. 0219-03 Mostaghasi Investment Trust: Request for rezoning property at or near 3502 County Road 7B from the "FR" Farm Rural District and the "CG-2" General Commercial District to the "RS-6" Single-Family 6 District.

Planning Commission and Staff Recommendation (February 20, 2019): Approval of the change of zoning from the "FR" Farm Rural District and the "CG-2" General Commercial District to the "RS-6" Single-Family 6 District.

Ordinance rezoning property at or near 3502 County Road 7B from the "FR" Farm Rural District and the "CG-2" General Commercial District to the "RS-6" Single-Family 6 District.

Sponsors: Development Services

8. [19-0378](#) **Second Reading Ordinance - Rezoning for a Property located at or near 213 Kleberg Place. (1st Reading 3/26/19)**

Case No. 0219-04 SCCBH, LLC: Request for rezoning property at or near 213 Kleberg Place from the "RM-AT" Multifamily AT District to the "CR-1" Resort Commercial District.

Planning Commission and Staff Recommendation (February 20, 2019): Approval of the change of zoning from the "RM-AT" Multifamily AT District to the "CR-1" Resort Commercial District.

Ordinance rezoning property at or near 213 Kleberg Place from the "RM-AT" Multifamily AT District to the "CR-1" Resort Commercial District.

Sponsors: Development Services

9. [19-0379](#) **Second Reading Ordinance - Amending the Unified Development Code regarding bars, taverns or pubs (1st Reading 3/26/19)**

Ordinance amending the Unified Development Code regarding specific standards relating to bars, taverns or pubs.

Sponsors: Development Services

10. [19-0382](#) **Second Reading Ordinance - Urban Transportation Plan map amendment for a segment of Bronx Avenue (1st Reading 3/26/19)**

Ordinance amending Urban Transportation Plan map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by removing a segment of Bronx Avenue.

Sponsors: Planning and Environmental/Strategic Initiatives

11. [19-0390](#) **Second Reading Ordinance - Accepting and appropriating grant funds for Local Emergency Planning Committee (LEPC) for Fire Department (1st Reading 3/26/19)**

Ordinance authorizing execution of all documents necessary to accept a grant to the City of Corpus Christi/Nueces County Local Emergency Planning Committee in the amount of \$5,000 from Texas Commission on Environmental Quality; and appropriating \$5,000 in No. 1062 LEPC Fund.

Sponsors: Fire Department

L. **FUTURE AGENDA ITEMS: (ITEMS 12 - 17)**

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

12. [19-0269](#) **Emergency Medical and Police Priority Dispatch Call Center System Software**

Resolution authorizing a six-year service agreement for the purchase of emergency medical and police priority dispatch call center system software from Priority Dispatch Corp., of Salt Lake City, Utah for a total amount not to exceed \$396,260.

Sponsors: Police Department and Purchasing Division

13. [19-0453](#) **Eventide Recorder Maintenance for MetroCom**

Resolution authorizing a five-year maintenance agreement for Eventide Recorder Maintenance with DigitalMarkets, Inc., dba Vista Com of Houston, Texas for a total amount not to exceed \$49,901.

Sponsors: Police Department and Purchasing Division

14. [19-0404](#) Plumbing Services for the Corpus Christi Fire Department

Motion authorizing a one-year service agreement for plumbing services with Smart Plumbing Inc., of Corpus Christi, Texas for an amount not to exceed \$48,367.50 with two one-year options for a total potential multi-year amount of \$145,102.50.

Sponsors: Fire Department and Purchasing Division

15. [19-0437](#) Light Vehicle Repair & Services for the Corpus Christi Fire Department

Motion authorizing a one-year service agreement for light vehicle repair & services for the Corpus Christi Fire Department with Sylvia Ann Barton, dba Leroy and Richards Automotive of Corpus Christi, Texas for an amount not to exceed \$70,785.90 with two one-year options for a total potential multi-year amount of \$212,357.70.

Sponsors: Fire Department and Purchasing Division

16. [19-0342](#) Professional Services Contract for O.N. Stevens Water Treatment Plant (ONSWTP) Clearwell No.3 (Capital Improvement Program)

Motion to authorize execution of a professional services contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$1,803,753 for design of O.N. Stevens Water Treatment Plant Clearwell No. 3.

Sponsors: Water Utilities Department and Engineering Services

17. [19-0483](#) Resolution in recognition of David G. Noyola, honoring his many years of service to Corpus Christi.

Sponsors: City Secretary's Office

M. RECESS FOR LUNCH

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

N. PUBLIC HEARINGS: (ITEMS 18 - 20)**18. [19-0451](#) Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 5813 and 6001 Old Brownsville Road.**

Case No. 0319-01 Greer Evans and Halaj Trust: Request for rezoning property at or near 5813 and 6001 Old Brownsville Road from the "FR" Farm Rural District and the "RS-6" Single-Family District to the "IL" Light Industrial District.

Planning Commission and Staff Recommendation (March 6, 2019):

Tract 1: Denial of the change of zoning from the "FR" Farm Rural District and the "RS-6" Single-Family District to the "IL" Light

Industrial District, in lieu thereof, approval of the "IC" Industrial Compatible District.

Tract 2: Approval of the change of zoning from the "RS-6" Single-Family District to the "IL" Light Industrial District.

Ordinance rezoning property at or near 5813 and 6001 Old Brownsville Road from the "FR" Farm Rural District and the "RS-6" Single-Family District to the "IC" Industrial Compatible District ON Tract 1 and from the RS-6" Single-Family District to the "IL" Light Industrial District on Tract 2.

Sponsors: Development Services

19. [19-0452](#) **Public Hearing and First Reading Ordinance amending amending City Code to revise regulatory standards related to freeboard, limit of moderate-wave action, and non-conversion agreement**

Ordinance amending the Code of Ordinances, Chapter 14, Article V, Flood Hazard Prevention adopting higher standards, and providing for penalties'.

Sponsors: Development Services

20. [19-0406](#) **Public Hearing and First Reading Ordinance - Urban Transportation Plan Amendment for Oso Parkway and Brezina Road**

Ordinance amending Urban Transportation Plan map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by removing a segment of Oso Parkway and Brezina Road.

Sponsors: Planning and Environmental/Strategic Initiatives

O. REGULAR AGENDA: (ITEM 21)

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

21. [19-0400](#) **Second Reading Ordinance - Interlocal Agreement with the Port of Corpus Christi Authority for a permitting program (1st Reading 3/19/19)**

Ordinance authorizing execution of an Interlocal Agreement between City of Corpus Christi and Port of Corpus Christi Authority for a permitting program; and waiving building permit requirements for Port of Corpus Christi Authority property.

Sponsors: Development Services

P. FIRST READING ORDINANCES: (NONE)

Q. BRIEFINGS: (ITEMS 22 - 24)

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.

22. [19-0491](#) **Port of Corpus Christi Update**
23. [19-0506](#) **North Beach Infrastructure Task Force**
24. [19-0388](#) **Biennial Trust Fund**

Sponsors: Development Services

R. **LEGISLATIVE UPDATE:**

This item is for Council's informational purposes only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.

S. **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. [19-0489](#) **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, Park Mitigation Issues, the Agreement for the Adjustment of City of Corpus Christi Municipal Utilities in Connection with the U.S. 181 Harbor Bridge Replacement Project, and other agreements, commitments, or other obligations related to the 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, property for parks, recreation facilities, or other mitigation for the Harbor Bridge Project in the 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.**
26. [19-0508](#) **Executive session pursuant to Texas Government Code § 551.074**

(Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

T. 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.

U. ADJOURNMENT