



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, October 29, 2019

11:30 AM

Council Chambers

Addendums may be added on Friday.

- A. **Mayor Joe McComb to call the meeting to order.**
- B. **Invocation to be given by Pastor Rick Barrera, Believe Church.**
- C. **Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Jim Davis, Director of Asset Management.**
- D. **City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. **Proclamations / Commendations**
 - 1. [19-1470](#) Proclamation declaring October 10, 2019, " Real Men Wear Pink Day".
Proclamation declaring October 28-November 1, 2019, "Red Ribbon Week".
Proclamation declaring November 2, 2019, "Face to Face Walk for Memory Day".
Proclamation declaring November 2019, "50th Anniversary Month of Freddie Records".
Commendation for K-Space Contemporary.
- F. **PUBLIC COMMENT - APPROXIMATELY 12:00 P.M. 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. This is a public hearing for all items on this agenda.**
- G. **CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. **OTHER**
 - 2. [19-1474](#) North Beach Drainage Analysis

H. MINUTES:

3. [19-1485](#) Regular Meetings of September 24, 2019 and October 15, 2019 and Special Meeting of October 1, 2019.

I. BOARD & COMMITTEE APPOINTMENTS:

4. [19-1469](#) ~~Sister City Committee (3 vacancies)~~

This item will not be considered.

J. 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.

K. CONSENT AGENDA: (ITEMS 5 - 20)

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.

Second Reading Ordinances - Consent

5. [19-1351](#) Case No. 0819-04, Mirabal Development Group, LC (District 5). Ordinance rezoning property at or near 6805 Sandra Lane from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.
Sponsors: Development Services
6. [19-1352](#) Ordinance authorizing acceptance of a grant in the amount of \$48,889.40 grant from the State of Texas, Criminal Justice Division for Violence Against Women (VAWA) Program with a cash match of \$17,808.91 and in-kind match of \$2,160; appropriating \$48,889.40 in the Police Grants Fund; and authorizing a transfer of \$17,808.91 from the General Fund to the Police Grants Fund.
Sponsors: Police Department
7. [19-1266](#) Ordinance authorizing the acceptance of a grant in the amount of \$40,000 from the Office of the Governor's Homeland Security Grants Division for

FY2020 Local Border Security Program; and appropriating \$40,000 in Police Grants Fund.

Sponsors: Police Department

8. [19-1307](#) Ordinance approving the purchase of ten replacement trailers not to exceed \$153,963.00 to be used daily by the Utilities Department to transport heavy equipment to worksites from H & V Equipment Service, Inc. via the Buy Board Cooperative; appropriating \$59,180.20 from the unreserved fund balance in the Water Fund, \$70,969.00 from the unreserved fund balance in the Wastewater Fund and \$23,813.80 from the unreserved fund balance in the Storm Water Fund; and amending the FY 2019-2020 operating budget to increase expenditures.

Sponsors: Utilities Department and Contracts and Procurement

9. [19-1305](#) Ordinance approving the purchase of four 2019 Ford F-150 regular cab pick-up trucks in an amount not to exceed \$110,837.00 to be used by Construction Inspectors in Engineering Services from Silsbee Ford of Silsbee, Texas via the GoodBuy Purchasing Cooperative; appropriating \$110,837.00 from the unreserved fund balance in the Engineering Services; and amending the FY 2019-2020 operating budget to increase expenditures.

Sponsors: Engineering Services and Contracts and Procurement

Contracts and Procurement - Consent

10. [19-1035](#) Resolution authorizing execution of an Interlocal Cooperation Agreement with the Corpus Christi Downtown Management District for the maintenance of 104 planters in the downtown area for an initial period of four years.

Sponsors: Business Liaison and Engineering Services

11. [19-1378](#) Motion authorizing a three year Office Lease Extension Agreement with Corpus WCEC, LLC of Dallas, Texas for lease of North Suite No 113 A in Wilson Plaza (5,503 square feet) for the operation of the City Detention Center for an amount not to exceed \$275,865.48, with first-year funding in the amount of \$91,955.16 available in the General Fund, beginning in Fiscal Year 2020.

Sponsors: Municipal Court Administration

12. [19-1379](#) Motion authorizing Amendment No. 1 to Supply Agreement No. 1261 with Chemtrade Chemicals US, LLC, of Parsippany, New Jersey, for an amount not to exceed \$97,500.00 for the 24-month term, increasing the 24-month contract amount from \$701,882.00 to \$799,382.00, allowing a price increase to the contract for the purchase of liquid ammonium sulfate solution used as a source of ammonia in the formation of chloramines to disinfect the treated water at O. N. Stevens Water Treatment Plant. Funding is available through the Water Fund.

Sponsors: Utilities Department and Contracts and Procurement

Capital Projects - Consent

13. [19-0853](#) Motion awarding a contract to Bath Engineering for design and preparation of construction documents to implement Mechanical, Electrical and Plumbing (MEP) upgrades for the Police Headquarters building in the amount of \$143,115, located in City Council District 1, effective upon issuance of notice to proceed, with funding approved and available from Bond 2018, Proposition E, Public Health & Safety.
- Sponsors:** Police Department, Asset Management Department, Contracts and Procurement and Engineering Services
14. [19-1390](#) Motion awarding a contract to Clark Pipeline Services, LLC for reconstruction of Frio, Hacala, and Dorado Street Corridor from Greenwood Drive to Martin Street with new asphalt pavement and underground utility improvements in the amount of \$4,476,609.27. This project is located in City Council District 3, the contract will be effective upon issuance of notice to proceed, and funding is available from Bond 2018 Proposition A, Bond 2016 Streets, and the Utility Capital Improvement Program.
- Sponsors:** Street Department, Contracts and Procurement and Engineering Services
15. [19-1413](#) Motion awarding a contract to Hanson Professional Services Inc., for preparation of bid documents, street rebuild design, and delivery orders for the \$32.55 Million Residential Street Rebuild Program in the amount of \$3,389,252.89, located in all City Council districts, effective upon issuance of notice to proceed, with funding available from Bond 2018, Proposition A, Residential Street Construction Fund, and Utility Capital Program.
- Sponsors:** Street Department and Engineering Services
16. [19-1391](#) Motion awarding a contract to CPC Interests, LLC d/b/a Clark Pipeline Services, LLP, for construction improvements under the Citywide Water Distribution System Indefinite Delivery/Indefinite Quantity (IDIQ) Program, in the amount up to \$5,000,000 plus two (2) optional administrative renewals for a total contract price up to \$15,000,000 for Citywide improvements, and is effective upon issuance of notice to proceed, with funding available from the Water Capital Improvement Program.
- Sponsors:** Utilities Department, Contracts and Procurement and Engineering Services
17. [19-1343](#) Motion authorizing a contract with J.S. Haren Company of Athens, Tennessee for the Whitecap Wastewater Treatment Plant (WWTP) Emissions/Odor Control and Bulkhead Rehabilitation project in the amount of \$1,916,000, to rehabilitate the emission/odor control system and repair the bulkhead. The project is located in City Council District No. 4. The contract will proceed upon the issuance of a notice to proceed and funding is approved and available through the Wastewater Capital Improvement Program (CIP) Budget.

Sponsors: Utilities Department and Engineering Services

18. [19-1400](#) Motion awarding a contract to SCS Engineers of Bedford, Texas for design of Cefé Valenzuela Gas Collection Control System (GCCS) expansion of Cells 1B, 1C and 3C in the amount of \$163,500, effective upon issuance of notice to proceed, with funding approved and available from budgeted Solid Waste Capital Improvement Funds.

Sponsors: Solid Waste Operations, Contracts and Procurement and Engineering Services

General Consent Items

19. [19-1419](#) Motion approving the 2019 Property Tax Levy of \$135,974,569.95 based on the adopted property tax rate of \$0.646264 per \$100 valuation, in accordance with Section 26.09 (e) of the Texas Tax Code.

Sponsors: Finance & Business Analysis

20. [19-0651](#) Resolution nominating Valero Refining - Texas, L.P. to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an enterprise project pursuant to the Texas Enterprise Zone Act to encourage and to allow a rebate of State sales tax.

Sponsors: Economic Development

L. **RECESS FOR LUNCH**

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

M. **PUBLIC HEARINGS: (ITEMS 21 - 22)**

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

21. [19-0996](#) Ordinance pertaining to North Beach designating a 1,423 acre area within the jurisdiction of the City of Corpus Christi Tax Increment Reinvestment Zone (TIRZ) Number 4; setting a maximum City financial participation of \$20,000,000 via a scaled contribution for a period not to exceed 20 years; establishing a Board of Directors for the TIRZ; and, establishing a preliminary Project and Financing Plan.

Sponsors: Business Liaison

22. [19-1377](#) Ordinance closing, abandoning and vacating a 16,500 square foot portion of 6th Street, a portion of public street lying between Buford Avenue and Hancock Avenue, conditioned upon payment of \$28,000 for fair market value of the improved street and execution of an agreement to relocate stormwater infrastructure. (District 1)

Sponsors: Development Services

N. **REGULAR AGENDA: (NONE)**

The following items are motions, resolutions and ordinances that will be considered and

voted on individually.

O. FIRST READING ORDINANCES: (ITEMS 23 - 32)

23. [19-1100](#) Zoning Case No. 0719-02 B&A Terra Firma Development, LLC: (District 4) Ordinance rezoning property at or near 2110 Laguna Shores Road from the "RE" Residential Estate District to the "RS-6" Single Family 6 District. Planning Commission and Staff recommend Approval. Requires 3/4 Vote for zoning change.

Sponsors: Development Services

24. [19-1383](#) Ordinance authorizing acceptance of grant from U. S. Department of Justice, Bureau of Justice Assistance, in amount of \$175,175 for FY 2019 Edward Byrne Memorial Justice Assistance Grant Program; and appropriating \$175,175 in Police Grants Fund with \$80,917 of funds distributed to Nueces County and \$13,340 of funds distributed to City of Robstown. The remaining funds of \$80,918 will be used by the City for enhancement of law enforcement efforts.

Sponsors: Police Department

25. [19-1455](#) Ordinance approving the purchase of Harris Public Safety communication radios in an amount not to exceed \$3,567,032.20 to be used by the Corpus Christi Police Department from Dailey and Wells Communications, Inc; appropriating \$1,189,010.73, from the unreserved fund balance of the General Fund initially budgeted in FY 2019 for this purpose but not encumbered; and amending the FY 2019-2020 operating budget to increase expenditures.

Sponsors: Information Technology Services and Contracts and Procurement

26. [19-1388](#) Ordinance authorizing an agreement with Texas Food and Wine Festival, LLC to allow use of Heritage Park and portions of Fitzgerald Street and Hughes Street for the Corpus Christi Food and Wine Festival Event and related activities on November 23, 2019.

Sponsors: Parks and Recreation Department

27. [19-1431](#) Ordinance authorizing a 20-year Lease Agreement with Art Community Center of Corpus Christi, Inc. a Texas nonprofit corporation, for continued use and operation of the Art Community Center at no charge, located at 100 N. Shoreline Blvd. for use by local and visiting artists, to provide meeting rooms, art exhibits, an information center, a gift shop, a restaurant, display areas for the arts, and art classes.

Sponsors: Parks and Recreation Department

28. [19-1398](#) Ordinance accepting \$31,105.92 from Epic Y Grade Pipeline, LP and authorizing an amendment to the existing Revocable Easement to allow construction of an additional 12-inch pipeline.

Sponsors: Utilities Department and Engineering Services

29. [19-1399](#) Ordinance accepting \$103,770 from Dean Pipeline Company, LLC and authorizing conveyance of three Revocable Easements with Temporary Construction Easements on City-owned properties, to allow construction of one 8-inch pipeline.
Sponsors: Utilities Department and Engineering Services
30. [19-1393](#) Ordinance approving the purchase of twenty-six pickup trucks for a total amount not to exceed \$951,159.04 from Silsbee Ford of Silsbee, Texas via the GoodBuy Purchasing Cooperative to be used by the Utilities Department's staff for daily operations; appropriating \$951,159.04 from the unreserved fund balance in the Water Fund, the Wastewater Fund, and the Storm Water Fund that was previously budgeted in FY 2019 for this purpose but not encumbered; and amending the FY 2019-2020 operating budget to increase expenditures.
Sponsors: Utilities Department and Contracts and Procurement
31. [19-1437](#) Ordinance appropriating anticipated revenues from the Texas Department of Transportation (TxDOT) in the amount of \$635,549 and awarding a contract to Mako Contracting, LLC. for construction of sidewalk and lighting improvements for the S.E.A. District Pedestrian Improvement project in the amount of \$794,436.22. The project is located in City Council District 1 and the contract will begin upon issuance of notice to proceed. Funding is approved and available from an 80% TxDOT grant and a 20% match from Street Bond 2016 CIP.
Sponsors: Street Department and Engineering Services
32. [19-1481](#) Ordinance authorizing the execution of the Second Addendum to the Water Supply Agreement with the Beeville Water Supply District, subject to release of all claims by Beeville Water Supply District and City of Beeville against the City of Corpus Christi and subject to withdrawal of all administrative proceedings filed by Beeville Water Supply District and City of Beeville against the City of Corpus Christi in the Public Utility Commission of Texas and subject to payment of all amounts determined by the City Manager to be owed pursuant to the existing contract between the parties after waiver of \$162,809.85 of Future Water Resources Reserve Fund charges that were contested and withheld by said District and authorizing the City Manager to make the aforesaid waiver.
Sponsors: Assistant City Manager and Utilities Department

P. BRIEFINGS: (NONE)

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.

Q. EXECUTIVE SESSION: (ITEMS 33 - 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.

- 33. [19-1454](#) **Executive Session pursuant to Texas Government Code § 551.071****
and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning litigation including, but not limited to, the case of *Graham Construction Services, Inc. et al v. City of Corpus Christi et al*, including potential consideration of settlement offers and/or fees for attorneys, engineers, and other expert witnesses assisting in defense of action(s) and updates on litigation in other cases.

- 34. [19-1453](#) **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 sanitary sewer overflows and the City's sanitary sewer system, water system, and/or drainage system and/or potential future litigation involving the U.S. Environmental Protection Agency, State of Texas, and/or U.S. Department of Justice.

R. 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.

S. ADJOURNMENT

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.