



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, August 27, 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 Communication 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 Kevin Jennings, Mt. Olive Lutheran Church.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Kamil Taras, Capital Improvement Program Manager, Budget Department.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-1206](#) Commendations for 2019 National Senior Games Participants.**
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. OTHER**

G. MINUTES:

2. [19-1181](#) Regular Meeting of August 20, 2019 and Workshop Session of August 15, 2019.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [19-1179](#) Arts & Cultural Commission (3 vacancies)
Community Youth Development (78415) Program Steering Committee (4 Vacancies)
Senior Companion Program Advisory Committee (2 vacancies)
Sister City Committee (3 vacancies)

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 4 - 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.

4. [19-1063](#) Zoning Case No: 0619-02 Texas State Roofing Company, LLC (District 2). Ordinance rezoning property at or near 916 South Alameda from the "CG-2" General Commercial District to the CG-2/SP" General Commercial District with a Special Permit. Planning Commission and Staff recommend Approval.
Sponsors: Development Services
5. [19-1064](#) Zoning Case No. 0519-03 Sergio and Magali Martinez (District 1) Ordinance rezoning property at or near 2934 Highland Avenue from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District. Planning Commission and Staff recommend Approval.
Sponsors: Development Services
6. [19-1086](#) Ordinance authorizing acceptance of \$171,000 grant from Texas Department of Transportation for the 2020 Comprehensive Selective Traffic Enforcement Project to increase traffic enforcement with a City match of \$49,553.37 from the FY 2020 General Fund.
Sponsors: Police Department
7. [19-1043](#) Ordinance authorizing the purchase of 180 Police vehicle video recording systems and a five-year service agreement for installation and maintenance from Turn-Key Mobile, Inc. of Jefferson City, Missouri, via

Texas Department of Information Resources Cooperative for a total amount not to exceed \$1,541,113.15; appropriating \$1,541,113.15 from the unreserved fund balance of the Liability and Employee Benefits - General Liability Fund; transferring to the IT Fund; and amending the FY 2018-2019 operating budget adopted by Ordinance No. 031548; funded through the Liability and Employee Benefits - General Liability Fund.

Sponsors: Police Department, Information Technology Services and Contracts and Procurement

8. [19-1117](#) Ordinance authorizing the issuance of “City of Corpus Christi, Texas Utility System Junior Lien Revenue Improvement and Refunding Bonds, Series 2019” for Water and Wastewater Utility improvements in an amount not to exceed \$113,000,000 and authorizing other matters incident and related thereto.
- Sponsors:** Financial Services Department
9. [19-1119](#) Ordinance authorizing the issuance of “City of Corpus Christi, Texas General Improvement Refunding Bonds, Series 2019” related to Parks and Recreation improvements in an amount not to exceed \$9,000,000 and authorizing other matters incident and related thereto.
- Sponsors:** Financial Services Department
10. [19-1120](#) Ordinance authorizing the issuance of “City of Corpus Christi, Texas General Improvement Refunding Bonds, Taxable Series 2019” related to Airport improvements in an amount not to exceed \$4,000,000 and authorizing other matters incident and related thereto.
- Sponsors:** Financial Services Department
11. [19-1071](#) Motion authorizing a three-year service agreement with Richard E. Cruz, dba Rick’s Detail and Body Shop, for vehicle paint and body repairs of fleet units assigned to the Fire Department in an amount not to exceed \$254,700.00, effective upon issuance of a notice to proceed, with funding available in the General Fund.
- Sponsors:** Fire Department and Contracts and Procurement
12. [19-1134](#) Motion awarding a contract to Berry Contracting LP dba Bay, Ltd. for reconstruction of Holly Road from Rodd Field Road to Ennis Joslin Road using asphalt pavement and providing required utility improvements in the amount of \$8,345,032.20, effective upon issuance of notice to proceed, with funding approved and available in Type B and Utility Capital Improvement Budgets. (Council District 4)
- Sponsors:** Street Department and Engineering Services
13. [19-1052](#) Resolution authorizing the City Manager, or designee, to execute an Advance Funding Agreement with the Texas Department of Transportation (TXDOT) with the City’s local participation in the amount of \$48,700.80 for water valve adjustments associated with the SH 358 Nueces Ramp Reversal PH II-A with funds available from the Water Capital Improvement

Program.

Sponsors: Street Department and Engineering Services

14. [19-1053](#) Motion awarding Amendment 1 to a contract with Mott MacDonald, LLC in the amount of \$224,862 for a total restated fee of \$247,362 to provide engineering and design services for assistance with the North Beach Coastal Protection project, effective upon issuance of Notice to Proceed, with funding available in Bond 2018, Proposition A. (Council District 1)
- Sponsors:** Engineering Services
15. [19-0985](#) Motion authorizing a three-year service agreement with Texas Land Reclamation LLC, dba UTW Tire Collection Services, for tire collection and recycling/disposal services for a total amount not to exceed \$356,400.00, effective upon issuance of a notice to proceed, with the first-year funding in the amount of \$118,800.00 through the General Fund and Fleet Maintenance Services Fund.
- Sponsors:** Solid Waste Operations, Asset Management Department and Contracts and Procurement
16. [19-1145](#) Motion awarding a contract to Burns & McDonnell for services associated with a Solid Waste Operational Assessment including engineering analysis and business operations assessment in the amount of \$144,800 effective upon issuance of notice to proceed, with funding available from Solid Waste 2019 Operations Fund.
- Sponsors:** Solid Waste Operations and Engineering Services
17. [19-1069](#) Motion authorizing a lease-purchase with Vermeer Texas-Louisiana to purchase one directional boring machine for an amount not to exceed \$428,244.34, effective upon issuance of a letter of acceptance, with first-year in the amount of \$85,448.88 funding available through the Gas Fund.
- Sponsors:** Gas Department and Contracts and Procurement
18. [19-1070](#) Motion authorizing a lease-purchase with EKA Government Sales Experts to purchase two trenchers; a Ditch Witch RT45A compact trencher and a Ditch Witch RT850T4 heavy duty trencher, in an amount not to exceed \$200,573.05, effective upon issuance of a letter of acceptance, with first-year funding in the amount of \$39,914.64 available in the Gas Fund.
- Sponsors:** Gas Department and Contracts and Procurement
19. [19-1037](#) Motion authorizing a three-year supply agreement with Champion Industrial Sales, LLC for the purchase of welding equipment and supplies, for a total amount not exceed \$100,739.94, effective upon issuance of a notice to proceed, with first-year funding in the amount of \$33,579.80 through the Stores Fund.
- Sponsors:** Contracts and Procurement
20. [19-1054](#) Motion authorizing a two-year service agreement with Patterson Capital

Management, L.P., dba Patterson & Associates, for investment advisor services in an amount not to exceed \$60,000.00, with two additional two-year renewal options with escalation cost for a potential total amount not to exceed \$184,000.00, effective upon issuance of a notice to proceed, with funding available in the General Fund.

Sponsors: Financial Services Department and Contracts and Procurement

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEMS 21 - 25)

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

21. [19-1155](#) First Public Hearing on Fiscal Year 2020 Ad Valorem Tax Rate
Sponsors: Financial Services Department
22. [19-1098](#) Zoning Case No. 0719-01 Corpus Christi Limousines Unlimited, Inc. (District 1) Ordinance amending Zoning Ordinance 031465 on a property at or near 4001 Leopard Street by adding a 12-month time extension to the special permit time initially approved. Planning Commission and Staff recommend Approval.
Sponsors: Development Services
23. [19-1100](#) ***This item has been rescheduled for October 1, 2019.***
~~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.~~
Sponsors: Development Services
24. [19-1102](#) Zoning Case No: 0719-04 Guillermo Munoz. (District 1) Ordinance rezoning property at or near 121 Pueblo Avenue from the "IL" Light Industrial District to the "RM-3" Multi Family Residential District. Planning Commission and Staff recommend Approval.
Sponsors: Development Services
25. [19-1103](#) Zoning case No: 0719-03, Cloudcroft Land Ventures, Inc. (District 5) Ordinance rezoning property at or near 6202 Yorktown Boulevard from the "RM-1" Multifamily District to the "CN-1" Neighborhood Commercial District. Planning Commission and Staff recommend Approval.
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 26 - 28)

26. [19-1022](#) Ordinance authorizing a Water Distribution Main Line Extension Construction and Reimbursement Agreement with Esther Ybarra to extend a line to a planned residential property located at 7541 Weber Road for a term not to exceed 12 months; appropriating \$101,950.24 from the Water Distribution Main Trust Fund to reimburse developer. (District 3)

Sponsors: Development Services

27. [19-1127](#) Ordinance authorizing a Water Distribution Main Extension Construction and Reimbursement Agreement with NP Homes LLC to extend lines from Rand Morgan Road and McNorton Road for a planned residential subdivision, for a term not to exceed six months from the execution of the agreement; appropriating \$40,537.20 from the Water Distribution Main Trust Fund to reimburse developer. (District 1)

Sponsors: Development Services

28. [19-1201](#) Ordinance authorizing an agreement with Corpus Christi PATCH, Inc. to allow use of portions of Taylor, Mesquite, Starr and Chaparral Streets for the Que Bueno Taco Festival and related activities scheduled for September 14, 2019.

Sponsors: Parks and Recreation Department

P. RECESS FOR CORPORATION MEETINGS: (ITEM 29)

29. [19-1122](#) Annual Meeting of the North Padre Island Development Corporation

Sponsors: Business Liaison

Q. RECONVENE COUNCIL MEETING:**R. 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. 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.

30. [19-1051](#) Water Supply Trigger Point Factors and Recommendations

Sponsors: Water Utilities Department

S. EXECUTIVE SESSION: (ITEMS 31 - 32)

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. [19-1211](#) **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 contractual obligations pursuant to the lease of property to SQH Sports & Entertainment, Inc. near the intersection of State Highway 286 and Weber Road and areas adjacent thereto and use of said property for matters related to a sports complex and related uses, and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the lease and value of the aforementioned real property owned by the City in the aforesaid locations when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
32. [19-1212](#) **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 U.S. Environmental Protection Agency and Texas Commission on Environmental Quality regulations regarding minimum dissolved oxygen standards for the Oso Bay and/or parts thereof and related areas, discharge permits for the City's wastewater treatment plants, the regulation of the City's wastewater treatment system and potential litigation and/or consent decree(s) related thereto, and other state and federal regulatory matters related to the discharge and treatment of water and/or wastewater and requests for modification of standards related thereto.

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