



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, September 21, 2021

11:30 AM

Council Chambers

Addendums may be added on Friday.

Public Notice: 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.

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.

This meeting may be held via videoconference call pursuant to Texas Government Code § 551.127. If this meeting is held via videoconference call or other remote method of meeting, then a member of this governmental body presiding over this meeting will be physically present at the location of this meeting unless this meeting is held pursuant to Texas Government Code § 551.125 due to an emergency or other public necessity pursuant to Texas Government Code § 551.045.

- A. Mayor Paulette M. Guajardo to call the meeting to order.
- B. Invocation to be given by Mayor Paulette Guajardo.
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Patrick Colunga, Richard King High School Student.
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.
- E. Proclamations / Commendations
 - 1. [21-1255](#) Proclamation declaring October 2, 2021 as "Coastal Bend Heart Walk Day".
Proclamation declaring October 5, 2021 as "National Night Out Day".
Proclamation declaring September 15, 2021 - October 15, 2021 as "National Hispanic Heritage Month".
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

F. PUBLIC COMMENT - APPROXIMATELY 12:00 P.M. To speak during this public comment period, you must sign up before the meeting begins. Each speaker is limited to a total of no more than 3 minutes per speaker. You will not be allowed to speak again on an item when the Council is considering the item. Time limits may be restricted further by the Mayor at any meeting. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Written comments may be submitted at cctexas.com/departments/city-secretary. Electronic media that you would like to use may only be introduced into the City system IF approved by the City's Information Technology (IT) Department at least 24 hours prior to the Meeting. Please contact IT at 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. Infrastructure Management Plan (IMP) Quarterly Update (May through June)
- b. Education to Employment Partners Program Overview by Jeffrey West, Director of Programs and Operations
- c. Oso Bay Wetlands Preserve StoryWalk Trail Overview by Sara Jose, Oso Bay Wetlands Preserve Manager

H. BOARD & COMMITTEE APPOINTMENTS:

- 2. [21-1300](#) Corpus Christi B Corporation (3 vacancies)
Corpus Christi Business and Job Development Corporation (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.

J. CONSENT AGENDA: (ITEMS 3 - 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.

- 3. [21-1293](#) Approval of the September 14, 2021 Regular Meeting Minutes.

Sponsors: City Secretary's Office

4. [21-1198](#) One-Reading Ordinance appropriating \$293,171 in additional funding from the Texas Department of State Health Services grant contract for Public Health Crisis Response Cooperative Agreement to perform monitoring and possible mitigation activities to address Coronavirus for the contract period through March 15, 2022.

Sponsors: Health Department

Consent - Second Reading Ordinances

5. [21-1211](#) Ordinance authorizing acceptance of grant funds in an amount of \$182,000.00 from the Texas Department of Transportation for the 2022 Comprehensive Selective Traffic Enforcement Project for overtime for police officers to increase traffic enforcement in the city limits with a City match of \$57,234.24 in fringe benefits and fuel expenses with funds available from the FY 2022 General Fund; and appropriating \$182,000.00 in the Police Grants Fund.

Sponsors: Police Department

Consent - Procurement

6. [21-1210](#) Resolution authorizing a two-year service agreement extension to provide investment advisor services with Meeder Public Funds, dba Patterson & Associates, in an amount not to exceed \$60,000.00 for the first of two option periods, effective upon issuance of a notice to proceed with funding available in the FY 2022 Budget through the General Fund.

Sponsors: Finance & Procurement

7. [21-1199](#) Motion authorizing a three-year supply agreement with two additional one-year period options with G.P. Transport, Inc., of Gregory, Texas, for Sandy Loam Soil for the Public Works Storm Water Operations for an estimated amount of \$165,000.00 for the first three years and an estimated amount of \$58,000.00 for each one-year option, for a total estimated five-year amount not to exceed \$281,000.00, with funding requested in the FY 2022 proposed budget in an amount not to exceed \$55,000.00 available through the Storm Water Fund.

Sponsors: Public Works/Street Department and Finance & Procurement

8. [21-1079](#) Motion authorizing a one-month service agreement with Reiter ABC & Ass., Inc. of Corpus Christi, Texas in an amount not to exceed \$77,675.00 for performing improvements along right of ways in North Beach with FY 2021 funding available through the General Fund.

Sponsors: Parks and Recreation Department and Finance & Procurement

General Consent Items

9. [21-1030](#) Motion authorizing an amendment to the Service Agreement with BlueCross BlueShield of Texas, a Division of Health Care Service

Corporation, to add stop loss coverage for the City's self-funded employee health benefits from October 1, 2021 to September 30, 2022 with funding in the FY 2022 Operating Budget in an estimated amount of \$3,252,100.00 through the Fire, Police and Citicare Employee Health Funds.

Sponsors: Human Resources and Finance & Procurement

10. [21-1214](#) Resolution amending the City Council Policy 29 - Charitable Care Policy for City Emergency Medical Services specifying guidelines for waiving Emergency Medical Services charges to increase the income requirements for patients eligible to participate in Government Healthcare Programs from at or below 200% to at or below 400% the Family Poverty Line.

Sponsors: Fire Department

11. [21-0872](#) Resolution authorizing a three-year agreement with Coastal Bend Air Quality Partnership for Ozone Program to address issues related to air quality in an amount of \$25,000 annually.

Sponsors: Planning & Environmental Services

12. [21-1215](#) Motion approving a five-year Business Incentive Agreement between the Corpus Christi B Corporation and Texas A&M University - Corpus Christi (TAMU-CC) in the amount of \$4,000,000 for the Lone Star Unmanned Aircraft System Center downtown, effective upon signature of the City Manager or designee.

Sponsors: Corpus Christi Regional Economic Development Corporation

13. [21-1256](#) Resolution authorizing outside city limits water contract with J and N Hill Country Investments, LLC, to provide public water to its property located outside the city limits described as Hale Horse Ranch, Block 1, Lot 1, also commonly known by its street address as 1851 Co. Rd. 32, located nearest City Council District 3, under Corpus Christi Code Section 55-113.

Sponsors: Development Services

K. RECESS FOR LUNCH

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

L. PUBLIC HEARINGS: (ITEMS 14 - 16)

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

14. [21-1178](#) Zoning Case No. 0821-01, Jeffery C. Lundquist: (District 4) Ordinance rezoning a property at or near 4121 Waldron Road from the "FR" Farm Rural District to the "RE" Estate Residential District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

15. [21-1179](#) Zoning Case No. 0821-03, Sima and Steve, Inc.: (District 2) Ordinance rezoning property at or near 3413 South Staples Street from the "ON" Neighborhood Office District to the "CN-1" Neighborhood Commercial District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

16. [21-1189](#) Zoning Case No. 0821-02, Dominga Flores: (District 1) Ordinance rezoning property at or near 3617 Violet Road from the "FR" Farm Rural District to the "RS-22" Single-Family 22 District. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

M. INDIVIDUAL CONSIDERATION ITEMS: (ITEM 17)

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

17. [21-1274](#) Motion approving the format and terms of the proposed petition, cover sheet, and Service Plan for a proposed Corpus Christi Tourism Public Improvement District.

Sponsors: Finance & Procurement

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

18. [21-1222](#) Ordinance amending the Unified Development Code to establish tree requirements in residential street yards for new construction within the City and its extraterritorial jurisdiction, reducing impermeable surface allowed in residential street yards, increasing open space requirements for residential street yards, modifying landscaping requirements for residential districts; modifying alternative compliance for landscaping; and providing for penalty. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

19. [21-1257](#) Ordinance authorizing a second amendment to the Wastewater Lift Station Construction and Reimbursement Agreement with Peterson Properties, Ltd. to construct the Wastewater Lift Station for the Greenwood Service Area 5 and according to the Wastewater Master Plan approved on July 6, 2020 and located at the intersection of Westpoint Rd. and S. Padre Island Drive (Highway 358 FWY); and appropriating \$33,921.16 from the Wastewater Trunk System Trust Fund to reimburse developer. (District 3)

Sponsors: Development Services

20. [21-1221](#) Ordinance amending Chapter 21 of the Corpus Christi Code by adding compliance provisions pertaining to recyclables, use of recycling carts, and establishing a special collection fee for servicing contaminated carts.

Sponsors: Solid Waste Operations

O. BRIEFINGS: (ITEM 21)

Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. No 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. [21-1288](#) Water Utilities staff will provide a seawater desalination briefing to Mayor and City Council members. This briefing will answer any questions and deliver beneficial information following staff's previous workshop from July 2021.

Sponsors: Utilities Department

P. EXECUTIVE SESSION: (ITEMS 22 - 25)

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. [21-1282](#) **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 Robert's Rules of Order, firearms, Texas Penal Code §§ 30.06 and 30.07, Texas Government Code § 551.007, AG Op. No. KP-0300, *Ream v. City of Heath*, and related statutes, cases, and other laws regarding public comment, public forums, and the First and Fourteenth Amendments to the U.S. Constitution.
23. [21-1284](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning construction claims including, but not limited to, the acquisition and negotiation of property rights in the Harbor Del Sol Marina and **Texas Government Code § 551.072** to discuss and deliberate the potential lease, sale, and/or value of real property rights in said marina, and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).

24. [21-1283](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning construction claims and litigation including, but not limited to, the case of *City of Corpus Christi v. JS Haren Company* and *Merchants Bonding Company* and legal issues related to the McBride Lift Station and Force Main Improvements Project.
25. [21-1285](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning construction claims and litigation including, but not limited to, the case of *State of Texas and City of Corpus Christi v. Valero Marketing and Supply Company and Ergon Asphalt and Emulsions, Inc.*, including potential consideration of a settlement offer in the amount of approximately \$2.6 million and the City's obligation to implement a Backflow Prevention Project.

Q. **ADJOURNMENT**