



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final-revised

### City Council

---

Tuesday, August 20, 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 Rob Bailey, Southside Community Church.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Tammy Kelch Embrey, Director of Intergovernmental Relations.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [19-1125](#) Proclamation declaring August 26, 2019, "99th Anniversary of Women's Equality Day".  
Commendation for National Little League Majors Division, Corpus Christi.  
Commendation for Lucas Tinajero, USA Baseball 12U National Team.  
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.**

**F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:****a. OTHER****G. MINUTES:**

2. [19-1180](#) Regular Meeting of August 13, 2019 and Workshop Session of August 8, 2019.

**H. BOARD & COMMITTEE APPOINTMENTS (NONE)****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 3 - 15)**

*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.*

3. [19-1017](#) Ordinance appropriating \$42,402.94 from damage claims into General Fund to purchase a replacement Prisoner Transport Vehicle, replacement ATV and other police equipment; and changing Operating Budget by increasing revenue and expenditures in the General Fund by \$42,402.94.  
  
*Sponsors:* Police Department
4. [19-0998](#) Ordinance authorizing an amendment of \$10,916.00 to the Women, Infant and Children's Nutrition Program (WIC) grant contract for a total contract amount of \$868,850.00 for the period of October 1, 2018, through September 30, 2019, and authorizing a contract amendment of \$868,850.00 for the period of October 1, 2019, through September 30, 2020, from the Health and Human Services Commission, and authorizing a staff complement of 21 positions.  
  
*Sponsors:* Health Department
5. [19-1027](#) Ordinance authorizing a Wastewater Trunk Main Line Extension Construction and Reimbursement Agreement with Yasin Investment LLC to extend a line south of Whitecap Boulevard along Palmira Avenue for a commercial development for which the anchor store is IGA; appropriating \$899,786.39 from the Wastewater Trunk System Trust Fund to reimburse

developer. (District 4)

**Sponsors:** Development Services

6. [19-1088](#) Ordinance authorizing the City Manager to execute the Second Amendment to the Raw Water Supply Contract with the San Patricio Municipal Water District (SPMWD) to provide an additional 5,600 acre-feet of raw water per calendar year for SPMWD to provide to its designated customer developing in San Patricio County; increasing the SPMWD Raw Water Supply Contract from 41,200 acre-feet to a total of 46,800 acre-feet per calendar year.
- Sponsors:** Water Utilities Department
7. [19-1107](#) Ordinance authorizing a four-month service agreement for the purchase of hardware, software, licensing, and professional services from Area Electronics Systems, Inc. dba DataON Storage for \$782,734.00 for the datacenter remediation; appropriating \$782,734.00 from the unreserved fund balance in 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:** Information Technology Services and Contracts and Procurement
8. [19-0997](#) Motion approving Amendment No. 6 to a Contract with HDR Engineering, Inc., in the amount of \$121,600 for a total restated fee of \$842,934 to provide for the development and submission of a permit application to the Texas Commission on Environmental Quality (TCEQ) for the Corpus Christi Aquifer Storage Recovery Feasibility Study with funding available in the Raw Water Supply Development Charge Fund. This amendment will only develop the necessary requirements to submit an administratively completed permit application that once approved, can lead to drilling of an Aquifer Storage and Recovery (ASR) test well.
- Sponsors:** Utilities Department and Engineering Services
9. [19-1084](#) Resolution rejecting the apparent low bid of Abel's Paving & Construction as non-responsive and authorizing the City Manager to award an Indefinite Delivery/Indefinite Quantity (IDIQ) construction contract to CPC Interests, LLC d/b/a Clark Pipeline Services, LLP as the lowest responsive bidder, in an amount not to exceed \$1,800,000.00 for the Water Line Replacement IDIQ Program for one year with two (2) optional one-year administrative renewals for a total contract price of \$5,400,000.00 with current funding available from the Water Capital Improvement Program. This contract begins upon the issuance of Notice to Proceed.
- Sponsors:** Water Utilities Department and Engineering Services
10. [19-1050](#) Motion awarding a contract to Freese Nichols, Inc. in the amount of \$92,762 for the 2018 Highway Safety Improvement Program (HSIP) to design five new and eleven upgraded traffic signals at four locations

funded by the Texas Department of Transportation (TxDOT) and Street Bond 2016. (Council Districts 2 and 3)

**Sponsors:** Engineering Services

11. [19-1005](#) Resolution authorizing amendment No. 1 to enCodePlus Software License service agreement for a five-year extension with enCodePlus, LLC of Sugar Land, Texas, to host the content of the Unified Development Code for a not to exceed total amount of \$44,400.00 and a revised service agreement value not to exceed \$93,600.00; amendment effective October 1, 2019, with first-year funding of \$8,880.00 through the Development Services Fund.
- Sponsors:** Development Services and Contracts and Procurement
12. [19-1042](#) Motion awarding a contract to Freese and Nichols, Inc. in the amount of \$225,000 for the Flour Bluff and Padre/Mustang Island Area Development Plans update funded by the General Fund. (Council District 4)
- Sponsors:** Planning & Environmental Services and Engineering Services
13. [19-1083](#) Resolution of the City of Corpus Christi, Texas finding that AEP Texas Inc.'s (AEP) requested electric transmission and distribution rates and charges within the city should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by AEP; requiring reimbursement of rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this resolution to AEP.
- Sponsors:** Legal Department
14. [19-0954](#) Resolution authorizing a five-year supply agreement with Corpus Christi Freightliner, Inc. of Corpus Christi, Texas, for the purchase of parts needed to conduct repairs for Freightliner, Western Star and Sterling equipment. Freightliner includes refuse trucks, brush trucks, self-loading brush trucks and dump trucks. Western Star includes tractors for refuse handling tractor/trailers. Sterling includes vacuum trucks. The total amount for these parts is a not to exceed \$1,238,000.00, effective upon issuance of notice to proceed, with first-year funding of \$20,633.30 through the Fleet Maintenance Service Fund.
- Sponsors:** Asset Management Department and Contracts and Procurement
15. [19-0955](#) Resolution authorizing a five-year service agreement with Corpus Christi Freightliner, Inc. of Corpus Christi, Texas, for repairs at vendor facilities of Freightliner, Western Star and Sterling equipment. Freightliner includes refuse trucks, brush trucks, self-loading brush trucks and dump trucks. Western Star includes tractors for refuse handling tractor/trailers. Sterling includes vacuum trucks. The service agreement is to be effective October 1, 2019 for a total amount not to exceed \$3,686,600.00, with first-year funding in the amount of \$737,320.00 through the Fleet Maintenance

Service Fund.

**Sponsors:** Asset Management 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 16 - 17)**

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

16. [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

17. [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

**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 18 - 22)**

18. [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

19. [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

20. [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

21. [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

22. [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

**P. BRIEFINGS: (ITEM 23)**

*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.*

23. [19-0924](#) Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Update to City Council (Q2 2019).

Sponsors: Economic Development

**Q. EXECUTIVE SESSION: (ITEM 24)**

*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.*

24. [19-1121](#) **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 potential**

acquisition of real property rights for facilities related to water treatment plant equipment, pipelines, pumps, discharge points, and intake facilities, and areas adjacent thereto and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the purchase and/or value of real property rights for facilities related to water treatment plant equipment, pipelines, pumps, discharge points, and intake facilities, and areas adjacent thereto when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

**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**