



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final-revised

### City Council

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Tuesday, September 24, 2019

11:30 AM

Council Chambers

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**Addendums may be added on Friday.**

- 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 and to the Texas Flag to be led by David Lehfeldt, Interim Director, Solid Waste Services.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [19-1308](#)** Proclamation declaring September 28, 2019, "Coastal Bend Walk 'n Roll Celebration for Disability Awareness Day".  
Proclamation declaring October 1, 2019, "National Night Out".  
Proclamation declaring October 18, 2019, "Coastal Bend Day of Pink".  
Proclamation declaring October 2019, "National Childhood Cancer Awareness, 'Heroes in Disguise' Month".  
Commendation for Astros, International Westside (IWS) Shetland Baseball, Corpus Christi, Texas.  
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.
- 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****H. MINUTES:**

2. [19-1309](#) Regular Meeting of September 17, 2019 and Special Meeting of September 6, 2019.

**I. BOARD & COMMITTEE APPOINTMENTS:****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 3 - 17)**

*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. [19-1067](#) Ordinance amending the Unified Development Code pursuant to the annual review process to allow automated carwashes in Neighborhood Commercial zones with limitations, allow heavy vehicles service as accessory use for vehicle sales with limitations, allow aggregate storage at plant retail with limitations, allow crematorium at funeral homes with limitations, apply above ground fuel storage maximum for water-oriented accessory use to all commercial districts except neighborhood commercial and office neighborhood zones, require a minimum side yard of not less than 10 feet, or less than adjacent lot's front or rear yard for corner lots, allow townhomes in Multifamily 3 Districts, remove minimum site area requirement for townhome district, clarify accessory building structures total square footage limitation of 50% of the main principal structure total square footage, and allow administrative adjustment for minimum setback under certain conditions; and providing for penalty.

**Sponsors:** Development Services

4. [19-1068](#) Ordinance amending the Unified Development Code in response to Texas Legislative changes to modify definition of industrial housing, modify historic landmark or Historic Overlay District designation regulations

including consent and notice requirements, modify zoning board of adjustment regulations including reducing the time to appeal, and eliminate building material requirements for cottage housing, facades, roofs, and island overlay; and providing for penalty.

**Sponsors:** Development Services

5. [19-0975](#) Ordinance amending Chapter 36 of the City Code to add section 36-14 to prohibit lying down, smoking, vaping, eating, and possessing blankets, pillows, mattresses, cardboard, tarps, sleeping bags, bedding, stoves, cooking devices, shopping carts, wagons, within Blucher Park; changing closing time from 10:00pm to 8:00pm for said park; and providing for fines.

**Sponsors:** Parks and Recreation Department

6. [19-1228](#) Ordinance authorizing five-year concession and lease agreements for on-airport rental car services with Coastal Bend Rent-A-Car, Inc. dba Avis Rent A Car and South Texas Auto Rental Services, LLC dba Budget Rent A Car; EAN Holdings, LLC, dba Enterprise Rent-A-Car; EAN Holdings LLC, dba, Alamo Rent-A-Car and National Car Rental; Hertz Corporation dba Hertz; and DTG Operations, Inc., dba Dollar Rent a Car and Thrifty Car Rental in consideration for the greater amount of a concession fee equal to 11% of each concessionaire's annual gross revenues or the minimum annual guarantee amount defined in the agreement.

**Sponsors:** Aviation Department and Contracts and Procurement

7. [19-1199](#) Ordinance amending and increasing Fiscal Year 2019 revenue and expenditure appropriations in the Stores Fund by \$1,200,000.00 each - from \$2,800,000 to \$4,000,000 - for increased purchases of merchandise in the City's Warehouse.

**Sponsors:** Contracts and Procurement

8. [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

9. [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

10. [19-1118](#) Motion authorizing a one-year service agreement for an amount not to exceed \$2,500,000.00, with stHealth Benefit Solutions, LLC, dba Stealth Partner Group and Sun Life Assurance Company of Canada, to provide

stop loss coverage for the City's self-funded employee health benefits, beginning October 1, 2019 to September 30, 2020, with funding available in the FY 2020 Fire, Police and Citicare Employee Health Funds.

**Sponsors:** Human Resources and Contracts and Procurement

11. [19-1204](#) Motion authorizing a purchase from Caldwell Country Chevrolet for three 2020 Chevrolet Sparks to be used for Solid Waste Code Compliance inspectors, in an amount not to exceed \$57,085.15, effective upon issuance of a letter of acceptance, with funding available in the Fleet Maintenance Service Fund.
- Sponsors:** Solid Waste Operations and Contracts and Procurement
12. [19-1230](#) Motion authorizing a purchase from Rush Truck Centers of Texas, L.P. of two Peterbilt 520 chassis with New Way side loading refuse trucks, for Recycling and Refuse Collection Division of Solid Waste Services for vehicle replacement in an amount not to exceed \$681,394.00, effective upon issuance of a letter of acceptance, with funding available in the General Fund FY 2019 Solid Waste Services Operating Budget.
- Sponsors:** Solid Waste Operations and Contracts and Procurement
13. [19-1232](#) Motion authorizing a lease-purchase from Rush Truck Centers of Texas, L.P., for the purchase of six Peterbilt 520 chassis with New Way side loading refuse trucks for Recycling and Refuse Collection Division of Solid Waste Services for vehicle replacement in an amount not to exceed \$2,270,890.11, effective upon issuance of a letter of acceptance, with the first-year funding in the amount of \$453,978.00 available in the General Fund, beginning in Fiscal Year 2020.
- Sponsors:** Solid Waste Operations and Contracts and Procurement
14. [19-1047](#) Resolution authorizing a three-year service agreement with Franklin Energy Services, LLC for the WaterWise™ Education Program, a water and energy efficiency education program for 5th grade students in the Corpus Christi Independent School District beginning in the academic school year of 2019-2020, for an amount not to exceed \$26,400.00 for the first year, and \$21,900.00 each year for the following two years for a grand total not to exceed \$70,200.00, effective upon issuance of notice to proceed, with the first-year funded through the Water Fund.
- Sponsors:** Utilities Department and Contracts and Procurement
15. [19-1247](#) Motion awarding a construction contract to Terrapure Environmental (Environmental Solutions) of Tonawanda, New York for dredging, dewatering, and disposal of residuals from O.N. Stevens Water Treatment Plant (ONSWTP) Lagoons 5 and 6, in City Council District 1, in the amount of \$1,799,550, effective upon issuance of notice to proceed, with funding approved and available in Water Operating Budget.
- Sponsors:** Utilities Department and Engineering Services
16. [19-1254](#) Motion awarding a contract to A. Ortiz Construction & Paving, Inc. for

reconstruction of seven (7) residential streets with asphalt pavement and underground utility improvements in the amount of \$5,883,387.45, effective upon issuance of notice to proceed, with funding available from the Residential Street Reconstruction Fund. The Residential Street Reconstruction Project (RSRP) will impact City Council Districts 1, 4 and 5.

**Sponsors:** Street Department and Engineering Services

17. [19-1260](#) Motion awarding a contract to Grace Paving and Construction, Inc. for the Minor Street Improvement Indefinite Delivery/Indefinite Quantity (IDIQ) program for an amount up to \$4,600,000 for the base year with two (2) optional one-year administrative renewals for a total contract value up to \$13,800,000, upon issuance of notice to proceed with funding approved and available from the Street Operating budget and Capital Improvement Program budget.

**Sponsors:** Street Department and Engineering Services

**L. RECESS FOR LUNCH**

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

**M. PUBLIC HEARINGS: (ITEMS 18 - 19)**

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

18. [19-1253](#) Ordinance authorizing a Water Arterial Transmission and Grid Main Construction Reimbursement Agreement, a Water Distribution Main Line Construction Reimbursement Agreement, and a Wastewater Collection Line Extension Construction Reimbursement Agreement with Dorsal Development LLC to extend a grid main line along Yorktown Boulevard, extend a wastewater collection line from lift station number 13 located near Master Channel 31 and Slough Road, and install offsite water distribution and wastewater collection lines for a planned residential subdivision with completion dates of October 30, 2020; appropriating \$147,999.99 from the Water Arterial Transmission & Grid Main Trust Fund, \$43,010.00 from the Water Distribution Main Trust Fund, and \$139,341.76 from the Sanitary Sewer Collection Line Trust Fund to reimburse developer per agreements. (District 5)

**Sponsors:** Development Services

19. [19-1112](#) Ordinance amending the Urban Transportation Plan map of MobilityCC, a transportation element of the City's Comprehensive Plan, to remove the extension of Carroll Lane from Wickersham Drive to Kostoryz Road on the south/east side of the Kostoryz/Carroll Drainage Ditch as requested by Corpus Christi Independent School District and related to the development of a new high school campus. (Council District 3)

**Sponsors:** Planning & Environmental 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 20 - 22)**

20. [19-1234](#) Ordinance accepting a donation from NuStar Energy L.P. to be used for the purchase of smoke detectors in the amount of \$1,400; and appropriating the funds into the Fire Grant Fund.

**Sponsors:** Fire Department

21. [19-1269](#) Ordinance to adopt modified franchise ordinance with AEP Texas, Inc. to fix administrative errors in ordinance adopted on August 13, 2019.

**Sponsors:** Legal Department

22. [19-1304](#) Ordinance to amend City Code of Ethics regarding Financial Disclosure forms as recommended by the Ethics Commission to allow electronic filing in lieu of paper filing, to include statement regarding conflict of interests, to shorten candidate deadline for filing financial disclosure report from 5 days to 3 days within filing for office, to allow for unsworn declaration, to allow for shortened report if no changes since last complete report, and to change filing date from last Friday in April to last Friday in March.

**Sponsors:** Legal 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. RECESS TO BUILDING STANDARDS BOARD APPEAL: (ITEM 23)**

**The Appeal will proceed using the following format:**

- a. *Statement of Facts (up to five minutes)*
- b. *Appellant's Oral Presentation of Written Notice of Appeal (up to five minutes)*  
*(Appellant may be questioned by City Council)*
- c. *Public Hearing (three minutes per speaker)*
- d. *City Staff Response (City Staff may be questioned by City Council)*
- e. *Council Action - Three options:*
  1. *Deny the appeal (uphold the Building Standards Board's decision)*
  2. *Sustain the appeal (reverse the Board's decision)*
  3. *Amend the Board's decision (in whole or in part)*

23. [19-1062](#) Consideration of an appeal filed by Ms. Alma Leticia Suazo of the Building Standards Board's Decision to require demolition of the substandard

structure on property located at 5029 Williams Drive in City Council District 3.

Sponsors: Police Department and Legal Department

**R. RECONVENE COUNCIL MEETING:**

**S. EXECUTIVE SESSION:**

*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.*

**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**

*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.*