



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, September 17, 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 11:30 A.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 Reverend Bruce Wilson, Chaplain, Corpus Christi Metro Ministries.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Rosa Medina, Interim Director of Human Resources.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-1267](#) Proclamation declaring September 8, 2019, "International Literacy Day" and September 2019, "National Literacy Month".
Proclamation declaring September 25, 2019, "Leukemia Awareness "#BeLouish" Day".
Proclamation declaring September 17-23, 2019, "United States**

Constitution Week".

Proclamation declaring September 2019, "Hunger Action Month".

Proclamation declaring September 2019, "Life Insurance Awareness Month".

Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

- F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 11:30 A.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.

G. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

- a. OTHER

H. MINUTES:

2. [19-1275](#) Regular Meeting of August 27, 2019 and FY 2020 Budget Workshop Sessions of August 22 and 29, 2019.

I. BOARD & COMMITTEE APPOINTMENTS:

3. [19-1268](#) Corpus Christi Commission on Children & Youth (1 vacancy)
Flood Hazard Mitigation Information Committee (5 Vacancies)

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 4 - 19)

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. [19-1203](#) Zoning Case No. 0719-05, Mostaghasi Investment Trust (District 1):
Ordinance rezoning property at or near Northwest Boulevard & County Road 69 from the "RS-6" Single-Family 6 District to the "CN-2" Neighborhood Commercial District. Planning Commission and Staff recommend Approval.
Sponsors: Development Services
5. [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
6. [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
7. [19-1214](#) Resolution authorizing execution of an Interlocal Cooperation Agreement

(ILA) with Texas A&M University - Corpus Christi (TAMUCC) for police and fire support for the Lonestar Unmanned Aerial System (UAS) Center of Excellence & Innovation and NASA's Urban Traffic Management (UTM) flight test event.

Sponsors: Police Department and Fire Department

8. [19-1039](#) Motion authorizing Amendment No. 3 to the current Service Agreement with Grace Water Services, LLC for preventative maintenance and upgrades to equipment which removes ammonia from the wastewater effluent discharge as required by the Texas Commission on Environmental Quality (TCEQ) compliance regulations at the Oso Wastewater Treatment Plant, for an amount not to exceed \$446,522.00, increasing the Service Agreement value to \$1,126,208.00, for an additional two-year term effective August 13, 2019, with funding available through the FY 2019-2020 Wastewater Fund.

Sponsors: Utilities Department and Contracts and Procurement

9. [19-1085](#) **This item has been pulled from this agenda.**

~~Resolution authorizing execution of the Interlocal Agreement with San Patricio Municipal Water District regarding Professional Services for a Water Supply Study and reimbursing SPMWD 50% of the cost on the executed contract, not to exceed \$24,000 funded from the Water Supply Development Fund.~~

Sponsors: Utilities Department

10. [19-1045](#) Motion awarding a one-year Master Services Agreement (MSA) with two one-year option periods, to Alan Plummer Associates, Inc. for engineering design services to repair and upgrade Lift Stations citywide, for a total amount not to exceed \$700,000.00 over the next three years, effective upon issuance of notice to proceed, with funding available from Wastewater Capital Reserve Funds.

Sponsors: Utilities Department and Engineering Services

11. [19-1087](#) Motion awarding a three-year Master Services Agreement (MSA) to develop the master plan for a centralized wastewater control and monitoring system to allow operation of the City's six Wastewater Treatment Plants and 102 Lift Stations from one location, to Signature Automation, LLC of Addison, Texas, for a total amount not to exceed \$600,000.00, effective upon issuance of notice to proceed, with funding available from the Wastewater Capital Reserve Fund.

Sponsors: Utilities Department and Engineering Services

12. [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

13. [19-1286](#) Resolution authorizing an extension of a Reimbursement Agreement for the installation of water arterial transmission and a grid main line with MPM Development, LP for a planned residential development, Royal Creek Estates Unit 7 in Council District 5 in an amount not to exceed \$109,354.20 and an extension of a Developer Participation Agreement for partial construction of Oso Parkway in an amount not to exceed \$207,386.85.

Sponsors: Development Services

14. [19-1272](#) Resolution authorizing the City to execute the Land Exchange Agreement with the United States of America in exchange for a 44-acre parcel, known as Peary Place for the amount up to \$500,000. The City worked to pass legislation in the FY 2018 National Defense Authorization Act to complete all actions identified in the agreement allowing the U.S. Navy to provide property to the City in exchange for clear zone areas at Naval Air Station-Corpus Christi (NASCC), Naval Outlying Field Cabaniss (Cabaniss), and Naval Outlying Field Waldron (Waldron).

Sponsors: Intergovernmental Relations

15. [19-0991](#) Resolution approving Renewal No. 2 of the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College to provide grant up to \$150,000.00 for their internship program to assist small businesses from January 1, 2020 through December 31, 2020.

Sponsors: Economic Development

16. [19-0992](#) Resolution approving Renewal No. 2 of the Small Business Incentives Agreement between the Corpus Christi Business and Job Development and Texas A&M University - Corpus Christi (TAMU-CC) to provide grant up to \$150,000 for their internship program to assist small businesses from January 1, 2020 through December 31, 2020.

Sponsors: Economic Development

17. [19-0993](#) Resolution approving Renewal No. 2 of the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and LiftFund, Inc. to provide grant up to \$150,000 for their loan buy-down program to assist small businesses from October 1, 2019 through September 30, 2020.

Sponsors: Economic Development

18. [19-0994](#) Resolution approving Renewal No. 2 to the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Service Corps of Retired Executives (SCORE) Chapter 221 to provide a grant up to \$54,000 for their small business assistance program from October 1, 2019 through September 30, 2020.

Sponsors: Economic Development

19. [19-0995](#) Resolution approving Renewal No. 2 of the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College to provide grant up to \$99,500.00 for their Procurement Technical Assistance Center to assist small businesses from January 1, 2020 through December 31, 2020.

Sponsors: Economic Development

L. **BUDGET RELATED ITEMS: (ITEMS 20 - 26)**

20. [19-1220](#) Second Reading Ordinance adopting the City of Corpus Christi Operating Budget and the Capital Improvement Program Budget for the Fiscal Year 2019-2020 beginning October 1, 2019; authorizing personnel complements; appropriating monies as provided in the Budget.

Sponsors: Office of Management and Budget

21. [19-1287](#) Ordinance setting a property tax rate of \$0.646264 per \$100 valuation which is effectively a 6.55% increase over the effective tax rate; and declaring an emergency.

Sponsors: Financial Services Department

22. [19-1221](#) Second Reading Ordinance ratifying the property tax increase reflected in the FY 2019-2020 Operating Budget that will require raising more revenue from property taxes than in the FY 2018-2019 Operating Budget in amount of \$9,321,332, of which \$4,198,157 represents property tax revenues of \$0.02 per \$100 valuation to be used towards residential street reconstruction.

Sponsors: Office of Management and Budget

23. [19-1313](#) Second Reading Ordinance amending the City Code of Ordinances, Chapter 55, Utilities, revising water rates as of January 1, 2020.

Sponsors: Office of Management and Budget and Utilities Department

24. [19-1223](#) Second Reading Ordinance amending the City Code of Ordinances, Chapter 55, Utilities, revising residential wastewater billings beginning in March 2020 by establishing residential wastewater winter quarter averaging based upon the average of three complete monthly water utility billings from December 2019 through February 2020, and recalculating the winter quarter average for residential wastewater customers every year thereafter.

Sponsors: Office of Management and Budget and Utilities Department

25. [19-1312](#) Second Reading Ordinance amending the City Code of Ordinances, Chapter 55, regarding 9-1-1 emergency service fees as of January 1, 2020.

Sponsors: Office of Management and Budget and Police Department

26. [19-1311](#) Second Reading Ordinance approving Parks and Recreation Fee

Schedule effective October 1, 2019.

Sponsors: Office of Management and Budget and Parks and Recreation Department

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEMS 27 - 28)

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

27. [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

28. [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

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 29 - 30)

29. [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

30. [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

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 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. [19-1291](#) **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 collective bargaining matters in the Agreement with the Corpus Christi Police Officers' Association.
32. [19-1292](#) **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 the Port of Corpus Christi Authority and appointment of the Port Commissioners and **Texas Government Code § 551.074** (personnel matters) to deliberate the appointment, employment, evaluation, reassignment, or duties of a public officer or employee (including, but not limited to, Port Commissioners)

ADDENDUM ITEMS: (ITEM 33)

Ordinances under this section should be presumed to be first readings.

33. [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

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