



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, December 3, 2024

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 Guajardo to call the meeting to order.
- B. Invocation to be given by Pastor Don Leavell with Corpus Christi Christian Fellowship.
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Mariah Grimaldo, 12th grader from Premier High.
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.
- E. **CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS: (ITEM 1)**
 - 1. [24-1994](#) Recognition of Corpus Christi Fire Marshall Randy Paige

F. PUBLIC COMMENT - APPROXIMATELY 12:00 P.M. To speak during this public comment period on a city-related matter or agenda item, 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 Communications Department at least 24 hours prior to the Meeting. Please contact Communications at 826-3211 to coordinate. This is a public hearing for all items on this agenda.

G. BOARD & COMMITTEE APPOINTMENTS: (NONE)

H. BRIEFINGS: (NONE)

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.

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 2 - 31)

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.

2. [24-1954](#) Approval of the November 19, 2024 Regular Meeting Minutes

Sponsors: City Secretary's Office

Consent - Second Reading Ordinances

3. [24-1803](#) Ordinance amending the FY2024 - 2025 Capital Budget to include Bond 2024 Propositions A, B, C and D; appropriating \$140,411,197 to the

Capital Budget, and amending the Capital Improvement Program by adding 38 Bond 2024 Program projects. (6 votes required)

Sponsors: Office of Management and Budget

4. [24-1822](#) Ordinance authorizing execution of an assignment for the remaining year of the 5-year ground lease with Haas-Anderson Construction, Ltd. to Longyards Development LLC for 3.89-acres out of a 25.06-acre tract formerly known as the Hala Pit Landfill located next to the City of Corpus Christi Vehicle Impound Yard on Greenwood Drive in the amount of \$9,600.00 per year from October 1, 2024, to September 30, 2025; and authorizing a new 5-year lease with Longyards Development LLC for a fee of \$10,000.00 per year from October 1, 2025 to September 30, 2030. (6 votes required)

Sponsors: Engineering Services

5. [24-1794](#) Ordinance approving Addendum No. 1 to Lease Agreement with Corpus Christi Baseball Club, L.P., providing for Type A funding in an amount not to exceed \$137,260.00 on a reimbursement basis to make certain capital improvements to the Whataburger Field property in accordance with Major League Baseball Requirements, as approved by the Type A Board on October 21, 2024. (6 votes required)

Sponsors: Economic Development

Consent - Contracts and Procurement

6. [24-1679](#) Resolution authorizing the purchase of three replacement 2025 Ford F-450 regular cab ambulance chassis from Silsbee Ford, of Silsbee, Texas, through the TIPS Cooperative for the Corpus Christi Fire Department in the amount of \$213,629.79 and one replacement 2024 Caterpillar AP1000 Paver from Holt Cat Company, of Corpus Christi, Texas, through the Sourcwell Cooperative for the Public Works Department in the amount of \$619,778.96, for a total combined amount of \$833,408.75, with FY 2025 funding in the amount of \$619,778.96 from the Fleet Equipment Replacement Fund and \$213,629.79 from the General Fund. (6 votes required)

Sponsors: Asset Management Department and Finance & Procurement

7. [24-1633](#) Motion authorizing execution of a 32-month cooperative service agreement with Frazer, LTD., of Alvin, Texas, through the BuyBoard Cooperative, in an amount not to exceed \$865,652.00 for the upfitting and installation of parts and equipment on three replacement F-450 medic units for the Fire Department, with FY 2025 funding from the General Fund and the Vehicle Equipment Replacement Fund. (6 votes required)

Sponsors: Fire Department and Finance & Procurement

8. [24-1591](#) Motion authorizing execution of a one-year supply agreement, with two one-year options, with Quality Readymix, LTD. LLP, of Corpus Christi in an

amount up to \$331,800.00, with a potential amount up to \$995,400.00 if options are exercised, for the purchase of concrete ready mix utilized by the Public Works Department, with FY 2025 funding in the Storm Water Fund. (6 votes required)

Sponsors: Public Works/Street Department and Finance & Procurement

Consent - Capital Projects

9. [24-1779](#) Resolution authorizing the approval of Change Order No. 1 with GFL Environmental Services USA, Inc., of Raleigh, North Carolina, for the ONS WTP Pre-Sedimentation Basin Dredging Project, in the amount of \$5,000,000.00, for a total amount not to exceed \$13,757,565.00, with FY 2025 funding available from the Water Capital Fund. (6 votes required)

Sponsors: Corpus Christi Water, Engineering Services and Contracts and Procurement

10. [24-1818](#) Motion authorizing a construction contract with Mor-Will, LLC, Mission, TX, for the State Highway 286 Water Line Replacement in an amount not to exceed \$8,296,534.92, located in Council District 5, with FY 2025 funding available from the Water Capital Fund. (6 votes required)

Sponsors: Corpus Christi Water, Engineering Services and Contracts and Procurement

11. [24-1911](#) Motion authorizing a construction contract with MAX Underground Construction, LLC from Corpus Christi, Texas, for the reconstruction of Timbergate Drive from Snowgoose Road to Staples Street with new asphalt pavement, sidewalks, curbs and gutters, ADA-compliant curb ramps, signage, pavement markings, upgraded street illumination, and utility improvements in an amount not to exceed \$4,730,195.89, located in Council District 5 with FY 2025 funding available from the Street Bond 2022, Storm Water, Water, Wastewater, and Gas Funds. (6 votes required)

Sponsors: Public Works/Street Department, Engineering Services and Contracts and Procurement

12. [24-1914](#) Motion to award a Master Services Agreement for professional engineering services to KSA Engineers Inc. for planning, architectural, and professional engineering services at the Corpus Christi International Airport, in an amount not to exceed \$7,500,000.00 over a five-year term, with FY 2025 funding available from the Airport Fund 4610 and other grant-funded accounts based on specific project eligibility. (6 votes required)

Sponsors: Aviation Department, Engineering Services and Contracts and Procurement

General Consent Items

13. [24-1972](#) A resolution relating to establishing the city's intention to reimburse itself

for the prior lawful expenditure of funds relating to any capital expenditures from the proceeds of one or more series of tax-exempt or taxable obligations to be issued by the city in an aggregate amount not to exceed \$693,000,000 for authorized purposes, consisting of an amount not to exceed \$175,000,000 for expenses related to projects approved by the voters at the 2024 bond election, and an amount not to exceed \$518,000,000 for expenses related to projects approved by the city council through the adoption of the fiscal year 2024-2025 operating and capital budget; authorizing other matters incident and related thereto; and providing an effective date.

Sponsors: Finance & Procurement

14. [24-1912](#) Resolution authorizing the submission of a grant application to the Texas Commission on Environmental Quality for the 2024 Local Emergency Planning Committee Grant Program in the amount of \$44,965.02 for the purchase of marketing supplies, Hazmat equipment, and training for the City of Corpus Christi-Nueces County Local Emergency Planning Committee and the Corpus Christi Fire Department Hazardous Material Response Team.
Sponsors: Fire Department
15. [24-1931](#) Resolution authorizing the submission of a grant application in the amount of \$10,351.65 to Flint Hills Resources for the 2024 Helping Heroes Grant Program for funding for the purchase of seven replacement hazardous gas detection sensors for the Corpus Christi Fire Department.
Sponsors: Fire Department
16. [24-1589](#) Resolution authorizing the submission of a grant application to the Gulf of Mexico Alliance for the 2024 Gulf Star Program Grant in the amount of \$29,804.00 for 13 new L3Harris inter-operational radios and related accessories for the Corpus Christi Fire Department's Office of Emergency Management.
Sponsors: Fire Department
17. [24-1922](#) Resolution adopting the City of Corpus Christi's Legislative Agenda for Federal Legislative Priorities for the 119th U.S. Congress.
Sponsors: Intergovernmental Relations
18. [24-1970](#) Resolution Adopting the City of Corpus Christi's State Legislative Agenda for the 89th Texas Legislature
Sponsors: Intergovernmental Relations
19. [24-1776](#) Resolution authorizing a third amendment to the Interlocal Cooperation Agreement with Texas A&M University-Corpus Christi (TAMUCC) for air quality monitoring service to add \$42,402.63 with funding available from the Health Grants Fund. (6 votes required)
Sponsors: Health Department

20. [24-1953](#) Resolution approving an interlocal agreement with the Port of Corpus Christi Authority relating to Port of Corpus Christi Authority land in industrial districts. (6 votes required)

Sponsors: City Manager's Office and Legal Department

Consent - First Reading Ordinances

21. [24-1949](#) Ordinance annexing land located within Industrial District No. 1 into the territorial limits of the City of Corpus Christi; annexing land located within Industrial District No. 2 into the territorial limits of the City of Corpus Christi; adopting a service plan; establishing initial zoning of IH Heavy Industrial for newly annexed property; and providing City Secretary notification.

Sponsors: Planning and Community Development Department

22. [24-1948](#) Ordinance disannexing approximately 15.4 acres of land at or near Nueces Bay Boulevard and Broadway Street.

Sponsors: Planning and Community Development Department

23. [24-1974](#) One-reading Ordinance 1) Rejecting the requested assignment from Air Products to HEP Javelina SMR of the current Chapter 380 Incentive Agreement; 2) Declaring that the current Chapter 380 Incentive Agreement terminates on Dec. 31, 2024 pursuant to Article VI, Section 6.01 of the 380 Incentive Agreement; and 3) Authorizing the execution of a new Chapter 380 Incentive Agreement with the existing owner and/or new owner, HEP Javelina SMR LLC, to provide a rebate of 25.5 % of the ad valorem taxes payable to the City on the Hydrogen Steam Methane Reformer Facility to match the amount payable on improvements under the new Industrial District Agreement of the City. (6 votes required)

Sponsors: Economic Development

24. [24-1795](#) Ordinance authorizing the acceptance of two grants totaling \$215,009.32 from the Texas Office of the Governor-Homeland Security Grant Division for the State Homeland Security Program for the purchase of one additional 2025 Ford F-450 Police response vehicle and one replacement Spartan Robot for the Corpus Christi Police Department's Bomb Squad; and appropriating \$215,009.32 in the FY 2025 Fire Grants Fund. (6 votes required)

Sponsors: Fire Department

25. [24-1789](#) Ordinance appropriating \$61,372 in the Health Grant Fund for an increase in the STD/HIV-DIS Prevention Services Program Grant from the Department of State Health Services (DSHS) to provide STD/HIV prevention and control services during Calendar Year 2025 for a grant period of January 1, 2025, through July 31, 2025, and authorizing one existing FTE funded by this grant. (6 votes required)

Sponsors: Health Department

26. [24-1206](#) Ordinance appropriating \$1,322,471.00 in the Health Grant Fund for an increase in the Infectious Disease Prevention and Control Unit - Grant Program from the Texas Department of State Health Services (DSHS) to provide epidemiologic and surveillance response activities and laboratory response network activities by funding 3 existing full time employee Epidemiologist positions through July 31, 2026. (6 votes required)
Sponsors: Health Department
27. [24-1608](#) Ordinance authorizing three Airline Use and Lease Agreements with (1) United Airlines, (2) Southwest Airlines, and (3) American Airlines, each of which has a three-year term with a mutual agreement option to renew for a period of two two-year options. (6 votes required)
Sponsors: Aviation Department
28. [24-1618](#) Ordinance authorizing three concession and lease agreements with (1) EAN Holdings, LLC dba Alamo Rent a Car, Enterprise Rent-A-Car and National Car Rental; (2) AVIS Budget Car Rental, LLC dba Avis, Budget & Payless; and (3) The Hertz Corporation dba Hertz, Dollar Rent A Car and Thrifty Car Rental for on-airport rental car services, each of which has a five-year term and two one-year options, in consideration of 11% of annual gross revenues or a minimum annual guarantee, whichever is greater. (6 votes required)
Sponsors: Aviation Department and Finance & Procurement
29. [24-1880](#) Ordinance approving amendment to the Tax Increment Reinvestment Zone No. 2 operating budget for the Briscoe King Pavilion Project; increasing funds in the amount of \$1,911,385.00 for needed improvements and renovation to the existing Briscoe King Pavilion facility; appropriating \$1,911,385.00 from the unreserved balance of the Tax Increment Reinvestment Zone No. 2 Fund; and amending the FY 2025 Operating Budget. (6 votes required)
Sponsors: Office of Management and Budget
30. [24-1857](#) Ordinance amending Corpus Christi Code Section 14-552 to establish specific slope and retaining wall requirements for new construction on Padre Island and Mustang Island; and providing for a penalty not to exceed \$500 and publication.
Sponsors: Development Services
31. [24-1959](#) Ordinance authorizing a Coastal Erosion Planning and Response Act Project Cooperation Agreement with the Texas General Land Office and a matching grant allocation of \$820,000.00 to mitigate shoreline erosion of public parks along the Corpus Christi Bay; appropriating \$820,000.00 from the unreserved balance of the Type B Fund; and amending the FY 2025 Operating Budget. (6 votes required)
Sponsors: Parks and Recreation Department and Economic Development

K. RECESS FOR LUNCH

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

L. PUBLIC HEARINGS: (ITEMS 32 - 33)

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

- 32.** [24-1885](#) Public Hearing for the adoption of a new Bayside Area Development Plan, an element of the City's Comprehensive Plan, rescinding the former Southeast Area Development Plan; and amending conflicting plans.

Sponsors: Planning and Community Development Department

- 33.** [24-1962](#) Public Hearing concerning the creation of the Mirabella Public Improvement District (PID), pursuant to the provisions of chapter 372 of the Texas local government code Consideration and approval of a resolution by the city council of the City of Corpus Christi, Texas authorizing the creation of the Mirabella Public Improvement District (PID); resolving other matters incident and related thereto; and providing an effective date.

Sponsors: Economic Development

M. INDIVIDUAL CONSIDERATION ITEMS: (ITEMS 34 - 37)

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

- 34.** [24-1947](#) Motion authorizing a construction contract to KJM Commercial, Inc. dba Victory Building Team, Corpus Christi, Texas, for the City of Corpus Christi Northwest Police Substation in District 1, in an amount not to exceed \$5,990,000.00, with FY 2025 funding available from the Bond 2024 Police Department Fund. (6 Votes Required)

Sponsors: Police Department, Engineering Services and Contracts and Procurement

- 35.** [24-1924](#) Ordinance amending Ordinance No. 032481 to adjust and reallocate use of funding from the American Rescue Plan Act (ARPA) as follows: Citywide Waterline Replacement \$30,000,000.00; Citywide Wastewater Lift Station Upgrades \$18,400,000.00; Citywide Stormwater Improvements \$10,000,000.00; North Beach Drainage Improvements \$1,254,480.00; Construction of Fire Station #3 \$4,050,000.00; Police and Fire Services \$3,819,106.00; Downtown Outdoor Dining Development \$26,414.00; and administrative grant support \$3,894.00; appropriating \$218,106.00 in estimated ARPA interest income; and amending the FY 2025 Operating and Capital Budgets to account for the necessary changes in ARPA funding and approved projects.

Sponsors: Finance & Procurement

- 36.** [24-1913](#) Motion awarding a construction contract to Gourley Contractors, LLC for the Cole Park Plaza Shade Structure project in an amount not to exceed

\$689,934.28 for the Cole Park improvements, located in Council District 1, with FY 2025 funding available from the Parks Capital Fund. (6 votes required)

Sponsors: Parks and Recreation Department, Engineering Services and Contracts and Procurement

37. [24-1915](#) Motion awarding a construction contract to Marshall Company Ltd, Corpus Christi, TX, for the Sherrill Park Military Monument project in an amount not to exceed \$715,100.00 for the transportation and installation of a U.S Army Bell Huey Helicopter, located in Council District 1 with FY 2025 funding available from the Bond 2024 Parks Fund. (6 votes required)

Sponsors: Parks and Recreation Department, Engineering Services and Contracts and Procurement

N. EXECUTIVE SESSION: (ITEMS 38 - 39)

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.

38. [24-1955](#) **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 industries, infrastructure, utilities, and property in the City's extraterritorial jurisdiction, services thereto, annexation, Texas Local Gov't Code service plans, industrial district agreements (IDA's), and Chapters 42, 43 and 212 of the Texas Local Government Code § 43.0116, et. seq., rates for utilities, actions for limitation of rates, Texas Water Code § 13.043 and associated statutes and regulations, and **Texas Government Code § 551.087** to discuss and deliberate regarding potential financial or other incentive(s) to business prospects(s) that the governmental body seeks to have locate, stay, or expand in or near the territory of the City and with which the City will be conducting economic development negotiations, authorizing preparation of service plans for areas to be considered for annexation, and authorizing professional services agreements and amendments thereto with attorneys, engineers, and other consultants involved in the aforementioned actions.

39. [24-1956](#) **Executive Session pursuant to Texas Gov't Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the cases of *Graham Construction Services, Inc. v. City of Corpus Christi*, *Xylem Water*

Solutions and Atlas Copco Compressors v. Carollo Engineers, PC, Travelers Casualty and Surety Company, Control Panels USA, Inc. and Fluid Components International LLC, and City of Corpus Christi v. Carollo Engineers, P.C., including potential consideration of settlement offers and/or fees for attorneys, engineers, other expert witnesses assisting in this case, deposition fees, and court costs, and updates on litigation in other cases.

O. **ADJOURNMENT**