



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, January 24, 2017

2:00 PM

Council Chambers

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 5:30 P.M. ON CITY-RELATED MATTERS THAT ARE NOT SCHEDULED ON THE AGENDA. PUBLIC COMMENT ON AGENDA ACTION ITEMS WILL BE HEARD AT THE TIME THE COUNCIL CONSIDERS THE AGENDA ITEM. 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 Public Communications 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 Dan McQueen to call the meeting to order.**
- B. Invocation to be given by Mrs. Dorothy Dundas, Texas Apostolic Prayer Network.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Commander Kelly Isaacks, Corpus Christi Police Department.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-0131](#) Swearing-In Ceremony for Newly Appointed Board, Commission and Committee Members.**
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**

a. **OTHER**

G. **MINUTES:**

2. [17-0124](#) Regular Meeting of January 17, 2017.

H. **SPECIAL CONSIDERATION ITEM:**

3. [17-0155](#) **Resignation of Mayor**

Discussion and consideration of Mayor Dan McQueen's resignation.

Sponsors: City Secretary's Office

I. **BOARD & COMMITTEE APPOINTMENTS:**

4. [17-0159](#) Animal Care Advisory Committee
City Council's Youth Advisory Committee
Corpus Christi Aquifer Storage and Recovery Conservation District
Library Board

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 5 - 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.

5. [17-0012](#) **Appointing Financial Advisor for Solid Waste Certificates of Obligation**

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Taxable Series 2017B in an amount not to exceed \$2,500,000.

Sponsors: Financial Services Department

6. [17-0093](#) **Resolution approving publication of Notice of Intention to Issue Certificates of Obligation**

Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

Sponsors: Financial Services Department

7. [17-0052](#) **Reimbursement Resolution for Certificates of Obligation**

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds from the proceeds one or more series of tax-exempt or taxable obligations to be issued by the City in an aggregate amount not to exceed \$9,650,000 for authorized purposes relating to constructing various City improvements; authorizing matters incident and related thereto; and providing an effective date.

Sponsors: Financial Services Department

8. [16-1376](#) **Resolution approving a Homebuyer Assistance Program agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi.**

Resolution approving an agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi for Type A Affordable Housing Program - Homebuyer Assistance Program in the amount of \$107,500; and authorizing the City Manager or designee to execute said agreement.

Sponsors: Housing and Community Development

9. [16-1447](#) **Engineering Construction Contract for Corpus Christi International Airport (CCIA) Runway 18-36 and Associated Work**

Motion authorizing the City Manager, or designee, to execute a construction contract with GL Contracting / Double Rafter H Construction Company, LLC. - Joint Venture of San Antonio, Texas in the amount of \$1,094,167.18 for the CCIA Runway 18-36 and Associated Work for the Base Bid (Asphalt Option) with a 90/10% respective share of contract costs between the FAA and the City.

Sponsors: Engineering Services and Aviation Department

10. [17-0007](#) **Engineering Construction Contract for City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a

construction contract with IPR South Central LLC of Pasadena, Texas in the amount of \$4,000,000 for the City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity Program (ID/IQ) for the Total Base Bid. The initial contract is anticipated as a two (2) year (730 calendar days) base contract, with three (3) optional one (1) year (365 calendar days) extensions subject to availability of funding and satisfactory contractor performance. The optional contract extension will not exceed an amount of \$2,000,000 per year and will be administratively authorized by the City Manager or designee based on available funding. (Capital Improvement Program)

Sponsors: Engineering Services and Water Utilities Department

11. [17-0008](#) **Engineering Construction Contract for Greenwood Drive Storm Water Improvements**

Motion authorizing the City Manager, or designee, to execute a construction contract with Clark Pipeline Services, LLC. of Corpus Christi, Texas in the amount of \$469,401.98 for the Greenwood Drive Storm Water Improvements.

Sponsors: Street Department, Water Utilities Department and Engineering Services

12. [17-0015](#) **Resolution approving a Supply Agreement for Liquid Caustic Soda Solution**

Resolution rejecting all initial bids submitted for the purchase of liquid caustic soda ("chemical"); finding that the purchase of the chemical is necessary to preserve and protect the public health and safety of the City's residents; obtaining pricing through competitive solicitation; and authorizing the City Manager or designee to execute a one-year supply contract for the chemical with Univar of Kent, Washington, in an amount not to exceed \$1,362,882.00, of which an estimated expenditure of \$908,588.00 in FY2016-2017 is funded by the Water Fund, and includes up to four one-year renewals.

Sponsors: Water Utilities Department and Purchasing Division

13. [17-0062](#) **Disbursement of Council Member Carolyn Vaughn's FY2016/2017 Salary & Car Allowance**

Motion authorizing the City Manager or designee to distribute Council Member Carolyn Vaughn's FY2016/2017 budgeted salary and associated payroll taxes, which are not to be received by Council Member Vaughn, in the amount of \$6,459.00, to Animal Care Services to be used to transport canines to other cities for the purpose of adoption and Council Member Carolyn Vaughn's FY2016/2017 budgeted car allowance and associated payroll taxes, which are not to be received by Council Member Vaughn, in the amount of \$4,521.30, to Animal Care Services to be used for the provision of diagnostic testing and the treatment of cruelly treated canines housed at the City's Animal

Care Services facility.

Sponsors: City Secretary's Office

14. [17-0063](#) **Disbursement of Council Member Paulette M. Guajardo's FY2016/2017 Salary**

Motion authorizing the City Manager or designee to execute an agreement with 911 Park Place d.b.a. Mission 911, a Texas non-profit corporation, of Corpus Christi Texas, in the amount of \$4,950.73, to be funded by Council Member Paulette M. Guajardo's FY2016/2017 budgeted city council salary and associated payroll taxes, which are not to be received by Council Member Guajardo, in support of programs provided by 911 Park Place d.b.a. Mission 911 in the City of Corpus Christi, Texas.

Sponsors: City Secretary's Office

15. [17-0058](#) **Second Reading Ordinance - Conversion and reclassification of 24 Firefighter I positions to 24 Firefighter II - EMS positions effective February 1, 2017 pursuant to Resolution No. 030964 and Settlement Agreement (1st Reading 1/17/17)**

Ordinance amending Ordinance No. 030965 Section 4. to convert and reclassify 24 Firefighter I positions to 24 Firefighter II-EMS positions effective February 1, 2017 pursuant to Resolution No. 030964 and settlement agreement.

Sponsors: Fire Department

16. [17-0026](#) **Second Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located south of South Padre Island Drive (SH 358), west of Flour Bluff Drive, along Glenoak Drive (1st Reading 1/17/17)**

Ordinance authorizing City Manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with David E. and Christine L. Harris ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$141,334.85 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

17. [17-0009](#) **Second Reading Ordinance - Accepting and appropriating two donations for the North Beach Breakwater Plaza, North Shoreline Repair and Enhancement Project (Bond 2012, Proposition 8) (1st Reading 1/17/17)**

Ordinance accepting and appropriating a donation in the amount of

\$25,000 from the USS Lexington and a donation in the amount of \$25,000 from the Texas State Aquarium in Fund No. 3530 for the North Beach Breakwater Plaza, North Shoreline Repair and Enhancement Project E12129; Changing the FY 2017 Capital Improvement Budget adopted by Ordinance No. 030936 to increase revenues and expenditures by \$50,000. (Bond 2012, Proposition 8)

Sponsors: Engineering Services and Parks and Recreation Department

L. PUBLIC HEARINGS: (ITEM 18)

18. [17-0050](#) Public Hearing and First Reading Ordinance to adopt the proposed Mustang/Padre Area Development Plan

Ordinance amending the Comprehensive Plan of the City of Corpus Christi by adopting the Mustang/Padre Island Area Development Plan; defining the City's Comprehensive Plan policies on Mustang and Padre Island for protection of the environment, land use, transportation, economic development, public services, capital improvements, and plan implementation; rescinding the Mustang/Padre Island Area Development Plan adopted by City Council Ordinance #025725, April 20, 2004; providing for severance; and providing for publication.

Sponsors: Environmental and Strategic Initiatives

M. REGULAR AGENDA: (ITEMS 19 - 20)

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

19. [17-0156](#) Changing the Start Time of City Council Meetings

Discussion and consideration of changing the start time of the regular City Council Meetings.

Sponsors: City Secretary's Office

20. [17-0089](#) Resolution approving Street Preventative Maintenance Program (SPMP) FY 2017 Annual Work Plan

Resolution approving the concepts, direction, and general work plan for the Fiscal Year (FY) 2017 Street Preventative Maintenance Program (SPMP).

Sponsors: Street Department and Engineering Services

N. FIRST READING ORDINANCES: (ITEMS 21 - 24)

21. [17-0090](#) First Reading Ordinance - Transferring and appropriating matching funds for the Retired Senior Volunteer Program (RSVP) and the Senior Companion Program (SCP) Grants

Ordinance transferring \$79,173 from the No. 1020 General Fund to and

appropriating in the No. 1067 Parks and Recreation Grant Fund as matching grant funds for the Retired Senior Volunteer Program (RSVP) and transferring \$76,903 from the No. 1020 General Fund to and appropriating in the No. 1067 Parks and Recreation Grant Fund as matching grant funds for the Senior Companion Program (SCP); amending Ordinance No. 030818 to authorize the transfer of matching grant funds for the RSVP and SCP programs budgeted in the No. 1020 General fund to and appropriate them in the No. 1067 Parks and Recreation Grant Fund for said programs.

Sponsors: Parks and Recreation Department

22. [17-0109](#) **First Reading Ordinance - Accepting and appropriating funds in the Community Enrichment fund for park improvements**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate \$318,198.30 in developer contributions, other donations and interest earnings in the 4720 Community Enrichment Fund for park improvements and other related projects as described on the attached and incorporated Exhibit A.

Sponsors: Parks and Recreation Department

23. [17-0115](#) **First Reading Ordinance - Five Year Lease Agreement for Buccaneer Commission**

Ordinance authorizing the City Manager or designee to execute a five-year lease agreement with Buccaneer Commission for the use of Tex Mex Railroad Depot located at 1800 block of Chaparral Street, in consideration of rental payments of \$600 per month increasing to \$750 per month in third year and \$900 per month in fourth year; and providing for options to extend for up to two additional five-year terms with rental rates to be increased each five-year term by ten percent; and providing for publication.

Sponsors: Parks and Recreation Department

24. [17-0114](#) **First Reading Ordinance - Short-term Lease Agreement for Buccaneer Commission**

Ordinance authorizing the City Manager or designee to execute a short-term lease agreement with Buccaneer Commission for the use of Tex Mex Railroad Depot located at 1800 block of Chaparral Street, in consideration of rental payments of \$600 per month, not to exceed six months.

Sponsors: Parks and Recreation Department

O. FUTURE AGENDA ITEMS: (ITEMS 25 - 31)

The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.

25. [17-0011](#) **Service Agreement for Mowing of Storm Water and Street Right-of-Ways**

Motion authorizing City Manager, or designee, to execute a service agreement with 2Chainz Brush Clearing, LLC of Lolita, Texas, for mowing of storm water and street right-of-way, in accordance with Request for Bids No. 165, based on the lowest, responsive, responsible bid for a total amount not to exceed \$367,772.00, with an estimated expenditure of \$245,181.33 in FY2016-2017. The term of this contract will be for 12 months with options to extend for two additional 12-month periods, subject to the mutual consent of the City Manager and the contractor.

Sponsors: Parks and Recreation Department and Purchasing Division

26. [17-0149](#) **Service Agreement for the purchase of a Gas/Blower Flare for the Cefé F. Valenzuela Landfill**

Motion authorizing the City Manager or designee to execute a service agreement with Parnel Biogas. Inc., of Tulsa, Oklahoma, for the purchase of a gas/blower flare in accordance with Request for Bids No.184, based on lowest, responsive and responsible bid for a total amount not to exceed \$271,475.64, to be funded by Solid Waste 2017 Certificates of Obligation. The term of the agreement is for 12 months.

Sponsors: Solid Waste Operations and Purchasing Division

27. [17-0018](#) **Construction Contract and Professional Services Contract for Cefé F. Valenzuela Landfill Gas Collection and Control System (Capital Improvement Project)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Tri Con Works, LLC. of Houston, Texas in the amount of \$1,019,690 for the Cefé F. Valenzuela Landfill Gas Collection and Control System for the total base bid and to execute a contract for Construction Phase Engineering and Quality Assurance Services with SCS Engineers, Inc. from Austin, Texas in the amount of \$268,000 for full-time construction management. (Capital Improvement Project)

Sponsors: Engineering Services and Solid Waste Operations

28. [17-0019](#) **Engineering Construction Contract and two Materials Testing Agreements for Gollihar Road Improvements from Kostoryz Road to Weber Road (Bond 2014 Proposition 1)**

Motion authorizing the City Manager, or designee, to execute a

construction contract with Haas-Anderson Construction, Ltd. of Corpus Christi, Texas in the amount of \$13,534,848.30 for Gollihar Road Improvements from Kostoryz Road to Weber Road for a total base bid and to execute a construction materials testing agreement with Rock Engineering in the amount of \$63,725.00 for Gollihar Road from Weber to Carroll Lane and to execute a construction materials testing agreement with Rock Engineering in the amount of \$59,359.00 for Gollihar Road from Carroll to Kostoryz. (BOND 2014 Proposition 1)

Sponsors: Engineering Services and Street Department

29. [17-0020](#) **Engineering Construction Contract for Street Preventative Maintenance Program (SPMP) FY 2017 - Street Overlays**

Motion authorizing the City Manager, or designee, to execute a construction contract with Bay, LTD. of Corpus Christi, Texas in the amount of \$9,421,462.50 for the total base bid and two (2) one-year renewal options for the Street Preventative Maintenance Program (SPMP) street overlays and to execute two construction materials testing agreement with Rock Engineering for Part 1 - West in the amount of \$74,965.00 and for Part 2 - East in the amount of \$74,965.00 for SPMP street overlays.

Sponsors: Engineering Services and Street Department

30. [17-0024](#) **Resolution approving the Wastewater Management Plan**

Resolution approving the City of Corpus Christi Wastewater Management Plan Final Report ("Final Report") regarding options for improvements to the City's wastewater treatment plants ("WWTPs") and adopting Option 4D as stated in the Final Report which provides for following key infrastructure components: (1) construction of a new 12 million gallons per day (MGD) wastewater treatment facility at a new site ("New WWTP") with recommended location in the area between the current Allison and Greenwood WWTPs; (2) consolidation of existing wastewater flows at two WWTPs: the New WWTP and an upgraded and expanded 20 MGD plant on the Oso WWTP site, with Broadway and Whitecap WWTPs to remain in service for foreseeable future; and (3) decommissioning of the Allison, Laguna Madre, and Greenwood WWTPs.

Sponsors: Water Utilities Department

31. [17-0108](#) **Resolution supporting the introduction of Legislation authorizing a motor fuel tax on a local option basis for Residential Street Funding**

Resolution of the City of Corpus Christi, Texas supporting the introduction of Legislation authorizing a motor fuel tax on a local option basis for Residential Street Funding.

Sponsors: Intergovernmental Relations

P. BRIEFINGS: (ITEMS 32 - 35)

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.

32. [17-0154](#) Texas Municipal Retirement System Update

Sponsors: Human Resources

33. [17-0078](#) Water Quality Projects Update

Sponsors: Water Utilities Department

34. [17-0121](#) Affordable Housing Plan

Sponsors: Housing and Community Development

35. [16-1326](#) Discovery - Carport Regulations

Sponsors: Development Services

Q. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 5:30 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. This Public Comment period is for items that are NOT on the Agenda. Your presentation will be 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 Public Communications department at 361-826-3211 to coordinate.

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.

R. EXECUTIVE SESSION: (ITEMS 36 - 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.

36. [17-0152](#) **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 Article II of the City Charter, elections, resignation, Mayoral & City Council succession, and other matters of state law, ordinances, and City Council policies and procedures.
37. [17-0153](#) **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 pending and potential employment law litigation against the City, the Health District, and/or the officers and employees of said entity(ies), including potential approval of settlement(s), authorization of employment of attorneys and experts, and other actions related to said litigation.
38. [17-0150](#) **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 potential economic development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and wastewater services 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).
39. [17-0151](#) **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 prior and prospective Construction Yard License(s) in public right-of-way with Realtex Construction and/or Cosmopolitan Corpus, LLC and/or TPEG Cosmo Completion, LLC and other entities for Mesquite Street, Lawrence Street, and/or Chaparral Street and pursuant to **Texas Government Code § 551.072** to deliberate the exchange, lease, or

value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, related to publicly owned right-of-way in and adjacent to the aforementioned streets.

S. ADJOURNMENT