



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
forward.cctexas.com

Meeting Agenda - Final

City Council

Tuesday, September 26, 2017

11:30 AM

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 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 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 Joe McComb 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 Billy Delgado, Emergency Management Coordinator.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-1232](#) Proclamation declaring September 29, 2017, "Corpus Christi IceRays Hockey Team's 20th Anniversary Season".
Proclamation declaring September 30, 2017, "Coastal Bend Walk 'n Roll Celebration for Disability Awareness Day".
Proclamation declaring October 3, 2017, "National Night Out".
Proclamation declaring October 6, 2017, "Downtown Cultural District Day".
Proclamation declaring October 8-14, 2017, "National Fire Prevention

Week".

Swearing-In of Newly Appointed Board, Commission and Committee Members

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

a. OTHER

G. MINUTES:

- 2. [17-1235](#)** Regular Meeting of September 19, 2017 and Workshop Meetings of September 13 and 14, 2017.

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 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.

K. CONSENT AGENDA: (ITEMS 3 - 11)

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.

3. [17-1094](#) Service Agreement for Document Scanning Services for Development Services

Motion authorizing City Manager, or designee, to execute a service agreement with MCCi, LLC of Tallahassee, Florida for document scanning services based on the Local Government Purchasing Cooperative dba Buyboard for a total amount not to exceed \$135,000. The term of this services agreement is for six months. Funds are budgeted in the Development Services Fund for FY 2016-2017.

Sponsors: Development Services and Purchasing Division

4. [17-1160](#) Engineering Testing Agreement for Cefé Valenzuela Landfill Groundwater Monitoring FY 2017-2018

Motion authorizing the City Manager, or designee, to execute an engineering testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$138,900 for the Cefé Valenzuela Landfill Groundwater Monitoring FY 2017-2018.

Sponsors: Solid Waste Operations and Engineering Services

5. [17-1164](#) Engineering Testing Agreement for J.C. Elliott Landfill Groundwater Monitoring FY 2017-2018

Motion authorizing the City Manager, or designee, to execute an engineering testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$131,500 for the J.C. Elliott Landfill Groundwater Monitoring FY 2017-2018.

Sponsors: Solid Waste Operations and Engineering Services

6. [17-1149](#) **Service Agreement for Software and Equipment Upgrades for Solid Waste Scale Systems at Landfills**

Resolution finding that the purchase and upgrade of software and equipment for the Solid Waste Department's scale systems is a sole source procurement; and authorizing the City Manager, or designee, to execute a service agreement with A-1 Scale Service, Inc., of San Antonio, Texas, for upgrades of the scale system software and equipment for a total amount not to exceed \$85,600.00, with funding available in the FY2016-2017 General Fund.

Sponsors: Solid Waste Operations and Purchasing Division

7. [17-1147](#) **Service Agreement for Workers' Compensation Third-Party Administrator Services for one year at \$132,000 with four one-year options and a total potential multi-year amount of \$660,000.**

Motion authorizing the City Manager or designee to execute a service agreement with York Risk Services Group, Inc. of Parsippany, New Jersey for workers' compensation third-party administrator services in accordance with Request for Proposal (RFP) No. 1133, based on best value for a total amount not to exceed \$132,000, budgeted in FY2017-18. The term of this agreement is for one year with option to extend for up to four additional one-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of up to \$660,000.

Sponsors: Legal Department and Purchasing Division

8. [17-1020](#) **Second Reading Ordinance - Rezoning property located at 1840 Saratoga Boulevard (1st Reading 9/19/17)**

Case No. 0717-02 Bradley W. Shirley and Valerie V. Shirley: A change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District. The property is described as being Bohemian Colony Lands 6.379 acres out of Section 7, Lot 5, located north of Saratoga Boulevard and east of Greenwood Drive.

Planning Commission and Staff Recommendation (July 26, 2017):
Approval of the change of zoning from the "RS-6" Single-Family District to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Bradley W. Shirley and Valerie V. Shirley Cox ("Owner"), by changing the UDC Zoning Map in reference to Bohemian Colony Lands 6.379 acres out of Sec. 7, Lot 5, from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

9. [17-1024](#)

Second Reading Ordinance - Rezoning property located at 6802 Weber Road (1st Reading 9/19/17)

Case No. 0617-03 CC Ventures Equities IV, LP: A change of zoning from the "CN-1" Neighborhood Commercial District to "CG-2" General Commercial District. The property is described as being 0.839 acres out of the west 170 feet of Foxwood Estates Phase III, Block 11, Lot 2, located along the east side of Weber Road, north of Bratton Road, and south of Saratoga Boulevard.

Planning Commission and Staff Recommendation (July 26, 2017):

Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by CC Ventures Equities ("Owner"), by changing the UDC Zoning Map in reference to the west 170 feet of Foxwood Estates Phase III, Block 11, Lot 2, from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

10. [17-1175](#)

Second Reading Ordinance - Accepting and appropriating State grant for Violence Against Women Act (VAWA) Program within the Police Department (1st Reading 9/19/17)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$51,920.42 for the Violence Against Women Act (VAWA) Program within the Police Department with a cash match of \$12,926.93 and an in-kind match of \$8,280.00 for a total project cost of \$73,127.34; appropriating the \$51,920.42 in the No. 1061 Police Grants Fund for the VAWA grant in the Police Department; and authorizing the transfer of \$12,926.93 from the No. 1020 General Fund to the No. 1061

Police Grants Fund and appropriating the same for a total project cost of \$73,127.34.

Sponsors: Police Department

11. [17-1176](#) **Second Reading Ordinance - Accepting and appropriating State grant funds for the FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program within the Police Department (1st Reading 9/19/17)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Office of the Governor, Criminal Justice Division through the U. S. Department of Justice, Bureau of Justice Assistance, in the amount of \$11,241.00 for the State FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and appropriating the \$11,241.00 in the No. 1061 Police Grants Fund to fund the enhancement of law enforcement efforts by the Police Department.

Sponsors: Police Department

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEM 12)

12. [17-1172](#) **Public Hearing and First Reading Ordinance for the Adoption of the Downtown Area Development Plan**

Ordinance adopting a new Area Development Plan for the City of Corpus Christi titled "The Downtown Area Development Plan; Rescinding the Central Business Development Plan adopted by City Council ordinance #025658; providing for severance; and providing for publication.

Sponsors: Environmental and Strategic Initiatives

N. REGULAR AGENDA: (ITEMS 13 - 20)

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

13. [17-1203](#) **Second Reading Ordinance - Adopting the City of Corpus Christi Operating Budget for Fiscal Year 2017-2018 (1st Reading 9/19/17)**

Ordinance adopting the City of Corpus Christi operating budget for the fiscal year 2017-2018 beginning October 1, 2017; to be filed with the County Clerk; appropriating monies as provided in the budget; and providing for severance.

Sponsors: Office of Management and Budget

14. [17-1245](#) **Ordinance to ratify increase of \$4,034,005 in property tax revenues from last year's operating budget as reflected in the 2017-2018 operating budget; and declaring an emergency**

Sponsors: Office of Management and Budget

15. [17-1133](#) **Construction Contract for North Padre Island Beach Access Road 2 (Bond 2014, Proposition 2)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Mo-Con Services, Inc. of Corpus Christi, Texas in the amount of \$446,996.46 for North Padre Island Beach Access Road 2 for Total Base bid plus Additive Alternate No.1 and Additive Alternate No. 2. (Bond 2014, Proposition 2)

Sponsors: Street Department and Engineering Services

16. [17-1090](#) **Construction Contract for Staples Street from Alameda Drive to Morgan Avenue (Bond 2014, Proposition 1)**

Motion authorizing the City Manager, or designee, to execute a construction contract with MAX Underground Construction, LLC of Corpus Christi, Texas in the amount of \$3,844,135.12 for Staples Street from Alameda Drive to Morgan Avenue for a total Base Bid 2 (flexible pavement). (Bond 2014 Proposition 1)

Sponsors: Street Department and Engineering Services

17. [17-1159](#) **Master Service Agreement for Indefinite Delivery/Indefinite Quantity (IDIQ) Major Ditch Improvements (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a Master Service Agreement (MSA) with Lockwood, Andrews and Newnam, Inc. (LAN) of Corpus Christi, Texas in the amount of \$300,000 for IDIQ (Indefinite Delivery/Indefinite Quantity) Major Ditch Improvements. (Capital Improvement Program)

Sponsors: Water Utilities and Engineering Services

18. [17-1179](#) **Contract Amendment for Employee Assistance Program Services**

Motion authorizing the City Manager or designee to execute an amendment to the contract with Family Counseling Services of Corpus Christi, Texas, not to exceed \$20,000. The value of the service agreement for the full contract period of September 26, 2013 through September 30, 2017 is a not-to-exceed amount of \$69,958.

Sponsors: Human Resources

19. [17-1177](#) **Service Agreement for Employee Assistance Program for a not to**

exceed amount of \$15,840 and a total potential multi-year amount of up to \$79,200.

Motion authorizing City Manager, or designee, to execute an agreement with Family Counseling Service of Corpus Christi, Texas to provide employee assistance program services for the Corpus Christi City employees and their families in response to Request for Bid No. 1244 based on the lowest responsive, responsible bid for a total amount not to exceed \$15,840, and is being budgeted in FY2017-18 through the annual budget appropriations. The term of the agreement is for one year with an option to extend for up to four additional one-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of up to \$79,200.

Sponsors: Human Resources and Purchasing Division

20. [17-1169](#) **Second Reading Ordinance - Appropriating Fund Proceeds for Fiscal Year 2016-2017 (1st Reading 9/19/17)**

Ordinance appropriating amounts of: (a) \$29,800.19; (b) \$1,328,756.52; (c) \$1,822,527.28; (d) \$112,416.90; and (e) \$172,471.79; into the Airport CIP, Bond Proceeds, Utility Revenue Bond, Specialty Bond Proceeds and other Unappropriated Funds, respectively, for the following purposes: City's match for future FAA Grant Projects, Bayfront, Public Facilities, Fire, Police, Public Health and Safety, Sanitary Landfill, Library, Convention Center, Parks, and Streets, and as further detailed in Attachment 1; changing the FY 2017 Capital Improvement Budget adopted by Ordinance No. 030936 to increase expenditures accordingly.

Sponsors: Financial Services Department and Engineering Services

O. FIRST READING ORDINANCES: (ITEMS 21)

21. [17-1195](#) **First Reading Ordinance - Closing of a utility easement located at 6024 Crosstown Expressway**

Ordinance abandoning and vacating 0.303 acre of an existing utility easement out of a part of Bohemian Colony Lands, Block 7, Lot 2, located at 6024 Crosstown Expressway and requiring the owner, AEP Texas Central Company, to comply with the specified conditions.

Sponsors: Development Services

P. FUTURE AGENDA ITEMS: (ITEMS 22 - 30)

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

22. [17-1223](#) **Resolution Adopting the Nueces County Multi-Jurisdictional Hazard Mitigation Action Plan**

A resolution of the City Council of the City of Corpus Christi, Texas adopting the Nueces County Multi-Jurisdictional Hazard Mitigation Action Plan.

Sponsors: Development Services

23. [17-1170](#) **Resolution for a Supply Agreement for the Purchase of Chemkeys and Reagents for O.N. Stevens Water Treatment Plant for a total not to exceed amount of \$825,780.23 for the three-year term**

Resolution finding that the purchase of chemkeys and reagents for O.N. Stevens Water Treatment Plant is a sole source procurement; and authorizing the City Manager, or designee, to execute a supply agreement with Hach Company of Loveland, Colorado, for the purchase of chemkeys and reagents for a total amount not to exceed \$825,780.23 for a three-year term, with an annual step price increase.

Sponsors: Water Utilities and Purchasing Division

24. [17-1156](#) **Supply Agreement for the Purchase of Liquid Ammonium Sulfate Solution for the O.N. Stevens Water Treatment Plant for a not to exceed amount of \$350,941.00 with a potential multi-year amount of up to \$2,105,646.00**

Motion authorizing the City Manager, or designee, to execute a supply agreement with Chemtrade Chemicals US, LLC, of Parsippany, New Jersey for the purchase of liquid ammonium sulfate solution in response to Request for Bid (RFB) No. 1261, based on the lowest responsive, responsible bid, for a total amount not to exceed \$ 350,941.00, of which \$175,470.50 will be funded by the Water Fund in FY2017-18. The term of the agreement is for two years with an option to extend for two additional two-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of up to \$2,105,646.00.

Sponsors: Water Utilities and Purchasing Division

25. [17-1194](#) **Resolution authorizing the submission of a grant application for the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program**

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of up to five million dollars (\$5,000,000) to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program.

Sponsors: Intergovernmental Relations

26. [17-1141](#) **Small Business Agreement for Del Mar College Internship Program**

Resolution to approve a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide grant up to \$150,000 for their internship program to assist small businesses.

Sponsors: Economic Development

27. [17-1142](#) **Small Business Agreement for Texas A&M University - Corpus Christi Internship Program**

Resolution to approve a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Texas A&M University - Corpus Christi (TAMU-CC) to provide grant up to \$150,000 for their internship program to assist small businesses.

Sponsors: Economic Development

28. [17-1143](#) **Small Business Agreement for LiftFund, Inc.**

Resolution to approve the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and LiftFund, Inc. (LiftFund) to provide a grant up to \$250,000 for their loan buy-down program to assist small business.

Sponsors: Economic Development

29. [17-1144](#) **Small Business Agreement for Service Corps of Retired Executives (SCORE) Chapter 221**

Resolution to approve a 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 \$52,600 for their small business assistance program.

Sponsors: Economic Development

30. [17-1145](#) **Small Business Agreement for Del Mar College Procurement Technical Assistance Center**

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide a grant up to \$48,490 for their Procurement Technical Assistance Center (PTAC) to assist small business.

Sponsors: Economic Development

Q. BRIEFINGS: (ITEM 31)

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.

31. [17-1089](#) **Unified Development Code - Public and Private Improvements -**

Warranty Period

Sponsors: Development Services

R. RECESS TO CORPORATION MEETING: (ITEM 32)**32. [17-1029](#) Annual Board Meeting of the Corpus Christi Housing Finance Corporation**

Sponsors: Housing and Community Development

S. RECONVENE COUNCIL MEETING:**T. EXECUTIVE SESSION: (ITEMS 33 - 35)**

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.

33. [17-1255](#) 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 City's professional service management agreement for the Corpus Christi Museum of Science and History.

34. [17-1256](#) 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 water supplies for industrial and other development, Financing Agreement and other legal documents related to loans provided by State Water Implementation Revenue Fund of Texas (SWIRFT), professional services agreements for the provision of services tied to said funding, desalination, potential interlocal agreements with water districts and other governmental entities involving water or other utility services, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential agreements for the economic development agreement(s) with business prospects that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and/or wastewater services, potential creation of entities that could provide or assist in the provision of the aforementioned services, including, but not limited to local government corporation(s), and

pursuant to **Texas Gov't 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), including, but not limited to, potential contracts for the provision of water to said business prospect(s).

35. [17-1237](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning claims, pending litigation, potential settlement, attorney's fees, and/or other potential legal matters regarding lawsuit of *Corpus Note LLC vs. City of Corpus Christi*.

U. 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.

V. ADJOURNMENT