



City of Corpus Christi

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

Meeting Agenda - Final-revised

City Council

Tuesday, September 12, 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 Pastor Claude Axel, Mount Pilgrim Baptist Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Steve Viera, Director of Human Resources.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-1166](#) Proclamation declaring September 2, 2017, "Foy H. Moody High School 50th Anniversary Day".
Proclamation declaring September 8, 2017, "International Literacy Day" and September 2017, "International Literacy Month".
Proclamation declaring September 11, 2017, "9/11 Day of Service and Remembrance".
Proclamation declaring September 17, 2017, "Mission of Mercy 10-Year Anniversary - A Decade of Healing Through Love Day"

Proclamation declaring September 30, 2017, "Corpus Christi Out of the Darkness Walk".
Presentation donating to "Mayor's Hurricane Harvey Fund" by Nathaniel Villarreal - Age 7.
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. [17-1171](#) Regular Meeting of August 29, 2017 and Workshop of August 10, 2017.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [17-1168](#) Corpus Christi Downtown Management District
Museum of Science and History Advisory Board
Parks and Recreation Advisory Committee

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 4 - 10)

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.

4. [17-1019](#) Service Agreement for Health and Welfare Consulting Services

Motion authorizing the City Manager or designee to execute service agreement with IPS Advisors, LLP of Dallas, Texas for health and welfare benefits consulting services in accordance with Request for Proposal (RFP) No. 973, based on best value for a total amount not to exceed \$59,000 for the initial year, with a step price increase throughout the option years. The initial year's funding will be requested for FY 2017-18. 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.

Sponsors: Human Resources and Purchasing Division

5. [17-0974](#) Purchase and Installation of Playground Equipment for Captain Falcon Park (4712 Oso Parkway) and Crestmont Park (3521 Cresthill Drive)

Motion approving the purchase and installation of playground equipment at Captain Falcon Park from Park Place Recreation Designs, Inc., of San Antonio, Texas for \$52,152.65, and the purchase and supervision of installation of playground equipment at Crestmont Park from Exerplay, Inc., of Cedar Crest New Mexico for \$61,059.75, for a total not to exceed of

\$113,212.40 based on the cooperative purchasing agreement with the Local Government Purchasing Cooperative dba BuyBoard.

Sponsors: Parks and Recreation Department and Purchasing Division

6. [17-1009](#) **Construction Contract for the Aquatic Facility Upgrades and Improvements - West Guth Pool Project**

Motion authorizing the City Manager, or designee, to execute a construction contract with Progressive Commercial Aquatics, Inc. of Houston, Texas in the amount of \$1,512,189 for the Aquatic Facility Upgrades and Improvements - West Guth Pool project for the base bid plus additive alternates 1, 2 and 3. (Bond 2012 Proposition 4)

Sponsors: Engineering Services and Parks and Recreation Department

7. [17-0392](#) **Professional Services Contract for the Bridge Rehabilitation Project (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a professional services contract with LJA Engineering, Inc., of Corpus Christi, Texas in the amount of \$114,950 for the Bridge Rehabilitation project. (Capital Improvement Program) (CIP) The term of this agreement is for one year with option to extend for two additional one-year periods subject to the sole discretion of the City based on sufficient funding and successful performance by the engineering firm.

Sponsors: Engineering Services and Water Utilities Department

8. [17-0696](#) **Supply Agreement for Concrete**

Motion authorizing City Manager, or designee, to execute a supply agreement with Custom-Crete, LLC, of Euless, Texas for the purchase of concrete in response to Request for Bid No. 958 based on the lowest responsive, responsible bid for a total amount not to exceed \$105,700.00 with an estimated expenditure of \$8,808.33 in FY2016-2017 and funded by the Storm Water Fund. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

Sponsors: Street Department and Purchasing Division

9. [17-1061](#) **Supply Agreement for Cement Stabilizing Sand**

Motion authorizing City Manager, or designee, to execute a supply agreement with Aaron Concrete Contractors, of Aransas Pass, Texas for the supply of cement stabilizing sand in response to Request for Bid No. 1152 based on the lowest responsive, responsible bid for a total amount not to exceed \$297,828.94, with an estimated expenditure of \$24,819.08 in FY2016-2017. The term of the agreement is for one year with an option to extend for up to two additional one year periods, subject to the sole

discretion of the City.

Sponsors: Office of Public Utilities and Purchasing Division

10. [17-1062](#) **Supply Agreement for Sodium Hypochlorite for Water and Wastewater Plants**

Motion authorizing City Manager, or designee, to execute a supply agreement with Brenntag Southwest, Inc., of Longview, Texas for the purchase of Sodium Hypochlorite ("chemical") in response to Request for Bid No. 1149 based on the lowest responsive, responsible bid for a total amount not to exceed \$1,498,465.05, with an estimated expenditure of \$124,872.09 in FY2016-2017 and funded by the Utilities Fund. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

Sponsors: Office of Public Utilities and Purchasing Division

L. **RECESS FOR LUNCH**

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

M. **PUBLIC HEARINGS: (ITEMS 11 - 12)**

11. [17-1092](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 325 North Staples Street**

Case No. 0717-04 J R Electric Company: A change of zoning from the "IL" Light Industrial District to "CI" Intensive Commercial District. The property is described as Bluff, Block B, Lot 6, located at the intersection of North Staples Street and Comanche Street on the southwest corner, south of Lipan Street, and north of Caldwell Street.

Planning Commission and Staff Recommendation (August 9, 2017):
Approval of the change of zoning from the "IL" Light Industrial District to the "CI" Intensive Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by J R Electric Company ("Owner"), by changing the UDC Zoning Map in reference to the property described as Bluff, Block B, Lot 6, from the "IL" Light Industrial District to "CI" Intensive Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

12. [17-1128](#) **Public Hearing and First Reading Ordinance - Adopting the 2017 National Electrical Code**

Ordinance amending Corpus Christi Code of Ordinance, Chapter 14, Sections 14-201 & 14-241 to adopt the National Electrical Code, 2017 Edition, with local amendments, amending sections 14-1306, 14-1316, 14-1311, & 14-1313 to remove electrician licensing, registration, and special fee and clarifying building permit fees; providing for penalties, severance, effective date and publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 13 - 16)

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

13. [17-1058](#) Resolution Amending City Council Policies

Resolution Amending City Council Policies - Service on More Than One Board, Commission, Committee or Corporation.

Sponsors: City Secretary's Office

14. [17-1162](#) Ordinance Adopting the Fiscal Year 2018 Property Tax Rate

Ordinance setting a property tax rate of \$0.606264 per \$100 valuation which is effectively a 3.11% increase over the effective tax rate; and declaring an emergency.

Sponsors: Financial Services Department

15. [17-0972](#) Construction Contract for O.N. Stevens Water Treatment Plant Intermediate Sludge Removal Phase 1 FY 2018 (Capital Improvement Program)

Motion authorizing the City Manager, or designee, to execute a construction contract with American Process Group, Inc., of Tacoma, Washington in the amount of \$3,750,000 for the O.N. Stevens Water Treatment Plant (ONSWTP) Intermediate Sludge Removal Phase 1 FY 2018 for Base Bid Part A plus Additive Alternate No. 1. (Capital Improvement Program) (CIP)

Sponsors: Engineering Services and Office of Public Utilities

16. [17-1012](#) Second Reading Ordinance - Adjusting Water and Wastewater Utility Rates (1st Reading 8/15/17)

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, Utilities, regarding water and wastewater rates; providing for publication and effective date of January 1, 2018.

Sponsors: Water Utilities Department

O. RECESS TO CORPORATION MEETING: (ITEM 17)

17. [17-1028](#) Annual Board of Directors Meeting of the Corpus Christi Community Improvement Corporation (CCCIC)

Sponsors: Housing and Community Development

P. RECONVENE CITY COUNCIL MEETING:**Q. FIRST READING ORDINANCES: (ITEMS 18 - 19)**

18. [17-1132](#) **First Reading Ordinance - Approving the Fiscal Year 2017-2018 Capital Budget and Capital Improvement Planning Guide**

Ordinance approving the Fiscal Year 2017 - 2018 Capital Budget and Capital Improvement Planning Guide in the amount of \$142,224,600.

Sponsors: Assistant City Manager, Office of Management and Budget, Office of Public Works and Engineering Services

19. [17-1069](#) **First Reading Ordinance - Accepting and appropriating funds for the 2018 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Transportation (TXDOT) in the amount of \$155,000.09 for the 2018 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for Driving While Intoxicated (DWI), speed enforcement, and distracted driving overtime, with a city match of \$47,166.67, for a total project cost of \$202,166.76 and appropriating \$155,000.09 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

R. FUTURE AGENDA ITEMS: (ITEMS 20 - 26)

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

20. [17-1087](#) **Service Agreement for Tire Repair and Replacement Services for the Corpus Christi Fire Department**

Motion authorizing City Manager, or designee, to execute an agreement with Beasley Tire Services, Inc. of Houston, Texas for the repair and replacement services of tires for the Corpus Christi Fire Department in response to Request for Bid No. 978 based on the lowest responsive, responsible bid for a total amount not to exceed \$116,510.00, and budgeted in FY2017-18. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

Sponsors: Fire Department and Purchasing Division

21. [17-0952](#) **Professional Services Contract for Tourist Area Amenities - Wayfinding Initiative Project**

Motion authorizing the City Manager or designee to execute a professional services contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$251,860 for the Tourist Area Amenities - Wayfinding Initiative project.

Sponsors: Business Liaison and Engineering Services

22. [17-0975](#) **Resolution to Execute an Advance Funding Agreement (AFA) for the Sports, Entertainment, and Arts (SEA) District Pedestrian Improvements project (Bond 2012, Proposition 8)**

Resolution authorizing the City Manager, or designee, to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the Sports, Entertainment, and Arts (SEA) District Pedestrian Improvements project with City's required payment to TxDOT in the amount of \$21,000 for reimbursement of direct state costs. (Bond 2012, Proposition 8)

Sponsors: Engineering Services

23. [17-1083](#) **Construction Contract for Citywide Collection System Pipe Bursting Indefinite Delivery/Indefinite Quantity (IDIQ) Part C (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a multi-year ID/IQ construction contract with PM Construction & Rehab, LLC dba IPR South Central, LLC, of Pasadena, Texas in the amount of \$2,000,000 for Citywide Collection System Pipe Bursting ID/IQ Part C. This is a one (1) year base contract with four (4) optional one (1) year renewals to be approved administratively subject to availability of funding and satisfactory contractor performance. (Capital Improvement Program) (CIP)

Sponsors: Engineering Services and Office of Public Utilities

24. [17-1063](#) **Service Agreement for Preventative and Emergency Maintenance for Various Lift Stations for Wastewater**

Motion authorizing City Manager, or designee, to execute a service agreement with ADK Environmental, Inc., of Odem, Texas for preventative and emergency maintenance for various lift stations for Wastewater Division in response to Request for Bid No. 1247 based on the lowest responsive, responsible bid for a total amount not to exceed \$158,362.50, and budgeted in FY2017-18. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject

to the sole discretion of the City.

Sponsors: Office of Public Utilities and Purchasing Division

25. [17-1158](#) Annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS)

Motion authorizing the City Manager or designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of stream flows for rivers associated with the City's reservoirs, with the City's cost to be \$157,060. This Contract runs from October 1, 2017 to September 30, 2018.

Sponsors: Office of Public Utilities

26. [17-1163](#) Approving funds subject to reimbursement for services provided by Texas A&M Health Science Center (Coastal Bend Health Education Center) [CBHEC] utilizing Diabetes Care Team for the Corpus Christi-Nueces County Public Health District (CCNCPHD)

Motion approving up to but not to exceed \$250,000.00 to pay for services provided by Texas A&M Health Science Center (Coastal Bend Health Education Center) [CBHEC] utilizing Diabetes Care Team for the Corpus Christi-Nueces County Public Health District (CCNCPHD) for the City contract period that ended May 2, 2017 and invoices between the City contract and the County contract that begins in August 1, 2017. Nueces County to reimburse full amount of paid funds per interlocal agreement.

Sponsors: Health Department

S. FUTURE CORPORATION MEETING: (ITEM 27)

27. [17-1029](#) Annual Board Meeting of the Corpus Christi Housing Finance Corporation

Sponsors: Housing and Community Development

T. BRIEFINGS: (ITEM 28)

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.

28. [17-1126](#) Discussion regarding Appointments to the Charter Review Ad Hoc Committee

Sponsors: City Secretary's Office

U. EXECUTIVE SESSION: (ITEMS 29 - 31)

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.

29. [17-1124](#)

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, existing or potential agreements with water districts and other governmental entities involving the sale or purchase of water, wastewater, water rights or other utility services, potential 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, desalination, water reuse, and state regulations related to the aforementioned topics, 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), including, but not limited to, the provision of water to said business prospect(s) and the management, sale, or acquisition of rights to water for said business prospect(s).

30. [17-1079](#)

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 and potential litigation related to the contract for the construction of the Mary Rhodes Pipeline Phase 2 - Pump Station/Sedimentation Basin and potential authorization of professional services agreement(s) with expert(s) for analysis of aforementioned claims.

31. [17-1123](#)

Executive session pursuant to Texas Government Code § 551.074

(Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

V. 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.

W. ADJOURNMENT