



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, October 17, 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 Reverend Bruce Wilson, Church of Reconciliation.**
- C. Pledge of Allegiance to the Flag of the United States to be led by William Broyles, Captain, Police/Program Manager Animal Care Services.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-1313](#)** Proclamation declaring October 20-22, "57th Annual Texas Jazz Festival" Days.
Proclamation declaring October 25, 2017, "HELP Hits the High Notes Day".
Swearing-In Ceremony for Newly Appointed Board, Commission and Committee Members.

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

a. **STATUS OF DROUGHT CONTINGENCY PLAN AND WATER RELEASES**

b. **STORM DEBRIS REMOVAL UPDATE**

c. **OTHER**

G. **MINUTES:**

2. [17-1317](#) Regular Meeting of October 10, 2017.

H. **BOARD & COMMITTEE APPOINTMENTS:**

3. [17-1314](#) Committee for Persons with Disabilities
Regional Health Awareness Board

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 - 15)

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. [17-1198](#) Purchase of Tactical Gear for the Special Weapons and Tactics (S.W.A.T.) Team within the Police Department

Motion approving the purchase of various types of tactical gear for the S.W.A.T. team from GT Distributors, Inc., from Austin, Texas, based on a cooperative purchasing agreement with Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$181,871.66. Funds are budgeted in FY2017-18 Fund 1062 Fire Grant.

Sponsors: Police Department and Purchasing Division

5. [17-1205](#) Service Agreement for School Crossing Guard Services within the Police Department

Motion authorizing City Manager, or designee, to execute a service agreement with All City Management Services, Inc., Santa Fe Springs, California for school crossing guard services, in accordance with Request for Bid No. 1148, based on the lowest responsive, responsible bid for a total amount not to exceed \$360,864, of which \$333,105 is funded in FY2017-18 Red Light Photo Fund. The term of this contract will be for 13 months.

Sponsors: Police Department and Purchasing Division

6. [17-1199](#) **Purchase of a HazMat Elite Handheld Detection System for the Fire Department**

Motion approving the purchase of a HazMat Elite Handheld Detection System from FarrWest Environmental Supply, Inc., from Schertz, Texas, based on a cooperative purchasing agreement with Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$59,950.00. Funds are budgeted in FY 17-18 Fund 1062 Fire Grant.

Sponsors: Fire Department and Purchasing Division

7. [17-1291](#) **Resolution authorizing Oso Golf Course Claim Settlement**

Resolution authorizing payment to Foresight Corpus Christi Golf LLC for claim settlement of \$74,653.67 in replacement expenses for the Oso Golf Course cart barn damaged by fire on September 30, 2016.

Sponsors: Parks and Recreation Department

8. [17-1224](#) **Engineering Design Contract for Corpus Christi Museum of Science and History Floodwall from Type A Funds**

Motion authorizing the City Manager, or designee, to execute a professional services contract with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$216,871 for the Corpus Christi Museum of Science and History Floodwall project for survey, design, permitting, bid and construction phase services.

Sponsors: Engineering Services

9. [17-1252](#) **Disbursement of Council Member Paulette M. Guajardo's FY2017/2018 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 \$6,459.00, to be funded by Council Member Paulette M. Guajardo's FY2017/2018 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

10. [17-1241](#) **Second Reading Ordinance - Rezoning property located at 7601 Yorktown Boulevard (1st Reading 10/10/17)**

Case No. 0617-04 Gulfway Shopping Center: A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single Family 4.5 District. The property is described as being 27.20 acres out of Lot 5, Section 24 and Lots 21 and 28, Section 25, Flour Bluff and Encinal Farm and Garden

Tracts, located on the south side of Yorktown Boulevard, east of Rodd Field Road, and west of Starry Road.

Planning Commission and Staff Recommendation (August 23, 2017):
Approval of the change of zoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Gulfway Shopping Center (“Owner”), by changing the UDC Zoning Map in reference to 27.20 acres out of Lot 5, Section 24 and Lots 21 and 28, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the “FR” Farm Rural District to the “RS-4.5” Single Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

11. [17-1253](#)

Second Reading Ordinance - Rezoning property located at 4502 Kasper Street (1st Reading 10/10/17)

Case No. 0317-03 Bruce Callaway: A change from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District. The property is described as a 2.95 acre tract of land being the Easterly 205 feet of Lot Two (2), W. C. Lowery Park, a Subdivision of Corpus Christi, Nueces County, Texas, located along the south side of Gollihar Road east of the intersection with Kasper Street, east of Carroll Lane, and west of Weber Road.

Planning Commission and Staff Recommendation (May 3, 2017):
Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District, in lieu thereof approval of the “CN-1/SP” Neighborhood Commercial District with a Special Permit (SP) with conditions.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Bruce Callaway (“Owner”), by changing the UDC Zoning Map in reference to a 2.95 acre tract of land being the Easterly 205 feet of Lot Two (2), W. C. Lowery Park, from the “RS-6” Single-Family 6 District to the “CN-1/SP” Neighborhood Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

12. [17-1254](#)

Second Reading Ordinance - Rezoning property located at 5801 Patton Street (1st Reading 10/10/17)

Case No. 0817-01 Plains Capital Bank: A change of zoning from “IL” Light Industrial District to the “CG-1” General Commercial District. The property is described as Wooldridge Creek Center, Block 4, Lot 1D, located on the west side of Patton Street, south of Holly Road, and north of Wooldridge Road.

Planning Commission and Staff Recommendation (August 23, 2017):
Approval of the change of zoning from the “IL” Light Industrial District to the “CG-1” General Commercial District

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Plains Capital Bank (“Owner”), by changing the UDC Zoning Map in reference to Wooldridge Creek Center, Block 4, Lot 1D, from the “IL” Light Industrial District to the “CG-1” General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

13. [17-1238](#)

Second Reading Ordinance - Accepting and appropriating grant funds for the Victims of Crime Act (VOCA) grant within the Police Department (1st Reading 10/10/17)

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 \$281,860.18 to continue the Victims of Crime Act (VOCA) Grant within the Police Department for Year 18 and 19 with a City match of \$60,865.04 and an in-kind match of \$9,600 from the No. 1020 Police General Fund; appropriating the \$281,860.18 in the No. 1061 Police Grants Fund to continue the VOCA grant in the Police Department; and authorizing the transfer of \$60,865.04 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$352,325.22.

Sponsors: Police Department

14. [17-1248](#)

Second Reading Ordinance - Approval of the amendment to the previously approved agreement and appropriating Water Distribution Main Trust funds for Vantage at Corpus Christi, LLC (1st Reading 10/10/17)

Ordinance authorizing the City Manager or designee to execute an amendment to the previously approved Distribution Main Extension Construction and Reimbursement Agreement (“agreement”) with Vantage at Corpus Christi, LLC., (“developer”); and appropriating \$34,551.83 from the No. 4030 Distribution Main Trust Fund to reimburse the developer in

accordance with the amendment to the agreement.

Sponsors: Development Services

15. [17-1249](#) **Second Reading Ordinance - Approval of the amendment to the agreement and appropriating additional Water Distribution Main Trust funds for Peterson Properties, Ltd (1st Reading 10/10/17)**

Ordinance authorizing the City Manager or designee to execute an amendment to the Distribution Main Extension Construction and Reimbursement Agreement ("Agreement") with Peterson Properties, Ltd., ("Developer"), for the additional construction cost of a distribution main line; and appropriating \$64,035.73 from the No.4030 Distribution Main Trust fund to reimburse the developer in accordance with the amendment to the original agreement.

Sponsors: Development Services

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEM 16)

16. [17-1288](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 101 Caribbean Drive**

Case No. 0717-03 B.L. Marina Properties, LP: A change of zoning from the "CG-2" General Commercial District to the "RV" Recreational Vehicle Park District. The property is described as being 7.95 acres out of Lots 22 and 23, Section 53, Flour Bluff & Encinal Farm & Garden Tracts, located east of Laguna Shores Road, on the south side of Caribbean Drive at the Laguna Madre.

Planning Commission and Staff Recommendation (August 9, 2017):
Approval of the change of zoning from the "CG-2" General Commercial District to the "RV" Recreational Vehicle Park District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by B.L. Marina Properties, LP ("Owner"), by changing the UDC Zoning Map in reference to the property being 7.95 acres out of Lots 22 and 23, Section 53, Flour Bluff & Encinal Farm & Garden Tracts, from the "CG-2" General Commercial District to the "RV" Recreational Vehicle Park District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEM 17)

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

17. [17-1204](#) **Lease-Purchase of Three Loaders and Two Motor Graders for Beach Operations**

Motion authorizing City Manager, or designee, to authorize all documents necessary for the lease-purchase of three loaders and two motor graders from Doggett Heavy Machinery Services, LLC of Corpus Christi, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative dba BuyBoard, with the total amount not to exceed is \$1,201,629.50.

Sponsors: Parks and Recreation Department and Purchasing Division

O. **FIRST READING ORDINANCES: (ITEMS 18 - 19)**

18. [17-1260](#) **First Reading Ordinance - Ordinance authorizing the City Manager or designee to execute a Use Privilege Agreement with Flowserve Corp. / Flowserve US, Inc. located at 299 Gilliam Street**

Ordinance authorizing City Manager or designee to execute a Use Privilege Agreement with Flowserve Corp. / Flowserve US Inc. ("Permittee") to install a private wastewater collection system and conveyance system force main. Subject to the Permittee' compliance with specified conditions.

Sponsors: Development Services

19. [17-1290](#) **First Reading Ordinance - Approval of agreement and appropriating funds for MPM Development, LP, for the construction of a Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement**

Ordinance authorizing City Manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, LP. ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$109,354.20 from the No. 4030 Water Arterial Transmission & Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

P. **FUTURE AGENDA ITEMS: (ITEMS 20 - 22)**

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

20. [17-1289](#) **Resolution authorizing the City Manager or designee to execute a**

Developer Participation Agreement with MPM Development, LP., for Royal Creek Estates Unit 7, in the amount of \$207,386.85, for the City's share of the cost to extend Oso Parkway. (south of Yorktown Boulevard & east of Cimarron Boulevard)

Resolution authorizing city manager or designee to execute a developer participation agreement with MPM Development, LP., for Royal Creek Estates Unit 7, in the amount of \$207,386.85 for the City's share of the cost to extend Oso Parkway. (South of Yorktown Boulevard & East of Cimarron Boulevard).

Sponsors: Development Services

21. [17-1257](#) **Service Agreement for Bailiff and Security Guard Services for Municipal Court for a not to exceed amount of \$209,352 with a potential multi-year amount of up to \$628,056**

Motion authorizing the City Manager or designee to execute a service agreement with Sec-Ops, Inc. of Corpus Christi, Texas for bailiffs and security guard services for Municipal Courts in accordance with Request for Proposal (RFP) No. 1151, based on best value for a total amount not to exceed \$209,352, which \$191,906 is budgeted in FY2017-18. The term of this agreement is for one year with option to extend for up to two additional one-year periods, subject to the sole discretion of the City, with a total potential multi-year amount of up to \$628,056.

Sponsors: Municipal Court Administration and Purchasing Division

22. [17-1308](#) **Approval of the 2017 Tax Levy**

Motion approving the 2017 Property Tax Levy of \$119,297,025.33 based on the adopted property tax rate of \$0.606264 per \$100 valuation, in accordance with Section 26.09 (e) of the Texas Tax Code.

Sponsors: Financial Services Department

Q. BRIEFINGS: (ITEMS 23 - 24)

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.

23. [17-1319](#) **Affordable Housing and Housing Tax Credits**

Sponsors: Housing and Community Development

24. [17-1306](#) **Homeless Update**

Sponsors: Housing and Community Development

S. EXECUTIVE SESSION: (ITEMS 25 - 26)

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.

25. [17-1325](#) **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 and potential claims related to repairs to said museum.
26. [17-1322](#) **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, 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 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, potential contracts for the provision of water to said business prospect(s).

T. 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.

U. ADJOURNMENT

