



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, October 31, 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 Betty Vestal, Church of Acts.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Constance Sanchez, Director of Finance.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-1377](#)** Proclamation declaring October 31, 2017, "The Council on Alcohol + Drug Abuse Coastal Bend Day".
Proclamation declaring November 3, 2017, "Voices of South Texas Day".
Proclamation declaring November 4, 2017, "Face-to-Face Walk for Memory Day".
Proclamation declaring November 8, 2017, "National STEM Day".

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

a. **MUNICIPAL SOLID WASTE FEE (MSW)**

b. **OTHER**

G. **MINUTES:**

2. [17-1379](#) Regular Meeting of October 24, 2017.

H. **BOARD & COMMITTEE APPOINTMENTS:**

3. [17-1378](#) Commission on Children and Youth
Mayor's Fitness Council
Sister City 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 - 9)

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. [17-1277](#) **Supply Agreement for Sodium Permanganate Solution for the O.N. Stevens Water Treatment Plant for Two Years at \$3,407,859, with Two Additional Two-year Options and a Total Potential Multi-Year Amount of \$10,223,577 (Council Priority - Water)**

Motion authorizing City Manager, or designee, to execute a supply agreement with Carus Corporation, of Peru, Illinois for the purchase of sodium permanganate solution in response to Request for Bid (RFB) No. 1266, based on the lowest responsive, responsible bid, for a total amount not to exceed \$3,407,859.00, with an estimated expenditure of \$1,561,935.38 FY2017-18 funded by the Water Fund. 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 \$10,223,577.00.

Sponsors: Water Utilities and Purchasing Division

5. [17-1326](#) **Service Agreement for Section 125 Cafeteria Plan Administration Services for Employees Who Elect Flexible Spending Account and Dependent Care Assistance Programs for a One-Year Not to Exceed Amount of \$35,612.40, with Four Additional One-Year Options and a Total Potential Multi-Year Amount of Up to \$178,062.00**

Motion authorizing City Manager, or designee, to execute an agreement with Application Software, Inc., dba ASIFlex of Columbia, Missouri to provide Section 125 Cafeteria Plan Administration Services for the Corpus Christi City employees and their families in response to Request for Bid No. 1262 based on the lowest responsive, responsible bid for a total amount not to exceed \$35,612.40, of which \$32,644.70 is funded in FY2017-18 in the Employee Fund. 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 \$178,062.00.

Sponsors: Human Resources and Purchasing Division

6. [17-1327](#) **Supply Agreement for Office Supplies City-Wide for a Two-year Not to Exceed Amount of \$1,626,800.74, with Two Additional One-year Options and a Total Potential Multi-Year Amount of \$3,253,601.48**

Motion authorizing City Manager, or designee, to execute an agreement with Gateway Printing and Office Supply, Inc., Corpus Christi, TX for office supplies in response to Request for Bid No. 1257 based on the lowest responsive, responsible bid for a total amount not to exceed \$1,626,800.74 of which \$745,617.01 is funded in FY2017-18 from multiple funds. The term of the agreement is for two years with an 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 \$3,253,601.48.

Sponsors: Purchasing Division

7. [17-1346](#) **Second Reading Ordinance - Rezoning property located at 6113 Durant Drive (1st Reading 10/24/17)**

Case No. 0917-01 Luxury Spec Homes, Inc.: A change of zoning from the "FR" Farm Rural District to the "RS 4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay. The property is described as Blanche Moore School Subdivision, Lot 2, located on the south side of Durant Drive, south of Wooldridge Road, and west of Cimarron Boulevard.

Planning Commission Recommendation (September 20, 2017):

Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5/PUD" Single-Family 4.5 with a Planned Unit Development (PUD) Overlay with specified conditions.

City Staff Recommendation (September 20, 2017):

Denial of the change of zoning from the "FR" Farm Rural District to the "RS-4.5/PUD" Single-Family 4.5 with a Planned Unit Development (PUD) Overlay with specified conditions, in lieu thereof approval of the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Luxury Spec Homes, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Blanche Moore School Subdivision, Lot 2, from the "FR" Farm Rural District to the "RS 4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

8. [17-1287](#) **Second Reading Ordinance - Farming Lease Agreement at Cefe Valenzuela Landfill - 940 acres, Farm Site No. 3466 with an annual lease payment of \$98,700 for a total of \$493,500 for the five year lease (1st Reading 10/24/17)**

Ordinance authorizing the City Manager, or designee, to execute a five-year lease agreement with L.A. FARMS, Austin Harwell, to farm approximately 940 acres at the Cefe Valenzuela Municipal Landfill in consideration of a total annual lease payment of \$98,700 for a total of \$493,500 for 5 years based on \$105 per acre.

Sponsors: Solid Waste Operations and Engineering Services

9. [17-1324](#) **Second Reading Ordinance - Reimbursement Funds for Storm Water Catch Basins Program (1st Reading 10/24/17)**

Ordinance to appropriate \$20,000 in reimbursement funds received through the Reimbursement Contract with Coastal Bend Bays and Estuaries Program, Inc. for the storm water catch basin program in the No. 1052 Water Utilities Grant Fund.

Sponsors: Water Utilities

L. **RECESS FOR LUNCH**

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

M. **PUBLIC HEARINGS: (NONE)**

N. **REGULAR AGENDA: (ITEMS 10 - 11)**

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

10. [17-1343](#) **Second Reading Ordinance - Rezoning property located at 5842 Yorktown Boulevard (¾ vote required) (1st Reading as Amended 10/24/17)**

Case No. 0917-03 Mostaghassi Investment Trust: A change of zoning from

the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. The property is described as being Kings Point Unit 6, Block 1, Lot 1, located on the north side of Yorktown Boulevard, east of Gingerberry Drive and west of Lorie Boulevard.

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

Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District, in lieu thereof approval of the "CN-2" Neighborhood Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Mostaghasi Investment Trust ("Owner"), by changing the UDC Zoning Map in reference to Kings Point Unit 6, Block 1, Lot 1, from the "RS-6" Single-Family 6 District to the "CN-2" Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

11. [17-1382](#) **Discussion regarding the composition of the Corpus Christi B (Type B) Corporation board with possible action.**

Sponsors: City Secretary's Office

O. FIRST READING ORDINANCES: (ITEMS 12 - 14)

12. [17-1362](#) **First Reading Ordinance - Accepting and appropriating Grant funds for Assistance to Firefighters Grant Program**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$314,361 from the US Department of Homeland Security, Federal Emergency Management Agency for the Assistance to Firefighters Grant Program with a City hard match of \$31,436; and appropriating \$314,361 from the US Department of Homeland Security, Federal Emergency Management Agency into the No. 1062 Fire Grants Fund to carry out Assistance to Firefighters Grant Program.

Sponsors: Fire Department

13. [17-1231](#) **First Reading Ordinance - Appropriating Utility Revenue Improvement Bond Funds and approving the Master Service Agreement for the Seawater Desalination Project (Capital Improvement Program)**

Ordinance appropriating \$2,750,000 of Series 2017 Utility Revenue Improvement Bonds in Fund No. 4482 for the Seawater Desalination Project #E15117; changing the FY 2018 Capital Improvement Program

Budget adopted by Ordinance 031249 to increase revenues and expenditures by \$2,750,000; authorizing the City Manager or designee to execute Amendment No. 1 of the Seawater Desalination Project #E15117 using a Master Service Agreement with Freese and Nichols, Inc., of Corpus Christi, Texas in the amount of \$2,627,000 for a total restated fee of \$2,974,745 for the Seawater Desalination project; and requiring further authorization to issue the Notice to Proceed for Task Order 1 under the Master Service Agreement. (Capital Improvement Program) (CIP)

Sponsors: Assistant City Manager, Water Utilities Department and Engineering Services

14. [17-1286](#) **First Reading Ordinance - Appropriating Funds and Authorizing a Construction Contract for the Corpus Christi International Airport (CCIA) East General Aviation (GA) and Terminal Apron Reconstruction (Airport Capital Improvement Program)**

Ordinance appropriating \$4,899,563.58 from a Federal Aviation Administration Grant; appropriating \$544,395.98 from Airport Operating Reserve and transferring to Airport Capital Reserve for the Corpus Christi International Airport (CCIA) East General Aviation (GA) and Terminal Apron project; amending the FY '18 Capital Improvement Program (CIP) Budget by \$5,443,959.56; and authorizing the City Manager, or designee, to execute a construction contract with SpawGlass Civil Construction, Inc., of Houston, Texas in the amount of \$4,241,714.70 for the CCIA East GA and Terminal Apron project for the base bid plus three additive alternates.

Sponsors: Aviation Department and Engineering Services

P. **FUTURE AGENDA ITEMS: (ITEMS 15 - 19)**

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

15. [17-1008](#) **Resolution approving Bond 2016 Residential Street Rebuild Program (RSRP) Project Work Plan.**

Sponsors: Office of Public Works, Engineering Services and Street Department

16. [17-1082](#) **Contract Amendment No. 1 and Testing Agreement for Residential Street Rebuild Program (RSRP) Bond 2016**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to a contract for professional services with Hanson Professional Services, Inc. of Corpus Christi, Texas in the amount of \$552,667 for a restated fee of \$602,327; and to execute a geotechnical testing agreement with Professional Services Industries, Inc., of Corpus Christi, Texas in the amount of \$56,211 for the Bond 2016 *Residential Street Rebuild Program (RSRP)* Project.

Sponsors: Engineering Services and Street Department

17. [17-1258](#) **Construction Contract for the O.N. Stevens Water Treatment Plant Maintenance Building (Capital Improvement Program)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Pepper Lawson Waterworks, LLC of The Woodlands, Texas in the amount of \$1,662,390 for the O.N. Stevens Water Treatment Plant (ONSWTP) Maintenance Building for Total Base Bid. (Capital Improvement Program) (CIP)

Sponsors: Water Utilities Department and Engineering Services

18. [17-1305](#) **Professional Services Contract for Allison Basin Wastewater Master Plan Update**

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 \$67,450 for Allison Basin Wastewater Master Plan Update.

Sponsors: Water Utilities Department and Engineering Services

19. [17-1360](#) **Service Agreement for Financial Advisor Services for a One-Year Not-To-Exceed Amount of \$171,000.00 With Four One-Year Options for a Potential Not-To-Exceed Amount of \$870,000.00**

Motion authorizing the City Manager or designee to execute a service agreement with FirstSouthwest, a Division of Hilltop Securities, Inc., Dallas, Texas for financial advisor services for the Finance Department, in accordance with RFP No. 1306, based on the best value proposal. The agreement will be for a not-to-exceed amount of \$171,000.00, which will be funded in FY2017-2018 primarily from bond proceeds. The term of the agreement is for one year, with four one-year options subject to the sole discretion of the City, with a total potential multi-year not-to-exceed amount of \$870,000.00.

Sponsors: Assistant City Manager, Financial Services Department and Purchasing Division

Q. FUTURE CORPORATION MEETING: (ITEM 20)

20. [17-1410](#) **Future Special Board Meeting of the Corpus Christi Housing and Finance Corporation**

Sponsors: Housing and Community Development

R. BRIEFINGS: (ITEM 21)

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.

21. [17-1304](#) **Corpus Christi Regional Economic Development Corporation
Quarterly Update to City Council (Q3 2017)**

Sponsors: Economic Development

S. **EXECUTIVE SESSION: (ITEMS 22 - 23)**

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.

22. [17-1372](#) **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.

23. [17-1402](#) **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