



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, October 24, 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 ayudarlo.

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 David Kelly, Trinity Worship.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Andy Leal, Director of Street Operations.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-1344](#) Proclamation declaring October 2017, "National Breast Cancer Awareness Month".
Presentation donating to "Mayor's Hurricane Harvey Fund" by Judith Talavera, AEP Texas President & COO.
Presentation donating to "Mayor's Hurricane Harvey Fund" by Sun Jip Kim & Kyung Tak Chung, Korean Chamber of Commerce.**

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**a. OTHER****G. MINUTES:**

- 2. [17-1349](#)** Regular Meeting of October 17, 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 - 8)

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. [17-1289](#) **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

4. [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

5. [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

6. [17-1288](#) **Second Reading Ordinance - Rezoning property located at 101 Caribbean Drive (1st Reading 10/17/17)**

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

7. [17-1260](#) **Second 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 (1st Reading 10/17/17)**

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

8. [17-1290](#) **Second 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 (1st Reading 10/17/17)**

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

L. **RECESS FOR LUNCH**

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

M. **PUBLIC HEARINGS: (ITEMS 9 - 10)**

9. [17-1343](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 5842 Yorktown Boulevard (¾ vote required)**

Case No. 0917-03 Mostaghasi 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

10. [17-1346](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 6113 Durant Drive**

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

N. REGULAR AGENDA: (ITEMS 11 - 12)

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

11. [17-1368](#) Ordinance to appropriate unreserved funds for the purchase of three loaders and two graders for Parks and Recreation

Ordinance to appropriate \$636,690.00 in the unreserved fund balance in the No. 1030 Hotel Occupancy Tax Fund and \$459,235.00 in the unreserved fund balance in the No. 1032 State Hotel Occupancy Tax Fund for purchase of three loaders and two motor graders from Doggett Heavy Machinery Services, LLC of Corpus Christi for beach operations, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative dba BuyBoard, with the total amount not to exceed \$1,095,925.00; amending the FY 2017-2018 Operating Budget adopted by Ordinance Number 031255 to increase expenditures by \$1,095,925.00; and declaring an emergency.

Sponsors: Parks and Recreation Department

12. [17-1338](#) **Rental payments for two motor graders and three loaders totaling \$219,736**

Motion to authorize payments totaling \$219,736 for the rental of the beach operations equipment (two motor graders and three loaders) from Doggett Heavy Machinery Services LLC for the period June 2017 through January 2018.

Sponsors: Parks and Recreation Department

O. FIRST READING ORDINANCES: (ITEMS 13 - 14)

13. [17-1287](#) **First 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**

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

14. [17-1324](#) **First Reading Ordinance - Reimbursement Funds for Storm Water Catch Basins Program**

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

P. FUTURE AGENDA ITEMS: (ITEMS 15 - 17)

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

15. [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

16. [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

17. [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

Q. BRIEFINGS: (NONE)

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.

R. EXECUTIVE SESSION: (NONE)

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.

S. 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.

T. ADJOURNMENT