



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final

### City Council

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Tuesday, January 9, 2018

11:30 AM

Council Chambers

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**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 Rob Baley, Southside Community Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Sarah DeLeon, Victim Case Manager, Police Department.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [18-0034](#)** Proclamation declaring January 11, 2018, "National Human Trafficking Awareness Day".  
Proclamation declaring January 15, 2018, "Martin Luther King Holiday Celebration and Commemorative March".  
Swearing-in Ceremony for newly appointed Board, Commission, Committee and Corporation members.

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

- a. **UTILITY BILLING SOFTWARE CONVERSION**
- b. [18-0092](#) **REVIEW OF WASTEWATER RATES**
- c. **OTHER**

**G. MINUTES:**

- 2. [18-0040](#) Regular Meeting of December 19, 2017.

**H. BOARD & COMMITTEE APPOINTMENTS:**

- 3. [18-0035](#) Corpus Christi Aquifer Storage and Recovery Conservation District

**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.     [17-1446](#)     **Resolution approving the Director of the Corpus Christi Nueces County Public Health District's appointment of Dr. William Burgin, Jr. to serve as the Local Health Authority for the Public Health District for a two-year term**

Resolution approving the Director of the Corpus Christi Nueces County Public Health District's appointment of Dr. William Burgin, Jr. to serve as the Local Health Authority for the Public Health District for a two-year term beginning December 18, 2017 and ending December 18, 2019.

Sponsors: Health Department

5.     [17-1508](#)     **Resolution authorizing Food Purchase for Senior Center Meals Program**

Resolution authorizing the City Manager to execute all documents necessary to purchase up to \$329,944.00 in food supplies for the City Senior Center Meals Program through the Coastal Bend Council of Governments ("CBCOG") participation in the TEXAS 20 Purchasing Cooperative as organized and administered by the Education Service Center, Region 20; and ratifying the purchase of food supplies for said program in October-December 2017 through the CBCOG participation in the TEXAS 20 Purchasing Cooperative in amount of \$50,133.00 from

Labatt Food Services and \$8,468.00 from Hill Country Dairies.

Sponsors: Parks and Recreation Department

6. [17-1495](#) **Resolution authorizing an Interlocal Agreement with Regional Education Service Center #2 - Goodbuy Purchasing Cooperative**

Resolution authorizing the City Manager, or designee, to execute an interlocal participation agreement with local Regional Education Service Center #2 in order to participate in their cooperative purchasing program for the benefit of the City.

Sponsors: Purchasing Division

7. [17-1524](#) **Second Reading Ordinance - Amending the Unified Development Code to revise the duration of the materials and workmanship warranty for all private and public infrastructure improvements (1st Reading 12/19/17)**

Ordinance amending the Unified Development Code ("UDC") by Amending Article 8, Section 8.1, subsection 8.1.6.A entitled "Acceptance of Improvements" of the UDC by revising the duration of the materials and workmanship warranty for streets from one to two years from the date of final (100%) acceptance; and providing for severance, penalties, and publication.

Sponsors: Development Services

8. [17-1496](#) **Second Reading Ordinance - Rezoning property located at 8154 Leopard Street and 8128 Leopard Street (Public Hearing 12/12/17) (1st Reading 12/19/17)**

Case No. 0917-02 Ardoin Inc.: A change of zoning from the "CG-2/SP" General Commercial District with Special Permit to the "IL" Light Industrial District. The property is described as being Suntide Industrial Park, Block 2, Lots 1 and 2, located along the north side of Leopard Street, east of Tuloso Road, and west of Suntide Road.

Planning Commission and Staff Recommendation (November 1, 2017): Approval of the change of zoning from the "CG-2/SP" General Commercial District with Special Permit to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Ardoin Inc. ("Owner"), by changing the UDC Zoning Map in reference to Suntide Industrial Park, Block 2, Lots 1 and 2, from the "CG-2/SP" General Commercial District with Special Permit 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. [17-1522](#) **Second Reading Ordinance - Closing of a drainage easement and right-of-way located east of Rand Morgan Road, between Leopard Street and Oregon Trail (1st Reading 12/19/17)**

Ordinance abandoning and vacating a 4.385 acre drainage easement and right-of-way out of a portion of Artemus Roberts Subdivision, Lots 3, 6, and 11, located east of Rand Morgan Road, between Leopard Street and Oregon Trail and requiring the owner, MPM Development, LP, to comply with the specified conditions.

**Sponsors:** Development Services

10. [17-1458](#) **Second Reading Ordinance - Construction Contract for the Oso Water Reclamation Plant Headworks and Lift Station (Capital Improvement Program) (1st Reading 12/19/17)**

Ordinance rejecting the apparent low bid of COBRA/CYMI JV as non-responsive and authorizing the City Manager or designee to execute a construction contract with CSA Construction, Inc. of Houston, Texas as the lowest responsive, responsible bidder in the amount of \$22,865,540 for the Oso Water Reclamation Plant Headworks and Lift Station for the Total Base Bid plus Additive Alternate No. 1. (Capital Improvement Program (CIP))

**Sponsors:** Water Utilities Department and Engineering Services

L. **RECESS FOR LUNCH**

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

M. **PUBLIC HEARINGS: (ITEM 11)**

11. [18-0015](#) **Public Hearing and First Reading Ordinance - Rezoning Property Located at 602, 606, and 646 South Clarkwood Road (Requires  $\frac{3}{4}$  vote)**

Case No. 1017-01 Yiu, Inc.: A change of zoning from the "R-MH" Manufactured Home District and "IL" Light Industrial District to the "RV" Recreational Vehicle Park District. The property is described as being a 15.8695-acre tract of land out of Assessors Map 148 Tract M, Survey 402 ABS 988, located on the east side of South Clarkwood Road approximately 1,880 feet south of State Highway 44.

Planning Commission and Staff Recommendation (November 15, 2017): Approval of the change of zoning from the "R-MH" Manufactured Home District and "IL" Light Industrial District to the "RV" Recreational Vehicle

Park District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Yiu, Inc. ("Owner"), by changing the UDC Zoning Map in reference to a 15.8695-acre tract of land out of Assessors Map 148 Tract M, Survey 402 ABS 988, from the "R-MH" Manufactured Home District and "IL" Light Industrial 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: (ITEMS 12 - 13)**

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

**12. [17-1563](#) Resolution to issue a Request for Qualifications for a Public-Private Partnership Program Manager**

Resolution authorizing the City Manager or designee to proceed with the issuance of a Request for Qualifications (RFQ) for a Public-Private Partnership (P3) Program Manager to act as the City's Representative for the Wastewater Management Program Implementation.

Sponsors: Water Utilities Department and Engineering Services

**13. [17-1386](#) Second Reading Ordinance - Nueces Electric Cooperative Electric Franchise (28-Day Delay Required) (1st Reading 11/7/17)**

Ordinance Granting To Nueces Electric Cooperative, Its Successors And Assigns, A Non-Exclusive Franchise To Construct, Maintain And Operate Lines And Appurtenances And Appliances For Conducting Electricity In, Over, Under And Through The Streets, Avenues, Alleys And Public Rights-Of-Way Of The City Of Corpus Christi, Texas.

Sponsors: Legal Department

**O. FIRST READING ORDINANCES: (ITEMS 14 - 16)**

**14. [17-1488](#) First Reading Ordinance - Accepting four grants from the Texas Office of the Governor Homeland Security Grant Division**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept 4 grants totaling of \$141,817.88 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program for training and equipment; and appropriating \$141,817.88 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program into

the No. 1062 Fire Grants Fund to carry out homeland security projects.

**Sponsors:** Fire Department

15. [17-1473](#) **First Reading Ordinance - Amending the Code of Ordinances to Allow a Third-Party Inspection Reporting System (Council Priority - Water)**

Ordinance amending Corpus Christi Code of Ordinances, Sections 14-281 & 14-291 authorizing third-party inspection reporting system for backflow preventers; authorizing the execution of one year auto renewing agreement with Brycer, LLC, of Warrenville, IL for a third-party inspection reporting system; providing for penalties and publication.

**Sponsors:** Development Services

16. [17-1572](#) **First Reading Ordinance - Authorizing a five-year lease agreement for cattle grazing at the Former Westside Landfill - 75 acres**

Ordinance authorizing the City Manager or designee to execute a five-year lease agreement with John Steven (Steve) Twilligear to utilize 74.84 acres at the former Westside Landfill for grazing cattle in consideration of a total annual lease payment of \$2,170.36 for a total lease term amount of \$10,851.80 based on \$29 per acre.

**Sponsors:** Solid Waste Operations and Engineering Services

**P. FUTURE AGENDA ITEMS: (ITEMS 17 - 27)**

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

17. [17-1512](#) **Purchase of Police Vehicles**

Motion approving the purchase of 45 police vehicles from Caldwell Country Ford dba Rockdale Country Ford, of Rockdale, Texas, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$1,389,685.00. Funds have been approved for FY2017-2018.

**Sponsors:** Fleet Maintenance Services, Police Department and Purchasing Division

18. [17-1529](#) **Purchase of Two 15-Passenger Vans for the Police Department**

Motion approving the purchase of two 15-passenger vans from Caldwell Country Chevrolet from Caldwell, Texas, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed \$58,788.00, funded in FY2017-18.

**Sponsors:** Fleet Maintenance Services, Police Department and Purchasing Division

19.     [17-1545](#)     **Purchase of three 2018 Medic Units for the Fire Department**

Motion approving the purchase of three 2018 Medic Units from Knapp Chevrolet, of Houston, Texas, based on the cooperative purchasing agreement with Local Government Purchasing Cooperative dba BuyBoard, for a total amount not to exceed \$669,725.00, for which funds are budgeted for FY2017-18 in the Fleet Maintenance Service Fund.

Sponsors: Fire Department and Purchasing Division

20.     [17-1432](#)     **Resolution amending the Reformed Cooperative Agreement with Nueces County for operation of the Corpus Christi-Nueces County Public Health District**

Resolution authorizing the City Manager or designee to execute a Second Amendment to the Reformed Cooperative Agreement between the City of Corpus Christi and the County of Nueces County, Texas to Operate a Public Health District, to provide for additional cost-shares of expenditures from the County to the City.

Sponsors: Health Department

21.     [17-1463](#)     **Professional Services agreements for Geotechnical and Construction Materials Testing (Council Priority - Streets)**

Motion authorizing the City Manager, or designee, to execute three (3) separate two-year Master Services Agreements (MSAs) with not-to-exceed amounts of \$800,000 each with Professional Service Industries, Rock Engineering & Testing Laboratory, and Tolunay-Wong Engineers for geotechnical engineering and construction materials testing. The aggregate not-to-exceed value of these three contracts is \$2,400,000.

Sponsors: Engineering Services

22.     [17-1570](#)     **Accepting Reimbursement funds for Debris Removal Costs Associated with Hurricane Harvey**

Motion authorizing the City Manager, or designee, to execute all documents necessary to accept \$502,449.01 reimbursement from Texas Department of Public Safety of the City's local cost share expended for debris removal costs under Federal Emergency Management Agency's (FEMA's) Public Assistance Disaster Grant Program for Hurricane Harvey.

Sponsors: Solid Waste Operations

23.     [17-1571](#)     **Professional Services Contract for Solid Waste Air Compliance and Gas System Monitoring 2018**

Motion authorizing the City Manager, or designee, to execute a professional services contract with Stearns, Conrad and Schmidt,



Consulting Engineers, Inc., (SCS) of Bedford, Texas in the amount of \$158,840 for Solid Waste Air Compliance and Gas System Monitoring 2018.

**Sponsors:** Solid Waste Operations and Engineering Services

**24.     [18-0068](#)     **Engineering Design Contract for Greenwood Wastewater Treatment Plant Electrical Improvements to Ultraviolet System (Capital Improvement Program)****

Motion authorizing the City Manager, or designee, to execute a professional services contract with Lockwood, Andrews, and Newnam, Inc. (LAN) of Corpus Christi, Texas in the amount of \$537,441 for Greenwood Wastewater Treatment Plant (WWTP) Electrical Improvements to Ultraviolet (UV) System for design, bid, and construction phase services. (Capital Improvement Program - CIP)

**Sponsors:** Engineering Services and Office of Public Utilities

**25.     [17-1460](#)     **Purchase of a Pump Motor for O.N. Stevens Water Treatment Plant (Council Priority - Water)****

Motion authorizing the City Manager or designee to approve the purchase of a Teco Westinghouse pump motor for O.N. Stevens Treatment Plant from Weisinger Incorporated of Conroe, Texas in accordance with Request for Bid (RFB) No. 1358, based on the lowest responsive, responsible bid for a total amount not to exceed \$85,588.00, budgeted in FY2017-18.

**Sponsors:** Water Utilities Department and Purchasing Division

**26.     [17-1528](#)     **Resolution for sole source purchase of Turbidity Meters and Equipment for O.N. Stevens Water Treatment Plant (Council Priority - Water)****

Resolution finding that the purchase of TU5 Series turbidity meters and equipment for O.N. Stevens Water Treatment Plant is necessary to preserve and protect the public health and safety of the city's residents and a sole source procurement; and authorizing the City Manager, or designee, to purchase TU5 Series turbidity meters and equipment from Hach Company of Loveland, Colorado, for a total amount not-to-exceed \$113,157.12.

**Sponsors:** Water Utilities Department and Purchasing Division

**27.     [17-1462](#)     **Supply Agreement for Gas Meters for two years at \$271,600.00 with two additional one-year options at a total potential multi-year amount of \$543,200.00****

Motion authorizing City Manager, or designee, to execute a supply agreement with Wilnat, Inc., of Tulsa, Oklahoma for the purchase of Gas

Meters in response to Request for Bid No. 1391 based on the lowest responsive, responsible bid for a total amount not to exceed \$271,600.00, with an estimated expenditure of \$90,533.00 in FY2017-2018 funded by the Gas Fund. 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 \$543,200.00.

Sponsors: Gas Department and Purchasing Division

**Q. BRIEFINGS: (ITEMS 28 - 29)**

*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. [17-1515](#) Report on Code Enforcement Activities**

Sponsors: Police Department

**29. [18-0091](#) SEAtown Proposal**

Sponsors: Assistant City Manager

**R. EXECUTIVE SESSION: (ITEMS 30 - 32)**

*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.*

**30. [18-0002](#) 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 personal injury claims against the City by Lawrence and Rhonda Balderas as a result of personal injuries sustained by Lawrence Balderas on or about April 11, 2017.**

**31. [18-0003](#) 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, and potential creation of entities that could provide or assist in the provision of the aforementioned services, **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).

32.     [18-0090](#)     **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 case of *Beeville Water Supply District appeal of Raw Water Rates adopted by City of Corpus Christi* filed with the Public Utility Commission of Texas.

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**