



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final

### City Council

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Tuesday, January 30, 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 Kevin Jennings, Mt. Olive Lutheran Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Peter Davidson, Marina Superintendent.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [18-0150](#) Proclamation declaring February 2, 2018, "National Wear Red Day".  
Commendation for Dr. Maria Luisa Garza - Honoring Her Career in Education.  
Commendation for the 83rd Annual Nueces County Junior Livestock Show Queen's Contest.**

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

a. **COLLIER POOL**

b. **HEALTH PLAN UPDATE**

c. **OTHER**

G. **MINUTES:**

2. [18-0157](#) Regular Meeting of January 23, 2018.

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 - 12)**

*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. [18-0095](#) Homebuyer Assistance Program Amendment No. 1 between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi**

Motion to approve an amendment to the agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi for the Type A Affordable Housing Program - Homebuyer Assistance Program and increasing expenditures in the Business and Job Development Fund No. 1140 by \$100,000.

**Sponsors:** Housing and Community Development

**4. [18-0096](#) Purchase of Five Utility Terrain Vehicles for Beach Operations**

Motion authorizing the City Manager, or designee, to purchase five Kubota RTV-X900G-A utility terrain vehicles for beach operations from Ewald Kubota, of Corpus Christi, Texas, based on Request for Bids No. 272 based on the lowest responsive, responsible bid for an amount of \$80,585.

**Sponsors:** Parks and Recreation Department, Fleet Maintenance Services and Purchasing Division

**5. [18-0082](#) Construction Contract for Police Vehicle Impound Yard and Garage Phase 2 (Bond 2012, Proposition 7)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Barcom Construction, Inc., of Corpus Christi, Texas in the amount of \$779,279.78 for the Police Vehicle Impound Yard and Garage Phase 2 (Rebid) project for the base bid and additive alternate one. (Bond 2012, Proposition 7)

**Sponsors:** Engineering Services and Police Department

6. [18-0009](#) **Resolution Directing Use of \$3.4 Million Dedicated to Residential Streets (Council Priority - Streets)**

Resolution directing the City Manager to spend \$3,400,000 for residential street reconstruction in accordance with Option No. 3 discussed at the December 19, 2017 City Council Meeting.

**Sponsors:** Street Department and Engineering Services

7. [18-0046](#) **Second Reading Ordinance - Accepting and appropriating a donation for the Corpus Christi Smoke Alarm Program (1st Reading 1/23/18)**

Ordinance authorizing the City Manager or designee to accept a donation from Walmart in the amount of \$1,000 to be used to support the Corpus Christi Smoke Alarm Program; and appropriating \$1,000 from Walmart into the Fire Grant Fund No. 1062.

**Sponsors:** Fire Department

8. [18-0050](#) **Second Reading Ordinance - Accepting and appropriating the 2017 Helping Heroes Grant Program funds (1st Reading 1/23/18)**

Ordinance authorizing the City Manager or designee to accept a grant from Koch Companies Public Sector, LLC 2017 Helping Heroes Grant Program in the amount of \$10,000.00 to be used to purchase a Hazardous Chemical Detector; and appropriating \$10,000.00 from Koch Companies Public Sector; LLC into the Fire Grant Fund No. 1062.

**Sponsors:** Fire Department

9. [18-0016](#) **Second Reading Ordinance - Construction Contract for Mary Rhodes Pipeline Protection Upgrade (Capital Improvement Program) (Council Priority - Water) (1st Reading 1/23/18)**

Ordinance rejecting the apparent low bid of Down South Field Services, Inc. as non-responsive and authorizing the City Manager to execute a contract with Integrated Corrosion Companies, Inc. of Houston, Texas as the lowest responsive/responsible bidder in the amount of \$525,732.63 for the Mary Rhodes Pipeline Cathodic Protection Upgrades.

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

10.     [18-0118](#)     **Second Reading Ordinance - Lease Agreement for the 2018 Fiesta De La Flor Event (Council Priority - Economic Development) (1st Reading 1/23/18)**

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Corpus Christi Convention and Visitors Bureau (CCCVB) for 2018 Fiesta de la Flor event and related activities to be held on April 13, 2018 and April 14, 2018, and allow use of streets bounded by Power Street, N. Water Street, Resaca Street and Shoreline Blvd. and including the Bayfront Park located along Shoreline Blvd. between Resaca Street and Power Street.

Sponsors: Parks and Recreation Department

11.     [17-1491](#)     **Second Reading Ordinance - Construction Contract for the Dr. Hector P. Garcia Park Hike and Bike Trail (Bond 2012) (1st Reading 1/23/18)**

Ordinance appropriating \$264,000 of anticipated revenue from the Texas Department of Transportation in Fund No. 3280 for the Dr. Hector P. Garcia Park Hike and Bike Trail; changing the FY 2018 Capital Improvement Program Budget adopted by Ordinance No. 031249 to increase revenues and expenditures by \$264,000; and authorizing the City Manager, or designee, to execute a construction contract with Mako Contracting, LLC., of Corpus Christi, Texas in the amount of \$305,106.60 for the Dr. Hector P. Garcia Park Hike and Bike Trail project for the base bid. (Bond 2012)

Sponsors: Parks and Recreation Department and Engineering Services

12.     [17-1573](#)     **Second Reading Ordinance - Amending City Code to reflect the increase of employee's contribution toward dependent premiums (1st Reading 1/23/18)**

Ordinance amending Chapter 39 of the Corpus Christi Code of Ordinances to revise Article III. - EMPLOYEE COMPENSATION AND CLASSIFICATION SYSTEM; providing for severance, publication, penalty, and an effective date.

Sponsors: Human Resources

**L.     RECESS FOR LUNCH**

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

**M. PUBLIC HEARINGS: (ITEMS 13 - 14)****13. [18-0115](#) Public Hearing and First Reading Ordinance - Rezoning property located at 901 Airline Road (Tabled 1/23/18)**

Case No. 0717-01 Alrich Enterprises Inc., DBA Richard Sanchez Motors and Ben L. Herndon, Jr.: A change of zoning from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District. The property is described as being Koolside, Block 6, Lots 24 and 25 less portion to right-of-way and Lot 26, located at the intersection of Airline Road and Gollihar Road, north of McArdle Road and south of South Alameda Street.

Planning Commission and Staff Recommendation (November 15, 2017): Denial of the change of zoning from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial 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 Alrich Enterprises Inc., D/B/A Richard Sanchez Motors and Ben L. Herndon, Jr. ("Owner"), by changing the UDC Zoning Map in reference to the property described as Koolside, Block 6, Lots 24 and 25 less portion to right-of-way and Lot 26, from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial 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

**14. [18-0149](#) Public Hearing and First Reading Ordinance - Rezoning property located at 8101 Slough Road**

Case No. 1217-02 Dorsal Development, LLC. A change of zoning from "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District. The property is described as being a 19.398 acre tract of land, more or less, a portion of Lot 8, Section 25 and a portion of Lots 1 and 2, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, located north of Yorktown Boulevard, east of Rodd Field Road, and west of Roscher Road.

Planning Commission and Staff Recommendation (December 13, 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 Dorsal Development, LLC. ("Owner"), by changing the UDC Zoning Map in reference to the property described as being a 19.398 acre tract of land, more or less, a portion of Lot 8, Section 25 and a portion of Lots 1 and 2, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District to "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

**N. REGULAR AGENDA: (ITEM 15)**

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

15.     [17-1520](#)     **Second Reading Ordinance - Amending City Code of Ordinances, Revising the City's Drought Contingency Plan (Council Priority - Water) (1st Reading 1/23/18)**

Ordinance revising Drought Contingency Plan; Amending City Code of Ordinances, Chapter 55, Article XII Water Resource Management, regarding water resource management including drought restrictions, providing an effective date of February 1, 2018; and providing for penalties.

Sponsors: Water Utilities Department

**O. FIRST READING ORDINANCES: (ITEMS 16 - 21)**

16.     [18-0122](#)     **First Reading Ordinance - Appropriating funds for repairs to radio tower**

Ordinance appropriating \$14,439.73 from Radio System Capital Replacement Reserve Fund for repairs to radio tower site transmission lines; amending FY18 operating budget.

Sponsors: Police Department

17.     [18-0047](#)     **First Reading Ordinance - Closing utility easement located south of Yorktown Boulevard between Malamute Drive and Bay Drive**

Ordinance abandoning and vacating 0.157 acre of an existing utility easement out of a portion of Rodd Village, Block 2, Lots 6,7,8,9 and 10, located south of Yorktown Boulevard between Malamute Drive and Bay Drive and requiring the owner, Hooten Family Trust and Thomas Nathan Clark, to comply with the specified conditions.

Sponsors: Development Services

18.     [18-0049](#)     **First Reading Ordinance - Closing utility easement located at 4002 and 4018 South Padre Island Drive**

Ordinance abandoning and vacating 0.0446 acre of an existing utility easement out of Geo J. Merriman Subdivision, Lots 1-A and 4-A, located at 4002 and 4018 South Padre Island Drive and requiring the owner, Weber Dorado Partners, LLC., to comply with the specified conditions.

Sponsors: Development Services

19.     [18-0048](#)     **First Reading Ordinance - Approval of agreement and appropriating funds for AEL Development, LLC, for the Wastewater Collection Line Extension Construction and Reimbursement Agreement**

Ordinance authorizing City Manager or designee to execute a wastewater collection line extension construction and reimbursement agreement ("Agreement") with AEL Development, LLC. ("Developer"), for the construction of a sanitary sewer collection line and appropriating \$52,514.90 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

20.     [18-0103](#)     **First Reading Ordinance - Appropriating funds to purchase two Roll-off Trucks for Solid Waste Operations**

Ordinance appropriating \$176,339.34 from the Unreserved Fund Balance in the Fund 5110 Fleet Maintenance Service Fund; transferring said funds to and appropriating in Fund 4200 Wastewater Fund; amending the FY2017-18 operating budget adopted by Ordinance Number 031255 to increase revenues and expenditures; and approving the purchase of two Peterbilt roll off trucks from Rush Truck Centers of Texas, L.P., of New Braunfels, Texas, through the Houston Galveston Area Council of Governments purchasing cooperative, for an amount not to exceed \$396,960.00.

Sponsors: Fleet Maintenance Services, Solid Waste Operations and Purchasing Division

21.     [18-0104](#)     **First Reading Ordinance - for the Installation of playground equipment at Almanza, Breckenridge and Middlecoff Parks**

Ordinance appropriating \$64,709.27 from the No.1020 General Fund unreserved fund balance for the purchase and installation of playground equipment at Almanza, Breckenridge and Middlecoff Parks; amending the FY2017-18 operating budget adopted by Ordinance Number 031255 to increase expenditures by \$64,709.27; and approving the purchase of the said equipment and installation from The PlayWell Group, Inc. and PlayWorks, Inc., of Dallas, Texas, for an amount not to exceed



\$251,933.60, via Buyboard.

Sponsors: Parks and Recreation Department and Purchasing Division

**P. FUTURE AGENDA ITEMS: (ITEMS 22 - 29)**

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

- 22.     [18-0120](#)     **Resolution authorizing submission of grant application to the State for funding available under the Victims of Crime Act (VOCA) Fund to continue the Victim Outreach Program****

Resolution authorizing submission of grant application for \$216,469.70 to the State of Texas, under the Victims of Crime Act with city match of \$13,637.43 cash and \$40,480 in-kind services.

Sponsors: Police Department

- 23.     [18-0121](#)     **Resolution authorizing submission of grant application to the State for funding available under the Violence Against Women Act (VAWA) for prevention of violence against women****

Resolution authorizing submission of grant application for \$54,339.42 to the State of Texas under the Violence Against Women Act with city match of \$14,000 cash and \$8,280 in-kind services.

Sponsors: Police Department

- 24.     [18-0123](#)     **Resolution authorizing submission of grant application to the State for funding eligible under the FY 2017 Body-Worn Camera Program****

Resolution authorizing submission of grant application for \$265,116 to the State of Texas under the FY 2017 Body-Worn Camera Program with city match of \$14,999 cash and \$51,279 in-kind services.

Sponsors: Police Department

- 25.     [18-0141](#)     **Five-year Subscription Service Agreement for database software for Risk Management****

Resolution finding that the purchase of a claims database system for the Risk Management Division is a sole source procurement; and authorizing a five-year service agreement with Recordables, Inc. of Venice, Florida, for a total amount not to exceed \$97,437.25.

Sponsors: Legal Department and Purchasing Division

- 26.     [18-0042](#)     **Construction contract for Barge Dock Improvements (Rebid) (Type A Funds)****

Motion authorizing a construction contract with Grace Paving and Construction, Inc., of Corpus Christi, Texas, in the amount of \$553,199.17

for the Barge Dock Improvements (Rebid) project for the total base bid plus additive alternates 1 and 2 (Type A Funds).

Sponsors: Engineering Services

27. [18-0067](#) **Service Agreement for HVAC Service and Repair for a one-year not to exceed \$66,700, with two additional one-year options and a total potential multi-year amount of \$200,100**

Motion authorizing a service agreement with Rapid Air of Corpus Christi, Texas to provide HVAC services and repairs for Corpus Christi Fire Department for a total amount not to exceed \$66,700 for a term of one year with the option to extend for two additional one-year periods for a potential multi-year amount of \$200,100.

Sponsors: Fire Department and Purchasing Division

28. [18-0100](#) **Supply Agreement for 36 months for gate valves for the Utilities Department**

Motion authorizing a 36-month supply agreement with Gajeske, Inc., of Houston, Texas, for Gate Valves for the Utilities Department for a total amount not to exceed \$362,589.54.

Sponsors: Water Utilities Department and Purchasing Division

29. [18-0105](#) **Service Agreement Amendment No. 1 for Continual Rental of One Komatsu Dozer for Solid Waste Operations**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to Service Agreement No. 52422 with Waukesha-Pearce Industries, LLC, of Dallas, Texas, for the rental of one Komatsu dozer for Solid Waste Operations for an additional six-month term, as required for public health and safety, for a not to exceed amount of \$49,050 for a revised total agreement amount not to exceed of \$91,525.

Sponsors: Solid Waste Operations and Purchasing Division

**Q. BRIEFINGS: (ITEMS 30 - 35)**

*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.*

30. [18-0164](#) **Convention and Visitors Bureau Presentation - ReDiscover Coastal Bend Proposal**

Sponsors: Assistant City Manager

31. [18-0041](#) **Parks & Recreation Department Overview**

Sponsors: Parks and Recreation Department

**32.     [18-0160](#)     HEB Tennis Center**

Sponsors: Parks and Recreation Department

**33.     [18-0159](#)     Animal Care Services**

Sponsors: Police Department

**34.     [18-0140](#)     Water Quality Projects Update**

Sponsors: Water Utilities

**35.     [18-0113](#)     Proposed Annexation Policy Update**

Sponsors: Environmental and Strategic Initiatives

**R.     EXECUTIVE SESSION: (ITEMS 36 - 38)**

*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.*

**36.     [18-0007](#)     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 disposal of waste in Type IV Landfill (as described in 30 TAC § 330.5) located at/near 1435 County Road 26 (also known as Gulley-Hurst Landfill) and municipal solid waste fees.

**37.     [18-0111](#)     Executive Session pursuant to Section Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues (including TCEQ and EPA regulations) related to reservation agreement(s) for recycled water, the provision of utility services in industrial districts, desalination, reuse, utility rate design, and water and wastewater treatment and distribution and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to 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).****38.     [18-0156](#)     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.

**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**