



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, February 20, 2018

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 Rabbi Mary Eckroos, Kehilat B'nai Shalom.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Miles Risley, City Attorney.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [18-0230](#) Recognition of Mr. Gustavo Lujan for City Hall Beautification Efforts.**
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. OTHER**
- G. MINUTES:**

2. [18-0231](#) Regular Meeting of February 13, 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 - 19)**

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. [18-0200](#) **Periodic Ethics Training for Governing Body**

Resolution amending the City Council policies to add a periodic ethics training.

Sponsors: City Secretary's Office

4. [18-0174](#) **Sungard Public Sector Software Renewal for reduction of services**

Motion authorizing reduced software support services from Superior, LLC (formerly, SunGard Public Sector, Inc.) and execution of a new 12-month access fee agreement for \$57,000 with one option to extend for an additional 12-month period for a potential multiyear amount not to exceed \$114,000.

Sponsors: Information Technology Services

5. [18-0106](#) **Resolution for a Service Agreement for TRAK Fuel Management System**

Resolution authorizing a one-year service agreement with TRAK Engineering, Inc. of Tallahassee, Florida, as a sole-source and captive replacement part vendor, for maintenance of the fuel management system for a total amount not to exceed \$7,553, with nine one-year options for a potential multi-year amount of 75,530.

Sponsors: Fleet Maintenance Services and Purchasing Division

6. [18-0143](#) **Wrecker Services for City Owned Vehicles and Equipment (Light Vehicles)**

Motion authorizing a 36-month service agreement with DRR & RS Inc.-dba Apollo Towing of Corpus Christi, for wrecker services for City-owned vehicles and equipment for a total amount not to exceed \$326,662.50.

Sponsors: Fleet Maintenance Services and Purchasing Division

7. [18-0061](#) **Service Agreement for Truck Rentals for Water and Gas Departments**

Motion authorizing a 12-month service agreement with PV Rentals of Corpus Christi, Texas for the rental of 13 trucks for the Water and Gas Department, via BuyBoard, for an amount not to exceed \$171,520.

Sponsors: Water Utilities Department, Gas Department and Purchasing Division

8. [18-0134](#) **Two Year Supply Agreement for Sodium Chlorite Solution for the O. N. Stevens Water Treatment Plant for an amount not to exceed \$1,404,000, with two additional one-year options and a total potential multi-year amount of \$2,808,000**

Motion authorizing a supply agreement with International Dioxide, Inc., of North Kingstown, Rhode Island for the purchase of sodium chlorite solution for a total amount not to exceed \$1,404,000 for a term of two years, with an option to extend for two additional one-year periods; with a total potential multi-year amount of \$2,808,000.

Sponsors: Water Utilities Department and Purchasing Division

9. [18-0083](#) **Supply Agreement for Meter Boxes and Lids**

Motion authorizing a 36-month supply agreement with Ferguson Enterprises Inc., of Corpus Christi, Texas for Meter Boxes and Lids for the Utilities Department for a total amount not to exceed \$289,294.72.

Sponsors: Water Utilities Department and Purchasing Division

10. [18-0128](#) **Service Agreement for Solid Waste Operations for Household Hazardous Waste Disposal for 36-months at a not to exceed amount of \$491,118.75, with two one-year options and a total potential multi-year amount of \$818,531.25**

Motion authorizing a 36-month service agreement with Green Planet, Inc., of Royse, Texas for household hazardous waste disposal for a total amount not to exceed \$491,118.75, with two one-year options for a total potential multi-year amount of \$818,531.25.

Sponsors: Solid Waste Operations and Purchasing Division

11. [18-0195](#) **Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Urban Development (TDHCA)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as The Avanti at Greenwood to be developed by Avanti at Greenwood, LP.

Sponsors: Housing and Community Development

12. [18-0196](#) **Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Casa De Manana Apartments to be developed by TG 110, Inc.

Sponsors: Housing and Community Development

13. [18-0197](#) **Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Village at Greenwood to be developed by TG 110, Inc.

Sponsors: Housing and Community Development

14. [18-0171](#) **Second Reading Ordinance - Rezoning Property located at 2882 Holly Road (1st Reading 2/13/18)**

Case No. 0118-02 ERF Real Estate, Inc. A change of zoning from "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. The property is located at 2882 Holly Road and described as being a 5.512 acre tract out of Lot 4, Section 3, Bohemian Colony Lands, located on the northeast corner of Holly Road and Richter Street, west of Kostoryz Road, and east of Ayers Street.

Planning Commission and Staff Recommendation (January 10, 2018): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Ordinance:

Case No. 0118-02: Ordinance rezoning property at or near 2882 Holly Road from "RS-6" to "CN-1" and amending the Comprehensive Plan.

Sponsors: Development Services

15. [18-0172](#) **Second Reading Ordinance - Rezoning for a Property located at 1645 Clare Drive (1st Reading 2/13/18)**

Case No. 1217-01 Rey Ramos: A change of zoning from "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District. The property is located at 1645 Clare Drive and described as Woodlawn Estates, Block 5, Lot 1, located on the north side of Williams Drive, east of Airline Road, and west of Rodd Field Road.

Planning Commission and Staff Recommendation (January 10, 2018): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Case No. 1217-01: Ordinance rezoning property at 1645 Clare Drive from "RS-6" to "RM-1" and amending the Comprehensive Plan.

Sponsors: Development Services

16. [18-0149](#) **Second Reading Ordinance - Rezoning property located at 8101 Slough Road (Tabled 1/30/18) (1st Reading 2/13/18)**

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

17. [17-1510](#) **Second Reading Ordinance - Appropriating funds from sale of Park properties into the Community Enrichment Fund for park improvements (1st Reading 2/13/18)**

Ordinance appropriating \$1,788,500.16 from sale of park properties into the Community Enrichment Fund for park improvements and related projects.

Sponsors: Parks and Recreation Department

18. [18-0145](#) **Second Reading Ordinance - Appropriating funds for Municipal Court Building Security (1st Reading 2/13/18)**

Ordinance appropriating \$27,347.83 from the unreserved fund balance in the No. 1035 Municipal Court Security Fund for Security Guard Services; amending FY18 Operating Budget.

Sponsors: Municipal Court Administration

19. [18-0170](#) **Second Reading Ordinance - Approving the Amendments to the Tax Increment Reinvestment Zone #2 Amended Project and Financing**

Plans (1st Reading 2/13/18)

Ordinance approving the amendments to the Tax Increment Reinvestment Zone #2 amended Project & Financing Plans approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas.

Sponsors: Assistant City Manager and Business Liaison

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEM 20)

20. [18-0117](#) **Public Hearing and First Reading Ordinance - Amending the Wastewater Collection System Master Plan to move flows to Airline Lift Station**

Ordinance amending Wastewater Collection System Master Plan, Oso W.R.P. Service Area, Sub Basin SPA 30; amending Comprehensive Plan; and providing publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEM 21)

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

21. [18-0047](#) **Second Reading Ordinance - Closing utility easement located south of Yorktown Boulevard between Malamute Drive and Bay Drive (1st Reading 2/13/18)**

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 and Water Utilities Department

O. FIRST READING ORDINANCES: (ITEM 22)

22. [17-1003](#) **First Reading Ordinance - Accepting and appropriating two grant agreements from the State to construct a new water pipeline to Naval Air Station Corpus Christi and perimeter fencing and access control gates for the Corpus Christi Army Depot**

Ordinance authorizing acceptance of two grant agreements totaling \$6,016,014 from the Office of the Texas Governor to construct a new water pipeline to Naval Air Station Corpus Christi and construct perimeter

fencing and access control gates at the Corpus Christi Army Depot, appropriating into the Water Grants Fund and the Community Development Grant Funds and providing \$270,001 as in-kind local match.

Sponsors: Intergovernmental Relations

P. FUTURE AGENDA ITEMS: (ITEMS 23 - 27)

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

- 23. [18-0194](#) **Resolution recommending restoration of funding to the Texas Commission on Environmental Quality for air quality monitoring and mitigation programs for near non-attainment communities to remain in compliance of federal ozone standards****

Resolution to recommend restoration of funding to the Texas Commission on Environmental Quality for air quality monitoring and mitigation programs for near non-attainment communities essential to remain in compliance with the National Ambient Air Quality Standards (NAAQS) for ozone established by the United States Environmental Protection Agency through the Clean Air Act.

Sponsors: Intergovernmental Relations

- 24. [18-0179](#) **Eight-Month Service Agreement for the purchase and installation of field lights for Ben Garza Park****

Motion authorizing an eight-month service agreement with Musco Sports Lighting, LLC, of Oskaloosa, Iowa, for the purchase and installation of field lights at Ben Garza Park for an amount not to exceed \$303,680 via BuyBoard.

Sponsors: Parks and Recreation Department and Purchasing Division

- 25. [18-0052](#) **Five-Year Service Agreement for Business Development Services for Corpus Christi International Airport****

Motion to execute a five-year service agreement with Trillion Aviation, Austin, Texas, in the amount of \$600,000, for business development services for the Corpus Christi International Airport based on the best value for the City.

Sponsors: Aviation Department and Purchasing Division

- 26. [18-0205](#) **Resolution authorizing an Interlocal Agreement for a city-wide storm water survey****

Resolution authorizing the execution of an Interlocal Agreement with Texas A & M University - Corpus Christi in the amount of \$8,450 for a city-wide storm water survey.

Sponsors: Water Utilities Department

27. [18-0151](#) **Construction Contract for the Naval Air Station Corpus Christi (NASCC) Fence Replacement Project (Military Revolving Fund)**

Motion authorizing a construction contract with Clearfield Construction, LLC of San Antonio, Texas in the amount of \$298,007.40 for the Naval Air Station Corpus Christi (NASCC) Fence Replacement project for Base Bid and Additive Alternate No. 1 (Military Revolving Fund)

Sponsors: Engineering Services

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: (ITEMS 28 - 30)**

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.

28. [18-0232](#) **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 related to the natural gas utility system.**

29. [18-0233](#) **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, including potential grants for desalination facilities, 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).

30. [18-0234](#) **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 litigation related to the New Broadway Wastewater Treatment Plant, including *Graham Construction Services, Inc. v. City of Corpus Christi, et al*, including the provision of legal, engineering, and other professional consulting and/or expert witness services with the law firms of Kilpatrick, Townsend & Stockton, LLP, Hartline Dacus Barger Dreyer, LLP and the consulting/engineering/expert firms of Navigant Consulting, Inc., Scott Hibbs, PE, and/or Enprotec / Hibbs & Todd, Inc.

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