



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final

### City Council

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Tuesday, March 20, 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 David Bendett, Rock City Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Jay Ellington, Director of Parks and Recreation.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [18-0341](#) Proclamation declaring March 21, 2018, "National Small Business Development Center Day".  
Proclamation declaring April 7, 2018, "Earth Day-Bay Day" and April 2018 "Earth Month".**
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
  - a. OTHER**

**G. MINUTES:**

2. [18-0329](#) Regular Meeting of February 27, 2018.

**H. BOARD & COMMITTEE APPOINTMENTS:**

3. [18-0216](#) Corpus Christi Regional Economic Development Corporation  
Electrical Advisory Board  
Island Strategic Action Committee  
Reinvestment Zone No. 3

**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 - 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.*

**4. [18-0043](#) Professional Services Contract - Repairs on Marina Breakwater at McGee Beach (Capital Improvement Program)**

Motion to execute a professional services contract with Lockwood, Andrews & Newnam, Inc. of Corpus Christi, Texas in the amount of \$249,215 for the Repairs on Marina Breakwater at McGee Beach project for the Survey, Design, Bid and Construction Phase services (Type A Funds).

Sponsors: Engineering Services

**5. [18-0044](#) Construction Contract for the new Beach Operations Building**

Motion authorizing a construction contract with Abba Construction, LLC of Laredo, Texas in the amount of \$399,777 for the New Beach Operations Building. (Capital Outlay)

Sponsors: Parks and Recreation Department and Engineering Services

**6. [18-0254](#) Second Reading Ordinance - Rezoning for a Property located at 12750 Hearn Road (1st Reading 2/27/18)**

Case No. 0118-01 AEP Texas, Inc.: A change of zoning "RS-6" Single-Family 6 District to the "IH" Heavy Industrial District. The property is

described as Hearn Addition Annex, Lot 1, located on the north side of Hearn Road, west of Callicoatte Road, and east of Leopard Street.

Planning Commission and Staff Recommendation (January 24, 2018):  
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "IH" Heavy Industrial District.

Ordinance:

Case No. 0118-01: Ordinance rezoning property at 12750 Hearn Road from "RS-6" to "IH" and amending the Comprehensive Plan.

Sponsors: Development Services

7. [18-0182](#) **Second Reading Ordinance - Appropriating \$249,550 from the Arena Facility Fund for the Arena Wi Fi Enhancement Project (1st Reading 2/27/18)**

Ordinance appropriating \$249,550 from the unreserved fund balance of the Arena Facility Fund for a wi-fi enhancement project at the American Bank Center; and amending the operating budget.

Sponsors: City Manager's Office and Information Technology Services

8. [18-0244](#) **Second Reading Ordinance - Appropriating funds for negotiations related to the City's Sanitary Sewer System (1st Reading 2/27/18)**

Ordinance appropriating \$579,860 in the Wastewater Fund and authorizing up to \$325,460 for legal, engineering, and consulting services for negotiations with federal and state regulatory authorities related to the City's sanitary sewer system and a contingency of up to \$254,400 in the event of pre-agreement litigation related to said system; amending the budget; and de-authorizing \$1,142,700 previously authorized as a contingency for said litigation.

Sponsors: Legal Department

L. **RECESS FOR LUNCH**

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

M. **PUBLIC HEARINGS: (ITEMS 9 - 12)**

9. [18-0255](#) **Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 2722 Flour Bluff Drive**

Case No. 0118-03 Lowm, Inc.:

Ordinance rezoning property at or near 2722 Flour Bluff Drive from "CG-1" General Commercial District and "RS-6" Single-Family 6 District to "RS-22" Single-Family 22 District and amending the Comprehensive Plan.

Planning Commission and Staff Recommendation (January 24, 2018):  
Approval of the change of zoning from the "CG-1" and the "RS-6" to the "RS-22".

Sponsors: Development Services

10.     [18-0294](#)     **Public Hearing and First Reading Ordinance - Rezoning for a Property at or near 15641 Northwest Boulevard**

Case No. 0218-02 Puerto Los Caballeros, LLC:  
Ordinance rezoning property at or near 15641 Northwest Boulevard from "FR" Farm Rural District to the "CG-2" General Commercial District.

Planning Commission and Staff Recommendation (February 7, 2018):  
Approval of the change of zoning from the "FR" to "CG-2".

Sponsors: Development Services

11.     [18-0290](#)     **Public Hearing and First Reading Ordinance - North Beach Redevelopment Initiative**

Ordinance adopting North Beach Redevelopment Initiative Specific Plan; and amending the Comprehensive Plan.

Sponsors: Planning and Environmental/Strategic Initiatives

12.     [18-0289](#)     **Public Hearing and First Reading Ordinance - Adopting the Downtown Area Development Plan**

Ordinance adopting Downtown Area Development Plan; rescinding Central Business Development Plan; and amending comprehensive plan.

Sponsors: Planning and Environmental/Strategic Initiatives

N.     **REGULAR AGENDA: (ITEMS 13 - 18)**

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

13.     [18-0344](#)     **Discussion and possible action regarding the process to fill a vacancy in the office of council member.**

Sponsors: City Secretary's Office

14.     [18-0259](#)     **Resolution for publication of Notice of Intention to issue Certificates of Obligation for Solid Waste System Improvements**

Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue not more than \$7,500,000 in Certificates of Obligation for Solid Waste System improvements; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

**Sponsors:** Financial Services Department and Solid Waste Operations

15.     [18-0260](#)     **Resolution for publication of Notice of Intention to issue Certificates of Obligation for Street and Facility Improvements**

Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue not more than \$15,750,000 in Certificates of Obligation for certain street and facility improvements; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

**Sponsors:** Financial Services Department, Engineering Services, Street Department and Facilities Management Services

16.     [18-0288](#)     **One Reading Action Item - Construction Contract for the Corpus Christi Museum of Science and History Flooring Replacement Project as a result of damage from Hurricane Harvey**

Motion authorizing the City Manager, or designee, to execute a construction contract with AAA Time Saver Services of San Antonio, Texas in the amount of \$73,915 for the Corpus Christi Museum of Science and History Flooring Replacement project for the base bid.

**Sponsors:** Engineering Services

17.     [18-0307](#)     **One Reading Action Item - Resolution for purchase of Wedeco EcoRAY Ultra Violet Lamps and Accessory Parts for Broadway Wastewater Treatment Plant**

Resolution authorizing a one-time purchase from Xylem Water Solutions USA of Charlotte, North Carolina, for Wedeco EcoRay Ultra Violet (UV) lamps and accessory parts for a total amount not to exceed \$95,479.80.

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

18.     [18-0126](#)     **Second Reading Ordinance - Authorizing a Five-Year Lease Agreement with option for one additional five-year term for 1621 N. Mesquite Street (28-Day Delay Required) (1st Reading 2/13/18)**

Ordinance authorizing the City Manager to execute a five-year lease agreement with The Corpus Christi Ballet for the property located at 1621 N. Mesquite Street in consideration of monthly rental payment of \$400.00 with option to extend for up to 1 additional five-year term.

**Sponsors:** Parks and Recreation Department

**O.     BUDGET RELATED ITEMS: (ITEMS 19 - 24)**

19.     [18-0250](#)     **First Reading Ordinance - Amending the Code of Ordinances to increase alarm permit fees and adopt a new animal care service fee**

**schedule**

Ordinance amending Corpus Christi Code to increase alarm permit fees; and adopting new animal care service fee schedule.

Sponsors: Police Department

**20.     [18-0340](#)     **First Reading Ordinance - Adopting a Code Enforcement Fee Schedule****

Ordinance amending Corpus Christi Code to adopt a Code Enforcement fee schedule.

Sponsors: Police Department

**21.     [18-0271](#)     **First Reading Ordinance - Emergency Medical Services Recommended Fee Changes****

Ordinance amending Corpus Christi Code to adopt ambulance rates schedule and to increase ambulance service permitting fees.

Sponsors: Fire Department

**22.     [18-0330](#)     **First Reading Ordinance - Corpus Christi Fire Prevention Fee Amendments****

Ordinance amending the Corpus Christi Code to adopt a new fire prevention permit fee schedule.

Sponsors: Fire Department

**23.     [18-0273](#)     **First Reading Ordinance - Amending City Code to increase the photocopy fee for the Libraries****

Ordinance amending section 2-79 of the code of ordinances regarding library fees to increase the photocopy fee.

Sponsors: Libraries

**24.     [18-0274](#)     **Resolution for Fiscal Year 2017-2018 Parks and Recreation fees****

Resolution amending and adding new parks and recreational use fees.

Sponsors: Parks and Recreation Department

**P.     **FIRST READING ORDINANCES: (ITEMS 25 - 27)****

**25.     [18-0293](#)     **First Reading Ordinance - Approval of agreement and appropriating funds for the Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement****

Ordinance authorizing Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement with MPM Development,

LP; and appropriating \$72,130.00 from Water Arterial Transmission and Grid Main Trust Fund to reimburse the Developer.

Sponsors: Development Services

26. [18-0018](#) **First Reading Ordinance - Appropriating funds for construction contract for American Bank Center & Exhibition Hall & Convention Center Restroom Upgrades project**

Ordinance appropriating \$1,042,200.00 from the Unreserved Fund Balance in the Hotel Occupancy Tax Fund; changing the Operating Budget in the amount of \$1,042,200.00; and authorizing execution of a construction contract with Cordova Construction Company Inc., of Nacogdoches, TX in the amount of \$786,210.00 for the American Bank Center & Exhibition Hall & Convention Center Restroom Upgrades project. (Capital Outlay Project FY 2018).

Sponsors: Engineering Services and City Manager's Office

27. [18-0285](#) **First Reading Ordinance - Amending City Code to decrease speed limit on Beach Access Road 3A**

Ordinance amending Code of Ordinances to decrease the speed limit on Beach Access Road 3A; providing for penalty.

Sponsors: Street Department and Engineering Services

**Q. FUTURE AGENDA ITEMS: (ITEMS 28 - 34)**

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

28. [18-0284](#) **Resolution authorizing submission of grant application for funding under Local Border Security Program**

Resolution authorizing submission of grant application to Office of the Governor for funding under Local Border Security Program.

Sponsors: Police Department

29. [18-0306](#) **Service Agreement for one-year with two one-year options for Overhead Door Repair and Maintenance for the Fire Department**

Motion authorizing a one-year service agreement with Hub City Overhead Door Co., Inc. of Corpus Christi, Texas for a total amount not to exceed \$56,325, with two one-year options for a total potential multi-year amount of \$168,975.

Sponsors: Fire Department and Purchasing Division

30. [18-0296](#) **Contribution-In-Aid-of-Construction Agreements with AEP**

Motion authorizing execution of Contribution-In-Aid-of-Construction



Agreements with AEP in the amount of \$87,178.02 for installation of streetlights on Ennis Joslin from South Padre Island Drive (SPID) to Williams Drive and in the amount of \$80,641.54 for installation of street lights on Ennis Joslin from Williams Drive to Holly Road.

**Sponsors:** Street Department and Engineering Services

**31.     [18-0223](#)     Supply Agreement for 36 months for Manhole Covers for the Utilities Department**

Motion authorizing a 36-month supply agreement with Core & Main, L.P., of Corpus Christi, Texas, for Manhole Covers for the Utilities Department for a total amount not to exceed \$166,185.00.

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

**32.     [18-0283](#)     Service Agreement for one-year with two one-year options for hauling services for the Utilities Department**

Motion authorizing a one-year service agreement for hauling services with Tahoe Trucking, LLC. of Robstown, Texas for \$269,850, with two one-year options for a total potential multi-year amount of \$ 809,550.

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

**33.     [18-0236](#)     Resolution authorizing a five-year service agreement for Koha Integrated Library System Service and support for the Libraries Department**

Resolution authorizing a five-year service agreement with ByWater Solutions, from Santa Barbara, California, for a total amount not to exceed \$100,000.00.

**Sponsors:** Libraries and Purchasing Division

**34.     [18-0308](#)     Type A Agreement - CCREDC Program Management and Funding**

Motion to approve an agreement between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi to fund services provided to the Corporation by the Corpus Christi Regional Economic Development Corporation in the amount of \$125,000.

**Sponsors:** Assistant City Manager

**R.     **BRIEFINGS: (ITEMS 35 - 36)****

*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.*

**35.     [18-0339](#)     Discussion regarding Options for Bond 2018 Ballot Language**

**Sponsors:** City Secretary's Office

36. [18-0248](#) **Harbor Bridge Replacement Project Update**

Sponsors: Office of Public Works and Street Department

S. **EXECUTIVE SESSION: (ITEMS 37 - 40)**

*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.*

37. [18-0314](#) **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).

38. [18-0316](#) **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 Harbor Bridge construction and the Agreement for the Adjustment of City of Corpus Christi Municipal Utilities in Connection with the U.S. 181 Harbor Bridge Replacement Project.

39. [18-0347](#) **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 potential contracts, proposals or responses to requests for information related to operation, management, license, lease or transfer of parts of the City's water or wastewater management system, including, but not limited to the City's water or wastewater treatment plants and pursuant to **Texas Government Code § 551.072** to deliberate the potential purchase, exchange, lease, or value of real property, including, but not limited to parts of the City's wastewater management system, including, but not limited to the City's water or wastewater treatment plants or real property rights that might be utilized for any of the aforementioned uses.

40. [18-0377](#)

**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 purchase, exchange, lease, or value of real property rights at or in the vicinity of Belden Street, Mesquite Street, Broadway Street, Highway 181/I-37, Tancagua Street, the intersections thereof, or blocks adjacent to those streets and/or intersections, and areas within one mile thereof, and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property rights at or in the vicinity of the aforementioned locations) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

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**