



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, July 17, 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 Pastor Ely Perez, Bridgeway Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Buck Brice, Assistant City Attorney.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [18-0835](#) Proclamation declaring July 16 - July 20, 2018, "National Disability Voter Registration Week".
Proclamation declaring July 21, 2018, "Mandela Day".
Proclamation declaring July 2018, "National Parks and Recreation Month".
Recognition of Mayor's "4th of July Big Bang Celebration" Regatta Winners.
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**

a. **STRATEGIC FUTURE ISSUES (NONE)**

b. **HEALTH FUND UPDATE**

c. [18-0840](#) **BUDGET UPDATE**

d. **CITY PERFORMANCE REPORT - CODE ENFORCEMENT**

e. **OTHER**

G. **MINUTES:**

2. [18-0785](#) Regular Meeting of June 26, 2018 and Workshop Sessions of June 21, 2018 and June 28, 2018.

H. **BOARD & COMMITTEE APPOINTMENTS:**

3. [18-0678](#) Committee for Persons with Disabilities
Landmark Commission
Planning Commission
Airport Zoning Commission

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. [18-0747](#) Resolution authorizing submission of grant application for Automobile Burglary Theft Prevention Authority

Resolution authorizing submission of grant application for \$410,973 to Automobile Burglary Theft Prevention Authority to continue motor vehicle theft enforcement grant with City cash match of \$673,711, in-kind match of \$61,105, and program income match of \$1,831 for a total project cost of \$1,147,620.

Sponsors: Police Department

5. [18-0524](#) Resolution for the purchase of nine Crispin butterfly valves for O.N. Stevens Water Treatment Plant - Sole Source

Resolution authorizing the purchase of nine Crispin valves from Municipal Valve and Equipment Company from Addison, Texas for a total amount not to exceed \$145,854.00.

Sponsors: Water Utilities Department and Purchasing Division

6. [18-0749](#) Two Construction Contracts for Community Development and Improvements - Bill Witt Park (Bond 2012, Proposition 4)

Motion authorizing a construction contract with ABBA Construction LLC of

Laredo, Texas in the amount of \$282,999.75 for Base Bid A and a construction contract with Mako Contracting of Corpus Christi, Texas in the amount of \$572,533.22 for Base Bid B for Community Park Development and Improvements - Bill Witt Park project. (Bond 2012, Proposition 4).

Sponsors: Parks and Recreation Department and Engineering Services

7. [18-0697](#) **Second Reading Ordinance - Rezoning for a Property located at or near 9630 Compton Road (1st Reading 6/26/18)**

Case No. 0518-01 Suncrest Construction, Inc:

Ordinance rezoning property at or near 9630 Compton Road from "CG-1" General Commercial District and "RE" Residential Estate District to the "RS-22" Single-Family 22 District.

Planning Commission and Staff Recommendation (May 16, 2018):

Approval of the change of zoning from the "CG-1" General Commercial District and "RE" Residential Estate District to the "RS-22" Single-Family 22 District.

Sponsors: Development Services

8. [18-0719](#) **Second Reading Ordinance - Accepting and appropriating State grant funds for the contract period of October 1, 2018 through September 30, 2019 (1st Reading 6/26/18)**

Ordinance accepting an amendment to the Health Promotions and Chronic Disease Prevention/Texas Healthy Communities grant in the amount of \$50,000, increasing the total amount to \$200,000, from the Texas Department of State Health Services to continue implementing systems and strategies addressing Texas Healthy Communities priority indicators; and appropriating the increased grant amount.

Sponsors: Health Department

9. [18-0716](#) **Second Reading Ordinance - Farm and Grazing Land Leases at Corpus Christi International Airport (1st Reading 6/26/18)**

Ordinance authorizing two, five-year Farm Leases with Matt Danysh Farms, Inc and S & S Farms Partnership, and one five-year Grazing Lease with S & S Farms Partnership with a three year option for all leases for land located at Corpus Christi International Airport with projected annual revenue of \$133,806.45.

Sponsors: Aviation Department and Purchasing Division

10. [18-0453](#) **Second Reading Ordinance - Appropriating funds for a Three-Year Service Agreement for the Purchase and Installation of a Public-Address System for Corpus Christi International Airport (1st Reading 6/26/18)**

Ordinance appropriating \$216,672 from the Unreserved Fund Balance in the Airport Fund; amending the operating budget; and approving a three-year service agreement for the purchase and installation of a public-address system from Ford Audio-Video System LLC of Austin, Texas, via BuyBoard Cooperative, for an amount not to exceed \$216,672.

Sponsors: Aviation Department and Purchasing Division

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEMS 11 - 14)

11. [18-0802](#) Public Hearing and First Reading Ordinance - Rezoning property at or near 1752 Flour Bluff Drive

Case No. 0518-02 Siecoast Development, Inc.:

Ordinance rezoning property at or near 1752 Flour Bluff Drive from "RM-1" Multifamily 1 District to the "CN-1" Neighborhood Commercial District.

Planning Commission and Staff Recommendation (May 30, 2018):

Approval of the change of zoning from the "RM-1" to the "CN-1".

Sponsors: Development Services

12. [18-0803](#) Public Hearing and First Reading Ordinance - Rezoning property at or near 4549 Violet Road

Case No. 0518-03 Elaine Pittman and James Massur:

Ordinance rezoning property at or near 4549 Violet Road from "RS-6" Single-Family 6 District to the "RV" Recreational Vehicle Park District.

Planning Commission and Staff Recommendation (May 30, 2018):

Approval of the change of zoning from the "RS-6" to the "RV".

Sponsors: Development Services

13. [18-0830](#) Public Hearing Adopting the FY2018-FY2022 5 Year Consolidated Action Plan

Resolution adopting the fiscal year (FY) 2018-FY2022 5 Year Consolidated Action Plan (PLAN) which includes the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs; authorizing the City Manager or designee to submit the FY2018-FY2022 PLAN to the U.S. Department of Housing and Urban Development (HUD); and authorizing

the City Manager or designee to make changes to the FY2018-FY2022 PLAN if required by HUD.

Sponsors: Housing and Community Development

14. [18-0831](#) Public Hearing and First Reading Ordinance Adopting the City of Corpus Christi's Proposed FY2018-2019 Consolidated Annual Action Plan

Ordinance adopting the fiscal year (FY) 2018-2019 Consolidated Annual Action Plan (CAAP) for the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs funding from the United States Department of Housing and Urban Development (HUD) and authorizing the City Manager or designee to execute all documents necessary to submit the CAAP, accept and appropriate funding for the approved CAAP projects and further execute funding agreements, amendments or other documents necessary to implement the FY2018-2019 CAAP with organizations for approved projects.

Sponsors: Housing and Community Development

N. REGULAR AGENDA: (NONE)

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

O. FIRST READING ORDINANCES: (ITEMS 15 - 22)

15. [18-0776](#) First Reading Ordinance - Accepting and appropriating grant funds for the purchase of body cameras for the Police Department

Ordinance accepting \$156,000 from State of Texas, Office of the Governor Edward Byrne Memorial Justice Assistance Grant for purchase of body cameras with a City cash match of \$39,000; and appropriating \$156,000 in the Police Grants Fund.

Sponsors: Police Department

16. [18-0807](#) First Reading Ordinance - Accepting and appropriating the Edward Byrne Memorial Justice Assistance Grant within the Police Department

Ordinance authorizing acceptance of grant from U. S. Department of Justice, Bureau of Justice Assistance, in amount of \$167,457 for FY 2017 Edward Byrne Memorial Justice Assistance Grant Program; and appropriating \$167,457 in the Police Grants Fund to fund enhancement of law enforcement efforts with 50% funds distributed to Nueces County per interlocal agreement.

Sponsors: Police Department

17. [18-0825](#) **First Reading Ordinance - Accepting and appropriating grant for Internet Crimes Against Children (ICAC) Task Force Program within the Police Department**

Ordinance authorizing acceptance of grant from Office of the Attorney General for Internet Crimes Against Children (ICAC) Task Force program, in amount of \$10,000 for the ICAC program within the Police Department; and appropriating the \$10,000 in Police Grants Fund.

Sponsors: Police Department

18. [18-0713](#) **First Reading Ordinance - Partial utility easement closure located at 4030 Giants Drive**

Ordinance abandoning and vacating 7-feet (420-square feet) of an existing 15-foot utility easement out of Lot 19, Block 3, Manhattan Estates Unit 4 Subdivision, located at 4030 Giants Drive and requiring the owner, Richard Ocanas, to comply with the specified conditions.

Sponsors: Development Services

19. [18-0792](#) **First Reading Ordinance - 2018 Que Bueno Taco Festival Agreement**

Ordinance authorizing an agreement with Corpus Christi PATCH, Inc. to allow use of Artesian Park and portions of Taylor, Mesquite, Starr and Chaparral Streets for the Que Bueno Taco Festival and related activities on September 15, 2018.

Sponsors: Parks and Recreation Department

20. [18-0684](#) **First Reading Ordinance - Accepting and appropriating developer contributions, other donations and interest earnings for park improvements**

Ordinance to accept and appropriate \$846,228.34 in developer contributions, other donations and interest earnings in the Community Enrichment Fund for park improvements.

Sponsors: Parks and Recreation Department

21. [18-0796](#) **First Reading Ordinance - Appropriating \$500,000 from Worker's Compensation Reserve Fund Balance for higher-than-actuarially-calculated worker's compensation costs**

Ordinance appropriating \$500,000 from the Reserved Fund Balance in the Workers' Compensation Fund for payment of higher-than-actuarially calculated workers compensation costs and amending the FY17-18 Budget.

Sponsors: Legal Department

22. [18-0755](#) **First Reading Ordinance - Appropriating \$550,000 for Selena Auditorium elevator modernization project**

Ordinance appropriating \$550,000 from the unreserved fund balance of the Hotel Occupancy Tax Fund for modernization of elevators at the Selena Auditorium; and amending the FY18 operating budget.

Sponsors: City Manager's Office

P. **FUTURE AGENDA ITEMS: (ITEMS 23 - 32)**

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

23. [18-0790](#) **Resolution for the Purchase and installation of Storage Cabinets for the Corpus Christi Museum of Science and History - Sole Source**

Resolution authorizing a four month service agreement with Southwest Solutions Group, of Lewisville, Texas for the purchase and installation of storage cabinets for a total amount not to exceed \$218,299.

Sponsors: City Manager's Office and Purchasing Division

24. [18-0739](#) **Four-year Service Agreement for Emergency or Disaster Response Services**

Motion authorizing a four-year service agreement with Garner Environmental Services, Inc. of Deer Park, Texas to secure required equipment and services in the event of an emergency or disaster for a total amount of \$200,000 via General Services Administration's (GSA) Cooperative.

Sponsors: Fire Department and Purchasing Division

25. [18-0797](#) **Resolution approving submission of a grant application for Beach Cleaning and Maintenance**

Resolution approving Texas General Land Office's Beach Cleaning and Maintenance Assistance Program FY 2018-2019 grant application.

Sponsors: Parks and Recreation Department

26. [18-0683](#) **Four-Year Service agreement for Bio-Monitoring Testing Services for Wastewater Treatment Plants**

Motion authorizing a four-year service agreement with Bio-Aquatic Testing Inc., of Carrollton, Texas for bio-monitoring testing services for the wastewater treatment plants for a total amount not to exceed \$173,040.

Sponsors: Water Utilities Department and Purchasing Division

27. [18-0788](#) **Amendment No. 1 to the Master Services Agreement for**

Professional Survey Services

Motion authorizing Amendment No. 1 to the Master Services Agreement with Urban Engineering of Corpus Christi, Texas in the amount of \$60,000 for a total restated fee of \$85,000 for Professional Survey Services per year with the option to administratively renew for one additional year for a total contract price of \$170,000.

Sponsors: Engineering Services

28. [18-0789](#) **Resolution Approving Construction Contracts for Residential Street Rebuild Program (RSRP) Bond 2016**

Resolution rejecting bids and authorizing construction contracts with A. Ortiz Construction & Paving, Inc., of Corpus Christi, Texas in the amount of \$4,570,000 for Base Bid Part 1 and with J. Carroll Weaver, Inc., of Sinton, Texas in the amount of \$4,390,000 for Base Bid Part 2 for the Bond 2016 Residential Street Rebuild Program Project.

Sponsors: Office of Public Works, Street Department and Engineering Services

29. [18-0725](#) **Purchase of Three Trucks for Solid Waste Operations**

Motion authorizing the purchase of one side loading refuse truck from Rush Truck Center of New Braunfels, Texas, and two self-loading brush trucks from Houston Freightliners of Houston, Texas via HGAC and two Chassis for the trucks from Petersen Industries of Lake Wells, Florida via NJPA for a total amount not to exceed \$650,394.80.

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

30. [18-0744](#) **Disaster Debris Clearing, Removal and Disposal Services**

Motion authorizing a two-year service agreement to provide disaster debris clearing, removal and disposal services with TFR Enterprises, Inc., of Leander, Texas for \$168,893,230, with two two-year options for a total potential multi-year amount of \$506,679,690.

Sponsors: Solid Waste Operations and Purchasing Division

31. [18-0737](#) **Two-year Service Agreement for Storm Debris Removal Monitoring and Consulting Services**

Motion authorizing a two-year service agreement to provide storm debris monitoring and consulting services with Thompson Consulting Services, LLC, of Lake Mary, Florida for \$871,875, with two two-year options for a total potential multi-year amount of \$2,615,625.

Sponsors: Solid Waste Operations and Purchasing Division

32. [18-0800](#) **Master Agreement - Municipal Lease Line of Credit**

Motion approving a two-year Master Lease-Purchase Financing Agreement with JPMorgan Chase Bank, N.A. of Chicago, Illinois for an estimated expenditure of \$11,883,665, with three additional options for one-year periods.

Sponsors: Financial Services Department and Purchasing Division

Q. BRIEFINGS: (NONE)

Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited. The City Manager or City Council Liaison for any city board, commission, committee or corporation (including Type A or B Corporation) may report on the action(s) or discussion(s) of any such body's public meeting that occurred within one month prior to this City Council meeting.

R. EXECUTIVE SESSION: (ITEMS 33 - 35)

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.

- 33. [18-0836](#) 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 economic development agreements, industrial district agreements, entities that are signatories to the City's industrial district agreements, annexation, and disannexation, (including, but not limited to, transactions involving Flint Hills Resources Corpus Christi, LLC (and LP) and related entities) and pursuant to Texas Government Code § 551.087 to discuss or deliberate regarding commercial or financial information relating to some or all of the aforementioned matters and entities that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations and/or financial or other incentives involving said business prospect.**

- 34. [18-0837](#) Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning claims, pending litigation, potential settlement, attorney's fees, and/or other potential legal matters regarding lawsuits of**

Salinas Construction Technologies, Ltd. and Salinas and Sons, Inc. v. City of Corpus Christi, Graham Construction Services, Inc. v. City of Corpus Christi, et al, and other lawsuits against the City and the City's officers and employees.

35. [18-0838](#) **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 economic development agreements, agreements pursuant to Texas Local Government Code Chapter 212, potential economic development agreement(s) involving Gulf Coast Growth Ventures and related entities, potential amendment(s) to water contracts with San Patricio Municipal Water District) and pursuant to Texas Government Code § 551.087 to discuss or deliberate regarding commercial or financial information relating to some or all of the aforementioned matters and entities that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations and/or financial or other incentives involving said business prospect(s).**

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**