



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, September 25, 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 ayudarlo.

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 Esther Velazquez, Assistant to City Manager.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [18-1200](#)** Proclamation declaring September 8, 2018, "International Literacy Day" and September 2018, "National Literacy Month".
Proclamation declaring September 29, 2018, "Coastal Bend Walk 'n Roll Celebration for Disability Awareness Day".
Proclamation declaring October 2, 2018, "National Night Out".
Proclamation declaring October 7-13, 2018, "National Fire Prevention Week".
Proclamation declaring the City of Corpus Christi a Purple Heart City.

Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

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

- a. STRATEGIC FUTURE ISSUES (NONE)
- b. CITY PERFORMANCE REPORT - DEVELOPMENT SERVICES
- c. OTHER

G. MINUTES:

- 2. [18-1201](#) Regular Meeting of September 18, 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. All items on this agenda are considered public hearings.**

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 - 22)

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. [18-0931](#) Resolution authorizing a Service Agreement for the Purchase of Code Enforcment Applications Software License

Resolution authorizing a five-year service agreement for the purchase of GovQA Code Enforcement Applications Software License from WebQA, Inc., dba GovQA, Woodridge, IL, for \$75,000.

Sponsors: Police Department and Purchasing Division

4. [18-1025](#) Purchase of Veterinary Medicines and Supplies for Animal Care Services

Motion authorizing a one-year supply agreement with Patterson Veterinary Supply, Inc. of Greeley, Colorado for the purchase of veterinary medicines and supplies for a total amount not to exceed \$380,426.15.

Sponsors: Police Department and Purchasing Division

5. [18-1057](#) Professional Services Contract Amendment No. 1 for Greenwood Wastewater Treatment Plant (WWTP) Headworks & Grit Removal Rehabilitation (Capital Improvement Program)

Motion to authorize execution of Amendment No. 1 with Urban Engineering of Corpus Christi, Texas in the amount of \$335,200 for a total restated fee

of \$380,400 for Greenwood Wastewater Treatment Plant (WWTP) Headworks & Grit Removal Rehabilitation project.

Sponsors: Water Utilities Department and Engineering Services

6. [18-1085](#) **Lease-Purchase of Two Dump Trucks and One Excavator for Street Operations**

Motion authorizing the lease purchase of two 12 cubic yard dump trucks from Houston Freightliner Inc., of Houston, Texas, and one Gradall excavator from Waukesha-Pearce Industries, LLC of Corpus Christi, Texas via Houston-Galveston Area Council and BuyBoard Cooperative for a total amount of \$765,824.59.

Sponsors: Asset Management Department, Street Department and Purchasing Division

7. [18-1087](#) **Lease Purchase of Vactor Truck and Heavy Equipment for Utilities**

Motion authorizing the lease purchase of one Vactor combination sewer truck from Houston Freightliners of Houston, Texas, one 2019 Western Star tractor from Grande Truck Center of San Antonio, Texas; and one CPS half round end dump trailer and one 55-ton Low Boy trailer from J&B Pavelka of Houston, Texas via Houston-Galveston Area Council for \$ 694,880.30.

Sponsors: Asset Management Department, Water Utilities and Purchasing Division

8. [18-1133](#) **Purchase of Auto Parts for Fleet Maintenance**

Motion authorizing one-year supply agreement for the purchase of automotive parts with O'Reilly Auto Enterprises LLC, dba O'Reilly Auto Parts of Springfield, Missouri via BuyBoard cooperative for a total amount not to exceed \$140,000.

Sponsors: Asset Management Department and Purchasing Division

9. [18-1088](#) **Professional Services Contract Solid Landfill Groundwater Monitoring**

Motion to authorize execution of a professional services contract with Terracon Consultants, Inc. of Corpus Christi, Texas for the Solid Waste Landfill Groundwater Monitoring project in the amount of \$225,191 per year with the option to administratively renew for two additional years for a total contract price of \$675,573.

Sponsors: Solid Waste Operations and Engineering Services

10. [18-1129](#) **Meal Delivery Service for Senior Community Services and Summer Feeding Program**

Motion authorizing a three-year service agreement with R&R Delivery

Service of Corpus Christi, Texas for meal delivery service for \$678,178.80.

Sponsors: Parks and Recreation Department and Purchasing Division

11. [18-1021](#) **Supply Agreement for Purchase of Hydrofluorsilicic Acid for Water Treatment at O. N. Stevens Water Treatment Plant**

Motion authorizing a one-year supply agreement for the purchase of hydrofluorosilicic acid from Univar USA, Inc. from Kent, Washington for \$195,750.00.

Sponsors: Water Utilities and Purchasing Division

12. [18-1117](#) **Second Reading Ordinance - Rezoning for a Property located at or near 6001 Crosstown Expressway (State Highway 286) (1st Reading 9/18/18)**

Case No. 0818-01 Joshua Kosarek:

Planning Commission and Staff Recommendation (August 8, 2018):

Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District, in lieu thereof:

Ordinance rezoning property at or near 6001 Crosstown Expressway (State Highway 286) from "RS-6" Single-Family 6 District to the "ON" Neighborhood Office District.

Sponsors: Development Services

13. [18-1120](#) **Second Reading Ordinance - Rezoning for a Property located at or near 4441 South Alameda Street (1st Reading 9/18/18)**

Case No. 0818-02 Texas Star Investments, Inc:

Planning Commission and Staff Recommendation (August 8, 2018):

Denial of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District in lieu thereof:

Ordinance rezoning property at or near 4441 South Alameda Street from "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit (SP)

Sponsors: Development Services

14. [18-1121](#) **Second Reading Ordinance - Rezoning for a Property located at or near 1804 Buford Avenue (1st Reading 9/18/18)**

Case No. 0818-03 The Salvation Army:

Planning Commission and Staff Recommendation (August 8, 2018):

Denial of the change of zoning from the "RS-6" Single-Family 6 District to

the "CG-1/SP" General Commercial District with a Special Permit, in lieu thereof:

Ordinance rezoning property at or near 1804 Buford Avenue from "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit

Sponsors: Development Services

15. [18-1159](#) **Second Reading Ordinance - Appropriating funds from the Recovery on Damage Claims (1st Reading 9/18/18)**

Ordinance appropriating \$92,437.71 from damage claims into General Fund to purchase police vehicles; and changing Operating Budget by increasing revenue and expenditures in the General Fund by \$92,437.71.

Sponsors: Police Department

16. [18-1096](#) **Second Reading Ordinance - Accepting and appropriating grant funds for Fire Department (1st Reading 9/18/18)**

Ordinance authorizing acceptance of \$1,000 grant from NuStar Energy L.P.; and appropriating \$1,000 from NuStar Energy L.P. into Fire Grant Fund.

Sponsors: Fire Department

17. [18-1142](#) **Second Reading Ordinance - Amending the Women, Infant and Children's Nutrition Program (WIC) grant contract from the Health and Human Services Commission (1st Reading 9/18/18)**

Ordinance authorizing an amendment to the Women, Infant and Children's Nutrition Program (WIC) grant contract from the Health and Human Services Commission.

Sponsors: Health Department

18. [18-1059](#) **Second Reading Ordinance - Construction Contract for Laguna Shores Road Force Main Replacement (Capital Improvements Program (CIP) (1st Reading 9/18/18)**

Ordinance rejecting the apparent low bid of Jhabores Construction Company, Inc., as non-responsive and authorizing a construction contract with Max Underground Construction, LLC of Corpus Christi, Texas as the lowest responsive, responsible bidder in the amount of \$4,425,112.50 for the Base Bid plus Additive Alternate No. 1 and Additive Alternate No. 2 for the Laguna Shores Road Force Main Replacement project (Wastewater CIP).

Sponsors: Water Utilities Department and Engineering Services

19. [18-1153](#) **Second Reading Ordinance - Authorizing an Airline Use and Lease**

Agreement with American Airlines (1st Reading 9/18/18)

Ordinance authorizing a three-year airline use and lease agreement with American Airlines to be effective as of October 1, 2017, with one two-year option.

Sponsors: Aviation Department

20. [18-1154](#) **Second Reading Ordinance - Authorizing an Airline Use and Lease Agreement with Southwest Airlines (1st Reading 9/18/18)**

Ordinance authorizing a three-year airline use and lease agreement with Southwest Airlines to be effective as October 1, 2017, with one two-year option.

Sponsors: Aviation Department

21. [18-1089](#) **Second Reading Ordinance - Amending City Code to increase collection fees for Solid Waste (1st Reading 9/18/18)**

Ordinance amending the Corpus Christi Code of Ordinances, Chapter 21, Section 40, to increase collection fees for solid waste.

Sponsors: Solid Waste Operations

22. [18-1205](#) **Second Reading Ordinance - Transferring funds for erosion, drainage, and 3D modeling work for the North Beach Area (1st Reading 9/18/18)**

Ordinance transferring \$16,000 from the City Council Business Accounts in the General Fund to the Comprehensive Planning Department Budget for Beach Erosion, Drainage, and 3D Modeling work for the North Beach area.

Sponsors: Office of Management and Budget

L. **RECESS FOR LUNCH**

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

M. **PUBLIC HEARINGS: (ITEMS 23 - 28)**

23. [18-1155](#) **Public Hearing and First Reading Ordinance - Urban Transportation Plan Amendment deleting a proposed collector street**

Ordinance amending Urban Transportation Plan map by deleting a portion of Las Tunas Drive, a proposed C1 Collector located approximately 0.2 miles south of Whitecap Boulevard connecting Palmira Avenue. with South Padre Island Drive (Park Road 22)

Sponsors: Planning and Environmental/Strategic Initiatives

**24. [18-1177](#) Public Hearing and First Reading Ordinance - Unimproved Street
Right-of-Way Closure of Las Tunas Drive**

Ordinance closing, abandoning and vacating a 0.516-acre portion of Las Tunas Drive, a platted unimproved road, out of Padre Island No. 1 and requiring petitioner, Yasin Investment, LLC., to comply with specified conditions.

Sponsors: Development Services

**25. [18-1174](#) Public Hearing and First Reading Ordinance - Partial Street
Right-of-Way closure, vacation, and abandonment of Battlin' Buc
Boulevard and Lipan Street, and alley closures out of Nelson
Addition Block 2 and 3**

Ordinance closing, vacating, and abandoning a 0.50 acre portion of Battlin' Buc Boulevard, a 0.43 acre portion of Lipan Street, a 0.069 of an acre, being a 10-foot wide alley located out of Nelson Addition Block 2, and a 0.034 of an acre, being a 10-foot wide alley located out of Nelson Addition Block 3, and requiring Corpus Christi Independent School District to comply with specified conditions.

Sponsors: Development Services

**26. [18-1160](#) Public Hearing and First Reading Ordinance - Rezoning for a
Property located at or near 5518 Curtis Clark Drive.**

Case No. 0818-04 Marias Properties, LLC:

Planning Commission and Staff Recommendation (August 22, 2018):
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-2" Neighborhood Commercial District.

Ordinance rezoning property at or near 5518 Curtis Clark Drive from "RS-6" Single-Family 6 District to the "CN-2" Neighborhood Commercial District.

Sponsors: Development Services

**27. [18-1161](#) Public Hearing and First Reading Ordinance - Rezoning for a
Property located at or near 2141 Laguna Shores Drive.**

Case No. 0818-05 James Karstens:

Planning Commission and Staff Recommendation (August 22, 2018):
Approval of the change of zoning from the "CR-1" Resort Commercial District to the "RS-15" Single-Family 15 District.

Ordinance rezoning property at or near 2141 Laguna Shores Road from "CR-1" Resort Commercial District to the "RS-15" Single-Family 15 District.

Sponsors: Development Services

28. [18-1162](#) **Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 2117 Laguna Shores Drive**

Case No. 0818-06 Guy Brady:

Planning Commission and Staff Recommendation (August 22, 2018):
Approval of the change of zoning from the "CR-1" Resort Commercial District to the "RS-15" Single-Family 15 District.

Ordinance rezoning property at or near 2117 Laguna Shores Road from "CR-1" Resort Commercial District to the "RS-15" Single-Family 15 District.

Sponsors: Development Services

N. **REGULAR AGENDA: (ITEM 29)**

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

29. [18-1060](#) **Second Reading Ordinance - Accepting and Appropriating funds and approving Construction Contract for Corpus Christi International Airport (CCIA) Rehabilitate Terminal Apron Phase II and East General Aviation Phase II projects (1st Reading 9/18/18)**

Ordinance to accept and appropriate Airport Grant #57 in Fund 3020; appropriate and transfer \$725,805 from Fund 4612 to Fund 3018 and authorizing a construction contract with SpawGlass Civil Construction of Corpus Christi, Texas in the amount of \$7,221,798.15 for Base Bid and Alternates for the Corpus Christi International Airport (CCIA) Rehabilitate Terminal Apron Phase II and East General Aviation Apron Phase III projects.

Sponsors: Aviation Department and Engineering Services

O. **FIRST READING ORDINANCES: (ITEMS 30)**

30. [18-1171](#) **First Reading Ordinance - Amending Tree Advisory Committee Membership Requirements**

Ordinance amending Tree Advisory Committee membership.

Sponsors: Parks and Recreation Department

P. **FUTURE AGENDA ITEMS: (ITEMS 31 - 36)**

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

31. [18-1210](#) **Annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS)**

Motion authorizing renewal of an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of water quality and stream flows associated with the Nueces River and its tributary, with the City's cost to be \$160,350.

Sponsors: Water Utilities

32. [18-1233](#) **Food Program Purchase for the Senior and Summer Youth Feeding Programs**

Resolution authorizing the purchase up to \$421,000.00 in food supplies for the senior and summer youth feeding programs through the Coastal Bend Council of Governments' ("CBCOG") participation in the TEXAS 20 Purchasing Cooperative as organized and administered by the Education Service Center, Region 20.

Sponsors: Parks and Recreation Department

33. [18-1152](#) **Supply Agreement for the Purchase of Garbage Truck Parts**

Motion authorizing a one-year supply agreement for the purchase of garbage truck parts with Heil of Texas of San Antonio, Texas via BuyBoard cooperative for \$220,000, with a one-year option for a total potential multi-year amount not to exceed \$440,000.

Sponsors: Asset Management Department and Purchasing Division

34. [18-1156](#) **Supply Agreement for the Purchase of Heavy Equipment Parts for Asset Management**

Motion authorizing a one-year supply agreement for the purchase of heavy equipment parts with Rush Truck Centers of Texas, LP dba, Rush Truck Center of Corpus Christi, Texas via BuyBoard cooperative for \$630,000, with a one-year option for a total potential multi-year amount of \$1,260,000.

Sponsors: Asset Management Department and Purchasing Division

35. [18-1164](#) **Service Agreement for Backflow Prevention Testing and Repairs for City Facilities**

Motion authorizing a three-year service agreement for backflow prevention testing and repairs for City facilities with Smart Plumbing, Inc. of Corpus Christi, Texas for a total amount not to exceed \$276,286.

Sponsors: Asset Management Department and Purchasing Division

36. [18-1150](#) **Service Agreement for Plumbing Services for City Facilities**

Motion authorizing a three-year service agreement with Smart Plumbing Inc of Corpus Christi, Texas for plumbing services for City facilities for a total amount not to exceed \$230,625.

Sponsors: Asset Management Department and Purchasing Division

Q. **BRIEFINGS: (ITEMS 37 - 38)**

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.

37. [18-1131](#) **Quarterly Update to Council - Harbor Bridge Replacement Project**

Sponsors: Office of Public Works

38. [18-1212](#) **Seawater Desalination Siting and Permitting Project**

Sponsors: Water Utilities

R. **EXECUTIVE SESSION: (ITEM 39)**

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.

39. [18-1235](#) **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 owned by the City within the City of Corpus Christi at or adjacent to Creekway park (7244 Prairie) and/or other miscellaneous properties in the City limits owned by the City 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 location[s]) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third**

person.

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