



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, October 23, 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 David Bendett, Rock City Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Becky Perrin, Assistant Director of Parks and Recreation.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [18-1330](#)** Proclamation declaring October 23, 2018, "Indigenous Tribes of the Coastal Bend Day".
Proclamation declaring October 25, 2018, "Celebration of Family: Honoring 2018 Four-Star Parents".
Proclamation declaring October 2018, "National Breast Cancer Awareness Month".
Proclamation declaring October 2018, "Neonatal Abstinence Syndrome Awareness Month".

Proclamation declaring November 3, 2018, "Face-to-Face Walk for Memory Day".

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

- a. UTILITY BILLING UPDATE
- b. STRATEGIC FUTURE ISSUES
- c. OTHER

G. MINUTES:

2. [18-1335](#) Regular Meeting of October 16, 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 - 11)

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. [18-1240](#) Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement (Requires 2/3 Vote)

Motion to amend Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement with MPM Development, LP. to extend the performance date to October 24, 2019.

Sponsors: Development Services

4. [18-1180](#) Service Agreement for the Purchase of Air Compressors and Preventative Maintenance for O.N. Stevens Water Treatment Plant (Requires 2/3 Vote)

Motion authorizing a five-year service agreement with Air Specialty and Equipment Company of Corpus Christi, Texas for the purchase of air compressors and preventative maintenance at O.N. Stevens Treatment Plant for the total amount not to exceed \$70,990.

Sponsors: Water Utilities and Purchasing Division

5. [18-1254](#) Purchase of Fairbanks Pump for O.N. Stevens Water Treatment Plant (Requires 2/3 Vote)

Motion authorizing the purchase of a Fairbanks pump for O. N. Stevens

Water Treatment Plant from Odessa Pumps of Corpus Christi, Texas via BuyBoard cooperative for a total amount not to exceed \$175,313.00.

Sponsors: Water Utilities and Purchasing Division

6. [18-1241](#) **Master Services Agreement (MSA) for O.N. Stevens Water Treatment Plant (ONSWTP) Electrical Distribution Improvements (Capital Improvement Program) (Requires 2/3 Vote)**

Motion to authorize execution of a Master Services Agreement (MSA) with Bath Engineering of Corpus Christi, Texas for a period of one (1) year in the amount of \$300,000 with two (2) optional 1-year renewals in the amount of \$250,000 each for a total contract value not to exceed \$800,000 for ONSWTP Electrical Distribution Improvements.

Sponsors: Engineering Services and Water Utilities Department

7. [18-1242](#) **Construction Contract for North Beach Area Projects (Bond 2012, Proposition 8) (Requires 2/3 Vote)**

Motion to authorize execution of a construction contract with Winters Construction, Inc., of San Antonio, Texas in the amount of \$ 2,001,890.68 for the Base Bid plus Alternates No. 1 and 2 for the North Beach Area Road Improvements and Area Beautification, and North Beach Breakwater, Plaza, North Shoreline Repair and Enhancement projects.

Sponsors: Engineering Services and Street Department

8. [18-1266](#) **Resolution authorizing execution of the Regional Transportation Authority (RTA) "Notification for Additional Funding in 2018" (Requires 2/3 Vote)**

Resolution authorizing execution of the "Notification for Additional Funding in 2018 (Street Maintenance Program)" in an amount of \$2,565,883 accepting the Corpus Christi Regional Transportation Authority's fiscal year 2018 allocation to the City's Street Preventative Maintenance Program (SPMP) projects.

Sponsors: Street Department

9. [18-1126](#) **Service Agreement for Elevator and Escalator Preventive Maintenance Program (Requires 2/3 Vote)**

Motion authorizing a five-year service agreement with EMR Elevator of Arlington, Texas, for elevator, escalator, dumbwaiter and wheelchair lift preventive maintenance program and preexisting repairs, via BuyBoard cooperative for a total amount not to exceed \$517,598.24.

Sponsors: Asset Management Department and Purchasing Division

10. [18-1244](#) **Service Agreement for the replacement of the City warehouse roof (Requires 2/3 Vote)**

Motion authorizing a service agreement with South Texas Metal Roof, of Corpus Christi, Texas, for the replacement of the City warehouse roof for a total amount not to exceed \$142,500.00.

Sponsors: Purchasing Division

11. [18-1280](#) Approval of the 2018 Tax Levy

Motion approving the 2018 Property Tax Levy of \$126,930,210.19 based on the adopted property tax rate of \$0.626264 per \$100 valuation, in accordance with Section 26.09 (e) of the Texas Tax Code.

Sponsors: Financial Services Department

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEMS 12-13)

12. [18-1296](#) Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 15621 and 15625 South Padre Island Drive (Requires 2/3 Vote)

Case No. 0918-02 Rakesh Patel: Request for rezoning property at or near 15621 and 15625 South Padre Island Drive from "CR-2/IO" Resort Commercial District with the Island Overlay to the "IL" Light Industrial District.

Planning Commission and Staff Recommendation (September 19, 2018): Denial of the change of zoning from the "CR-2/IO" Resort Commercial District with the Island Overlay to the "IL" Light Industrial District, in lieu thereof:

Ordinance rezoning property at or near 15621 and 15625 South Padre Island Drive from "CR-2/IO" Resort Commercial District with the Island Overlay to the "CR-2/IO/SP" Resort Commercial District with the Island Overlay and a Special Permit.

Sponsors: Development Services

13. [18-1294](#) Public Hearing and First Reading Ordinance - Amending City Code for Water Master Plan Amendment - South of Oso Creek

Ordinance amending the City of Corpus Christi Comprehensive Plan by amending the City's Water Distribution System Master Water Plan South of Oso Creek.

Sponsors: Water Utilities

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 14 - 15)

14. [18-1292](#) **First Reading Ordinance - Accepting and appropriating the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program grant (Requires 2/3 Vote)**

Ordinance authorizing acceptance of grant from U. S. Department of Justice, Bureau of Justice Assistance, in amount of \$178,821 for FY 2018 Edward Byrne Memorial Justice Assistance Grant Program; and appropriating \$178,821 in Police Grants Fund to fund enhancement of law enforcement efforts with \$82,042 of funds distributed to Nueces County and \$14,736 of funds distributed to City of Robstown.

Sponsors: Police Department

15. [18-1295](#) **First Reading Ordinance - Lease Agreement for Lake Corpus Christi Campground (28 Day Delay Required) (Requires 2/3 Vote)**

Ordinance authorizing a fifteen-year lease agreement with Kamping Pleasures, Inc. for 40 acres out of the Mary B. Kelvin survey in Live Oak County, on the North side of Lake Corpus Christi, in consideration of quarterly rent of \$5,000 or 8% of gross sales, whichever is greater, to operate a campground; with option to extend for up to an additional ten-year term.

Sponsors: Water Utilities

P. FUTURE AGENDA ITEMS: (ITEMS 16 - 18)

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

16. [18-1207](#) **Master Services Agreement for Subsurface Utility Engineering (SUE) Services (Capital Improvement Project) (Requires 2/3 Vote)**

Motion to authorize execution of a Master Services Agreement with Cobb, Fendley & Associates, Inc., of Corpus Christi, Texas for a period of 1 year in the amount of \$300,000 with one optional 1-year renewal to be administratively awarded for a total contract cost of \$600,000 for Subsurface Utility Engineering (SUE) Services project.

Sponsors: Engineering Services and Water Utilities

17. [18-1268](#) **Professional Services Contract Amendment No. 1 for Seawall Capital Repairs (CIP - Type A) (Requires 2/3 Vote)**

Motion to authorize execution of Amendment No. 1 to a professional

services contract with Munoz Engineering of Corpus Christi, Texas in the amount of \$91,213 for a total restated fee of \$108,493 for the Seawall Capital Repairs project.

Sponsors: Engineering Services, Parks and Recreation Department and Municipal Marina

18. [18-1255](#) Purchase of Uniforms for the Gas Department (Requires 2/3 Vote)

Motion authorizing the purchase of uniforms for the Gas Department with Cintas Corporation from Corpus Christi, Texas, via U.S. Communities cooperative, for a total amount not to exceed \$122,795.50.

Sponsors: Gas 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 19 - 20)

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.

19. [18-1334](#) Executive Session pursuant to Texas Government Code § 551.071
and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning potential settlement of claims on behalf of and/or against City involving SpawGlass Civil Construction, Inc., Harvey Cleary Builders, Inc., FDL-CC, LLC, and related entities involved in the malfunction of a fire suppression system on or about June 15, 2017 and the necessitated removal of soil and/or subgrade affected by introduction of fire suppressant into adjacent areas of construction.

20. [18-1343](#) 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 Texas Utilities Code, utility billing regulations, policies, and practices, the regulation of and

charges associated with biochemical oxygen demand, total suspended solids, and other wastewater components, and other matters related to the provision of water services, including, but not limited to, issues related to Kane Beef, and agreements related to the aforementioned matters.

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