



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, October 16, 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 Deacon Mark Arnold, Diocese of Corpus Christi.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Assistant Chief David Blackmon, Corpus Christi Police Department.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [18-1289](#)** Proclamation declaring October 16, 2018, "Ready4K Day".
Proclamation declaring October 24, 2018, "HELP Hits the High Notes Day".
Proclamation declaring October 19-21, 2018, "58th Annual Texas Jazz Festival Days".
Proclamation declaring October 23-31, 2018, "Red Ribbon Week".
Proclamation declaring October 2018, "National Disability Employment Awareness Month".

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

- a. STRATEGIC FUTURE ISSUES**
- b. CITY PERFORMANCE REPORT - SOLID WASTE SERVICES**
- c. OTHER**

G. MINUTES:

- 2. [18-1300](#)** Regular Meeting of October 9, 2018 and Special Meeting of October 9, 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 - 14)

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. [18-1249](#) Authorizing Use of Type B Arterial and Collector Funds for Three Streets (Requires 2/3 Vote)

Motion authorizing the use of up to \$10,550,000 in Type B arterial and collector funds for three street projects: Slough Road from Amethyst Drive to Rodd Field Road, Everhart Road from Holly Road to South Padre Island Drive, and Holly Road from Ennis Joslin Road to Rodd Field Road.

Sponsors: Business Liaison

4. [18-1214](#) Construction Contract for Flato Road from Agnes Street to Bates Road (Bond 2014, Proposition 2) (Requires 2/3 Vote)

Motion to authorize execution of a construction contract with Reytec Construction Resources, Inc., of Houston, Texas in the amount of \$7,985,187.50 for Base Bid Part 3 (Portland Cement Concrete (PCC)) for Flato Road from Agnes Street to Bates Road project.

Sponsors: Street Department and Engineering Services

5. [18-1209](#) Professional Services Contract Amendment No. 7 for the O.N. Stevens Water Treatment Plant High Service Building No. 3 (Capital Improvement Program) (Requires 2/3 Vote)

Motion to authorize execution of Amendment No. 7 to a Professional Services Contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$242,065.00 for a total restated fee of \$2,762,567.91 for O.N. Stevens Water Treatment Plant High Service Building No. 3 project.

Sponsors: Water Utilities Department and Engineering Services

6. [18-1125](#) **Service Agreement for Chemical Analysis Services for Utilities
(Requires 2/3 Vote)**

Motion authorizing a four-year service agreement with Analysys, Inc., of Austin, Texas for the chemical analysis at the Water Utilities Lab, Pretreatment, and Wastewater Division of Utilities Department for the total amount not to exceed \$269,776.

Sponsors: Water Utilities and Purchasing Division

7. [18-1211](#) **Real Estate Contract for land purchase at Corpus Christi
International Airport (Requires 2/3 Vote)**

Motion to authorize execution of a real estate sales contract with Patrick William Kelly, III and Carol Lynn Gillingham in the amount of \$235,200 plus \$2,700 in estimated closing costs for acquisition of 50.535 acres of land including mineral rights, located on Joe Mireur Road (FM763), south of Corpus Christi International Airport for airport land expansion and other purposes.

Sponsors: Aviation Department and Engineering Services

8. [18-1234](#) **Second Reading Ordinance - Rezoning for a Property located at or
near 6641 Lipes Boulevard (Requires 2/3 Vote) (1st Reading 10/9/18)**

Case No. 0918-01 Staples Development, LLC: Request for rezoning property at or near 6641 Lipes Boulevard from "FR" Farm Rural District to the "RM-1" Multifamily 1 District

Planning Commission and Staff Recommendation (September 5, 2018):
Approval of the change of zoning from the "FR" Farm Rural District to the "RM-1" Multifamily 1 District.

Ordinance rezoning property at or near 6641 Lipes Boulevard from the "FR" Farm Rural District to the "RM-1" Multifamily 1 District.

Sponsors: Development Services

9. [18-1245](#) **Second Reading Ordinance - Accepting and appropriating the
Violence Against Women Act (VAWA) grant within the Police
Department (Requires 2/3 Vote) (1st Reading 10/9/18)**

Ordinance authorizing acceptance of \$54,339.42 grant from State of Texas, Criminal Justice Division for Violence Against Women Program

with cash match of \$14,000 and in-kind match of \$8,280; appropriating \$54,339.42 in Police Grants Fund; and authorizing transfer of \$14,000 from General Fund to Police Grants Fund.

Sponsors: Police Department

10. [18-1232](#) **Second Reading Ordinance - Amending Chapter 38 of the Corpus Christi Code (1st Reading 10/9/18)**

Ordinance amending Chapter 38 of the Corpus Christi Code to exempt flea markets and farmers markets from vendor permitting; and providing for penalty.

Sponsors: Development Services

11. [18-1231](#) **Second Reading Ordinance - Closing of a utility easement located at 3945 Crosstown State Highway 286 (1st Reading 10/9/18)**

Ordinance abandoning and vacating a 0.0223 acre portion of a utility easement out of Roseland Place Lot 4, Block 4, located at 3945 Crosstown State Highway 286.

Sponsors: Development Services

12. [18-1257](#) **Second Reading Ordinance - Amending the Unified Development Code to add a definition for smoking lounges and the appropriate zoning district (Public Hearing 9/11/18) (Requires 2/3 Vote) (1st Reading 10/9/18)**

Ordinance amending the Unified Development Code to add a definition for smoking lounges and the appropriate zoning district; and providing for penalties.

Sponsors: Development Services

13. [18-1095](#) **Second Reading Ordinance - Approving Fourth Amendment to the TIRZ #3 Project & Financing Plan (1st Reading 10/9/18)**

Ordinance approving the amendment to the Tax Increment Reinvestment Zone #3 Amended Project & Financing Plan approved by the Board of Directors of Reinvestment Zone Number Three, Corpus Christi, Texas.

Sponsors: Business Liaison

14. [18-1123](#) **Second Reading Ordinance - Approving Amendments to the TIRZ #2 Project & Financing Plan (1st Reading 10/9/18)**

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: Business Liaison

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (NONE)**N. REGULAR AGENDA: (NONE)**

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

O. FIRST READING ORDINANCES: (NONE)**P. FUTURE AGENDA ITEMS: (ITEMS 15 - 23)**

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

15. [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

16. [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

17. [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

18. [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

19. [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

20. [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

21. [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

22. [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

23. [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

Q. BRIEFINGS: (ITEMS 24 - 26)

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.

24. [18-1176](#) Community Enrichment Funds and Park Sales Revenue

Sponsors: Parks and Recreation Department

25. [18-1285](#) Anti-Lobbying Provisions in City Procurements

Sponsors: Legal Department

26. [18-1271](#) Restoring Winter Quarter Averaging

Sponsors: Assistant City Manager and Water Utilities

R. EXECUTIVE SESSION: (ITEM 27)

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.

27. [18-1321](#) 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 property at or adjacent to 6099 Ennis Joslin and/or 6053 Ennis Joslin, 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 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.

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