



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, January 15, 2019

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 Reverend Gloria Lear, First United Methodist Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Sharon Lewis, Environmental Affairs Manager, Environmental and Strategic Initiatives.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-0109](#) Proclamation declaring January 21, 2019, "Martin Luther King Holiday Celebration and Commemorative March".**
- F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. UTILITY BILLING UPDATE**
 - b. OTHER**

G. MINUTES:

2. [19-0115](#) Regular Meeting of January 8, 2019 and two Special Meetings of January 8, 2019.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [19-0111](#) Corpus Christi B Corporation
North Padre Island Development Corporation
Reinvestment Zone No. 2
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. 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 4 - 19)

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. [18-1541](#) Supply Agreement for PetLink Slim polymer microchips for Animal Care Services

Resolution authorizing a one-year supply agreement for PetLink Slim polymer microchips for Animal Care Services with Datamars, Inc., of Woburn, Massachusetts, for an amount not to exceed \$31,250, with four additional one-year renewal options for a potential total amount not to exceed \$156,250.

Sponsors: Police Department and Purchasing Division

5. [18-1506](#) IBM Maximo Licenses and Maintenance Renewal

Motion authorizing the City Manager or designee to execute all documents necessary with IBM and IBM Credit, LLC, for the renewal purchase of Maximo software licenses and maintenance for a five-year term, with annual payments not to exceed \$234,358.05 subject to sufficient appropriations for a total amount not to exceed \$1,171,790.21 payable with funds provided by the Information Technology and Utilities Departments.

Sponsors: Information Technology Services

6. [18-1532](#) Service Agreement for Maximo Software Consultant Services

Motion authorizing a one-year service agreement for Maximo software services and maintenance support with Barton & Loguidice D.P.C. of Liverpool, New York for an amount not to exceed \$140,600, with two additional one-year renewal options for a potential total amount not to exceed \$421,800.

Sponsors: Information Technology Services, Water Utilities, Gas Department and Purchasing Division

7. [19-0001](#) **Purchase of four Kubota Utility Vehicles for Beach Operations**

Motion authorizing the purchase of four Kubota utility vehicles for Beach Operations from Kubota Tractor Corporation of Torrance, California via the BuyBoard cooperative for a total amount not to exceed \$62,357.96.

Sponsors: Parks and Recreation Department and Purchasing Division

8. [19-0023](#) **Construction Contract Change Order No. 2 for Oso Water Reclamation Plant Headworks and Lift Station (Capital Improvement Program)**

Motion to authorize execution of Change Order No. 2 with CSA Construction Inc., of Houston, TX in the amount of \$403,920 for a total restated fee of \$23,650,887 for Oso Water Reclamation Plant (Oso WRP) Headworks and Lift Station project.

Sponsors: Engineering Services and Water Utilities Department

9. [19-0028](#) **Construction Contract for Wesley E. Seale Dam Outlet Rehabilitation (Capital Improvement Program)**

Motion to authorize execution of a construction contract with Associated Construction Partners, Ltd. of Boerne, Texas in the amount of \$1,507,612.87 for Wesley E. Seale Dam Outlet Rehabilitation project.

Sponsors: Water Utilities Department and Engineering Services

10. [19-0021](#) **Service Agreement for Preventative Maintenance and Emergency Vector Service for Utilities Department**

Motion authorizing a one-year service agreement for preventative maintenance and emergency vector service with ADK Environmental, Inc., of Odem, Texas for a not to exceed of \$312,200.00, with two one-year options for a total potential multi-year amount of \$936,600.00.

Sponsors: Water Utilities Department and Purchasing Division

11. [19-0034](#) **Amendment to Service Agreement for Pump Service Repairs**

Motion authorizing an amendment to service agreement No. 1426 for pump service repairs with Smith Pump of Waco, Texas, for a not to exceed

amount of \$61,115.00 for a revised contract total not to exceed \$305,575.00.

Sponsors: Water Utilities and Purchasing Division

12. [19-0004](#) **Purchase of Rough Terrain Forklift for Asset Management**

Motion authorizing the purchase of one 8,000-pound Rough Terrain Forklift from Hlavinka Equipment Company of East Bernard, Texas via Sourcewell Cooperative for a total amount not to exceed \$89,309.93.

Sponsors: Asset Management Department and Purchasing Division

13. [19-0096](#) **Resolution for grant application submittal for Packery Channel Repairs**

Resolution authorizing submittal of grant application for the Federal Emergency Management Agency Public Assistance Program in the amount of \$15,000,000 for Packery Channel repairs.

Sponsors: Assistant City Manager

14. [19-0097](#) **Resolution for grant application submittal to the State of Texas division of Emergency Management**

A Resolution of the City of Corpus Christi, Texas, authorizing the City Manager to act in all matters in connection with the Texas Division of Emergency Management (TDEM) Hazard Mitigation Grant Project (HMGP) for La Volla Creek Improvements and committing the City to provide matching funds to secure and complete the TDEM Hazard Mitigation Grant.

Sponsors: Assistant City Manager

15. [19-0098](#) **Resolution for grant applications submittal for the Community Development Block Grant (CDBG) Disaster Recovery Grant Program - Non-Housing**

A Resolution of the City Council of Corpus Christi, Texas, for submission to the General Land Office of a Community Development & Revitalization Hurricane Harvey Non-Housing Project Application for drainage improvement projects.

Sponsors: Assistant City Manager

16. [19-0095](#) **Resolution for grant applications submittal for the Community Development Block Grant (CDBG) Disaster Recovery Grant Program - Housing**

A Resolution of the City Council of Corpus Christi, Texas, authorizing the submission of a Community Development & Revitalization Hurricane Harvey Housing Project Application to the General Land Office.

Sponsors: Assistant City Manager

17. [19-0093](#) Resolution for Grant Application submittal for Junior Beck Drive

Resolution authorizing submittal of application to the State of Texas Economic Development Administration Office in amount of \$5,000,000 for the repair and extension of Junior Beck Drive.

Sponsors: Assistant City Manager

18. [18-1502](#) Second Reading Ordinance - Partial Alley Closure between 6th Street and 7th Street, south of Craig Street (1st Reading 1/8/19)

Ordinance closing, abandoning and vacating the West 7.5-Feet of a 15-Foot-wide Alley adjoining lots 19 and 20, Block Eleven, Bay View Addition according to map and/or plat thereof recorded in Volume A, Page 24, Map Records of Nueces County, Texas, to comply with specified conditions.

Sponsors: Development Services

19. [19-0019](#) Second Reading Ordinance - Accepting and appropriating grant funds to support terrorism prevention, preparedness, response and recovery capabilities (1st Reading 1/8/19)

Ordinance authorizing acceptance of \$37,573.61 grant from Texas Office of the Governor - Homeland Security Grants Division; and appropriating \$37,573.61 into Fire Grants Fund.

Sponsors: Fire Department

L. FUTURE AGENDA ITEMS: (ITEMS 20 - 27)

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

20. [19-0030](#) Reimbursement Resolution for Bond 2018 General Obligation Bonds

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds from the proceeds of one or more series of tax-exempt obligations to be issued by the City in an aggregate amount not to exceed \$96,000,000 for authorized purposes relating to constructing various City improvements; authorizing matters incident and related thereto; and providing an effective date.

Sponsors: Financial Services Department

21. [19-0038](#) Professional Services Contract for Alternative Water Supplies Technical Support

Motion to authorize execution of a professional services contract with Frank Brogan Consulting of San Antonio, Texas in the amount not to exceed \$100,000.00 for the Alternative Water Supplies Technical Support project.

Sponsors: Water Utilities and Engineering Services

22. [19-0039](#) **Supply Agreement for the purchase of Automotive Maintenance Parts**

Motion authorizing a one-year supply agreement for the purchase of automotive maintenance parts with Advance Auto Parts of Corpus Christi, Texas via U.S. Communities cooperative for \$240,000, with a one-year option for a total potential multi-year amount not to exceed \$480,000.

Sponsors: Asset Management Department and Purchasing Division

23. [19-0032](#) **Purchase of Nine Ford Trucks for Parks and Recreation Department**

Motion authorizing the purchase of one Ford F-150 extended cab truck, one Ford F-150 crew cab truck and seven Ford F-250 crew cab trucks for Parks and Recreation from Silsbee Ford, Inc. of Silsbee, Texas for a total amount not to exceed \$263,588.88.

Sponsors: Asset Management Department, Parks and Recreation Department and Purchasing Division

24. [19-0036](#) **Purchase of four John Deere mowers for Parks and Recreation Department**

Motion authorizing the purchase of four John Deere mowers for Parks and Recreation from Deere & Company, of Cary, North Carolina, via BuyBoard cooperative for a total amount not to exceed \$80,229.24.

Sponsors: Parks and Recreation Department and Purchasing Division

25. [19-0061](#) **Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Avanti at South Bluff to be developed by Avanti at South Bluff, LP.

Sponsors: Housing and Community Development

26. [19-0066](#) **Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Casa de

Manana Apartments to be developed by TG 110, Inc.

Sponsors: Housing and Community Development

27. [19-0073](#) **Resolution identifying a development in the La Molina - Near West Existing Conditions Report which will contribute to revitalization efforts**

Resolution identifying the project known as Casa de Manana Apartments as a development that will contribute most significantly to the concerted revitalization efforts of the City in the La Molina - Near West Area.

Sponsors: Planning and Environmental/Strategic Initiatives and Housing and Community Development

M. RECESS FOR LUNCH

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

N. PUBLIC HEARINGS: (ITEMS 28 - 29)

28. [19-0047](#) **Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 1902 Lipan Street.**

Case No. 1018-05 Habitat for Humanity: Request for rezoning a property at or near 1902 Lipan Street from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District.

Planning Commission and Staff Recommendation (November 14, 2018): Approval of the change of zoning from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District.

Ordinance rezoning property at or near 1902 Lipan Street from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District.

Sponsors: Development Services

29. [19-0057](#) **Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 6402 Holly Road.**

Case No. 1118-01 Kyle McGee: Request for rezoning a property at or near 6402 Holly Road from the "CG-2" General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit.

Planning Commission and Staff Recommendation (November 14, 2018): Approval of the change of zoning from the "CG-2" General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit with conditions.

Ordinance rezoning property at or near 6402 Holly Road from the "CG-2"

General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit with conditions District.

Sponsors: Development Services

O. REGULAR AGENDA: (ITEM 30)

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

30. [19-0020](#) Second Reading Ordinance - Adopting a Right of Way License Agreement to Allow Parking of Dockless Vehicles (1st Reading 1/8/19)

Ordinance authorizing six-month licenses to allow the parking of dockless vehicles in the City's right-of-way; appropriating the fees received from said licenses into the Dockless Vehicle Fund; and amending the budget.

Sponsors: Business Liaison and Police Department

P. FIRST READING ORDINANCES: (ITEMS 31 - 38)

31. [19-0040](#) First Reading Ordinance - Interlocal Agreement for reimbursement for MetroCom Dispatch Center Enhancements

Ordinance authorizing Interlocal Agreement with Nueces County for \$146,671.59 reimbursement for MetroCom Dispatch Center Enhancements; appropriating \$146,671.59 from General Fund unreserved fund balance.

Sponsors: Police Department

32. [19-0045](#) First Reading Ordinance - Accepting and appropriating grant funds for enhancing emergency response capabilities in the Fire Department

Ordinance authorizing acceptance of \$2,000 grant from Exxon Mobil Corporation for Exxon Mobil's "Good Neighbor Program"; and appropriating \$2,000 into Fire Grant Fund.

Sponsors: Fire Department

33. [19-0015](#) First Reading Ordinance - Accepting and appropriating two grants from the Homeland Security Grant Program

Ordinance authorizing acceptance of two grants totaling \$85,124.28 from Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program; and appropriating \$85,124.28 into Fire Grants Fund.

Sponsors: Fire Department

34. [19-0018](#) **First Reading Ordinance - Purchase of Ten Chevrolet Tahoe Vehicles for the Fire Department**

Ordinance authorizing the purchase of ten Chevrolet Tahoe Vehicles from Caldwell Country Chevrolet, LLC, of Caldwell, Texas, via Buyboard for a total amount not to exceed \$440,356; appropriating \$440,356 from the unreserved fund balance of the General Fund; and amending the budget.

Sponsors: Fire Department and Purchasing Division

35. [19-0060](#) **First Reading Ordinance - Amending membership and expanding duties of the Corpus Christi Museum of Science and History Advisory Board**

Ordinance amending Chapter 2 of the Corpus Christi Code to modify Corpus Christi Museum of Science and History Advisory Board membership and expand advisory role.

Sponsors: City Manager's Office

36. [19-0067](#) **First Reading Ordinance - Authorizing an Airline Use and Lease Agreement with United Airlines**

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

Sponsors: Aviation Department

37. [18-1505](#) **First Reading Ordinance - Right-of-Way License Agreement for a private wastewater collection system and conveyance system force main**

Ordinance authorizing a Right-of-Way license Agreement with BL Marina Properties, LP, ("Permittee") to install a private wastewater collection system and conveyance system force main subject to the Permittee's compliance with specified conditions.

Sponsors: Development Services

38. [19-0094](#) **First Reading Ordinance - Lease Agreement for Dick Runyan Baseball Field at Evelyn Price Park**

Ordinance authorizing five-year lease agreement with Incarnate Word Academy for the use of Dick Runyan Baseball Field at Evelyn Price Park near 3800 Gollihar Road in consideration of \$50 monthly fee and compliance with property maintenance standards.

Sponsors: Parks and Recreation Department

Q. BRIEFINGS: (ITEM 39)

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.

39. [19-0031](#) **Alternative Water Supplies Request for Information - Update**

Sponsors: Water Utilities

R. **EXECUTIVE SESSION: (ITEMS 40 - 41)**

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.

40. [19-0024](#) **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, utility rate regulation, reuse, provisions of the Texas Utility Code, TCEQ Regulations, EPA regulations, and other laws and regulations, potential economic development and water-related 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, **pursuant to Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property for utilization as a potential site for desalination facilities (including, but not limited to, tracts of property adjacent to Corpus Christi Bay) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, **and pursuant to Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforementioned 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).

41. [19-0112](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning litigation including, but not limited to, the cases of *Amando Figueroa v. City of Corpus Christi*, including potential consideration of settlement offers and/or fees for attorneys, engineers, and other expert witnesses assisting in defense of action(s) and updates on litigation in other cases.

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