



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final

### City Council

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Tuesday, February 26, 2019

11:30 AM

Council Chambers

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**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 Bruce Wilson, Community Development Coordinator.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Jesse Cantu, Assistant Director of Gas Operations.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [19-0316](#)** Proclamation declaring February 26, 2019, "Outstanding Community Leader Honorees for National LULAC Week 2019".  
Proclamation declaring March 1, 2019, "Public Risk Management Awareness Day".  
Proclamation declaring March 12, 2019, "IHOP Free Pancake Day and Shriners Hospital for Children Day".  
Proclamation declaring March 8, 15, and 22, 2019, "Fill-the-Boot for the

Muscular Dystrophy Association Days".  
Arts and Cultural Commission Will Recognize the 2019 Arts Grant  
Recipients with a Check Presentation.  
Swearing-In Ceremony for Newly Appointed Board, Commission,  
Committee and Corporation Members.

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

**a. UTILITY BILLING UPDATE**

**b. OTHER**

**G. MINUTES:**

- 2. [19-0323](#)** Regular Meeting of February 19, 2019.

**H. BOARD & COMMITTEE APPOINTMENTS:**

- 3. [19-0317](#)** Arts and Cultural Commission  
Corpus Christi Aquifer Storage and Recovery Conservation District  
Mechanical/Plumbing Advisory Board  
Museum of Science and History Advisory Board  
Oil and Gas Advisory Committee  
Parking Advisory Committee

**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 or 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. RECESS FOR LUNCH**

*The City Council will take a lunch break at approximately 12:30 p.m.*

**L. CONSENT AGENDA: (ITEMS 4 - 12)**

*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. [19-0209](#) Service Agreement for Psychological Services for Police, Fire, Airport and Municipal Court**

Motion authorizing a three-year service agreement for psychological services with Kathryn W. Soward, Ph.D., of Corpus Christi, Texas, for an amount not to exceed \$78,750.00, with two one-year options for a potential total amount not to exceed \$131,250.00.

**Sponsors:** Police Department, Fire Department, Aviation Department, Municipal Court Administration and Purchasing Division

5.     [19-0186](#)     **Supply Agreement for Asphalt Patch Bags for Street Operations**

Motion authorizing a three-year supply agreement with Asphalt Patch Enterprises, Inc. of New Braunfels, Texas, for the purchase of asphalt patch bags for a total amount not to exceed \$371,347.20.

**Sponsors:** Street Department and Purchasing Division

6.     [19-0231](#)     **Resolution for an Interlocal Agreement with Texas A&M Agrilife Extension Service for soil analysis**

Resolution authorizing an Interlocal Agreement with Texas A&M AgriLife Extension Service for a soil testing program.

**Sponsors:** Water Utilities Department

7.     [19-0215](#)     **Supply Agreement for Sludge Dewatering Polymer for Wastewater Plants**

Motion authorizing a one-year supply agreement for sludge dewatering polymer with Polydyne, Inc. from Riceboro, Georgia for a total amount not to exceed \$308,992.00.

**Sponsors:** Water Utilities and Purchasing Division

8.     [19-0237](#)     **Second Reading Ordinance - Appropriating funds from the Recovery on damage claim (1st Reading**

Ordinance appropriating \$5,682.32 from damage claim into General Fund to pay damage claim on a leased vehicle; and changing Operating Budget by increasing revenue and expenditures in the General Fund by \$5,682.32.

**Sponsors:** Police Department

9.     [19-0213](#)     **Second Reading Ordinance - Amending Chapter 23 of the City Code prohibiting operating of retail tobacco stores, hookah lounges, vaping lounges and cigar bars from 2:00 am to 7:00 am (1st Reading 2/19/19)**

Ordinance amending Chapter 23 of the Corpus Christi Code to prohibit operating and using retail tobacco stores, hookah lounges, vaping lounges and cigar bars from 2:00 am to 7:00 am; and providing for penalty.

**Sponsors:** Police Department

10. [19-0250](#) **Second Reading Ordinance - Easement closure for property located at 16001 El Socorro Loop (1st Reading 2/19/19)**

Ordinance abandoning and vacating a 7.5-foot wide by approximately 60-feet in length (449.73 sq. ft.) portion of an existing utility easement out of Lot 7, Block 26, Padre Island-Corpus Christi, Coquina Bay Subdivision, located at 16001 El Socorro Loop.

Sponsors: Development Services

11. [19-0230](#) **Second Reading Ordinance - Appropriating reimbursement funds for the Coastal Bend Fertilizer and Pesticides Monitoring Program (1st Reading 2/19/19)**

Ordinance to appropriate \$37,048 in reimbursement funds received through the Reimbursement Contract with Coastal Bend Bays and Estuaries Program, Inc. for the Coastal Bend Fertilizer and Pesticides Monitoring Program in the No. 4300 Stormwater Treatment Fund.

Sponsors: Water Utilities Department

12. [19-0261](#) **Second Reading Ordinance - Amending the Capital Improvement Budget for replacement of the current gas-powered chillers (1st Reading 2/19/19)**

Ordinance amending the FY 2019 Capital Improvement Budget to add project E15135 Gas Department Chiller Replacement in the amount of \$410,000 for replacement of the current gas powered-chillers.

Sponsors: Office of Management and Budget

**M. FUTURE AGENDA ITEMS: (ITEMS 13 - 16)**

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

13. [19-0270](#) **Resolution authorizing grant application submission for funding available under the FY 2020 Local Security Border Security Program Grant**

Resolution authorizing submission of grant application in the amount of \$285,193.93 to the Office of the Governor Homeland Security Grants Division for funding eligible under the FY 2020 Local Border Security Program Grant.

Sponsors: Police Department

14. [19-0310](#) **Resolution approving an agreement with People Assisting Animal Control (PAAC) for services in lieu of gas tap fee**

Resolution approving an agreement between the City of Corpus Christi and Corpus Christi People Assisting Animal Control (PAAC) for services in lieu of Gas Tap Fee.

Sponsors: Police Department and Gas Department

15.     [18-1273](#)     **Service Agreement Amendment for Web Based Emergency Operations Center (WebEOC) Software Maintenance and Support**

Motion authorizing Amendment No.1 to the service agreement with ESI Acquisition, Inc., of Augusta, Georgia for WebEOC software maintenance and support for an additional five-year term, for a not to exceed amount of \$56,501.53 for revised total agreement amount not to exceed \$100,753.53 and ratifying Amendment No. 1 back to the effective date of August 1, 2017.

Sponsors: Fire Department and Purchasing Division

16.     [19-0108](#)     **Resolution authorizing a Service Agreement for the M5 FleetFocus system for Asset Management**

Resolution authorizing a five-year service agreement for software hosting, maintenance and support for the M5 FleetFocus system with AssetWorks, LLC of Wayne, Pennsylvania, for an amount not to exceed \$437,337.88 and ratifying the agreement back to the effective date of January 1, 2018.

Sponsors: Asset Management Department and Purchasing Division

N.     **PUBLIC HEARINGS: (ITEM 17)**

17.     [19-0252](#)     **Public Hearing and First Reading Ordinance - Rezoning for a Property located at or near 2725 Rand Morgan Road**

Case No. 0119-04 Tim Lange: Request for rezoning property at or near 2725 Rand Morgan Road from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Planning Commission and Staff Recommendation (January 11, 2019): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance rezoning property at or near 2725 Rand Morgan Road from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Sponsors: Development Services

O.     **REGULAR AGENDA: (ITEMS 18 - 21)**

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

18.     [19-0319](#)     **Construction Contract for the Corpus Christi Army Depot (CCAD) Security Enclave Project**

Motion to authorize execution of a construction contract with Summit Building & Design of Laredo, Texas in the amount of \$2,945,359 for the Corpus Christi Army Depot (CCAD) Security Enclave Project located on the Naval Air Station Corpus Christi (NASCC) for the Base Bid plus Additive Alternate #4.

Sponsors: Engineering Services

19.     [19-0312](#)     **Resolution authorizing a Supply Agreement for the purchase of water and gas meter transmission units**

Resolution authorizing a two-year supply agreement for the purchase of water and gas meter transmission units with Aclara Technologies LLC, of Hazelwood, Missouri for a total amount not to exceed \$3,359,358.02.

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

20.     [19-0324](#)     **Resolution granting petition requesting annexation by area landowners of approximately 161.56 acres of land into the territorial limits of the City of Corpus Christi**

Sponsors: Planning and Environmental/Strategic Initiatives

21.     [19-0242](#)     **Discussion with possible action regarding the process for City Charter Review.**

Sponsors: City Secretary's Office

**P.     [FIRST READING ORDINANCES: \(ITEMS 22 - 24\)](#)**

22.     [19-0178](#)     **First Reading Ordinance - Appropriating Funds and Approving a Construction Contract for the Traffic Signals and Lighting Improvements (Bond 2014, Proposition 2)**

Ordinance appropriating \$737,916 of anticipated revenues from the Texas Department of Transportation (TxDOT), amending the capital improvement budget and authorizing the execution of a construction contract with Siemens Mobility, Inc. of Austin, Texas in the amount of \$1,885,543 for Traffic Signals and Lighting Improvements for the base bid only. (Bond 2014, Proposition 2)

Sponsors: Street Department and Engineering Services

23.     [19-0259](#)     **First Reading Ordinance - Amending City Code for Maintenance and Operation of Grease Interceptors and Oil/Sand Interceptors**

Ordinance amending Chapter 55, Code of Ordinances, Article XVII, Maintenance and Operation of Grease Interceptors and Oil/Sand

Interceptors, Sections 55-219 through 55-223.

Sponsors: Water Utilities Department

24. [19-0320](#) **First Reading Ordinance - Accepting revenue and approving a Revocable Easement with a Temporary Construction Easement to Epic Y Grade Pipeline, LP**

Ordinance accepting \$151,721 of revenue and authorizing execution of a Revocable Easement with a Temporary Construction Easement to Epic Y Grade Pipeline, LP.

Sponsors: Engineering Services

**Q. BRIEFINGS: (ITEM 25)**

*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.*

25. [19-0327](#) **Wastewater Construction and Fee Waivers**

Sponsors: Planning and Environmental/Strategic Initiatives and Development Services

**R. LEGISLATIVE UPDATE**

*This item is for Council's informational purposes only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.*

**S. EXECUTIVE SESSION: (ITEMS 26 - 28)**

*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.*

26. [19-0313](#) **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 case of *Salinas Construction v. City of Corpus Christi et al*, with potential approval of agreement(s) to provide additional expert witness services.**



27.     [19-0314](#)     **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 City's contracts  
related to waste management, handling, and disposal and state and  
federal regulations related to landfill management, disposal of solid waste,  
and/or recycling, including but not limited to, the City's contracts with  
Republic Services, Cefe Landfill Tx, LP, BFI Waste Services of North  
America, Inc. and BFI Waste Systems of Texas, LP. and related entities,  
and provisions related to mediation, arbitration, and termination of  
agreements for the aforementioned functions.
28.     [19-0315](#)     **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 collective bargaining  
matters in the Agreement(s) with the Corpus Christi Police Officers'  
Association and the Corpus Christi Professional Firefighters' Association.

**T.     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.*

**U.     ADJOURNMENT**