



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, April 30, 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 Senior Pastor Brian Hill, First Baptist Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Fred Segundo, Director of Aviation.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-0599](#)** Proclamation declaring May 11, 2019, "Lemonade Day Coastal Bend".
Proclamation declaring May 13, 2019, "National Peace Officers' Memorial Day" and May 12-18, 2019, National Police Officers' Week".
Proclamation declaring May 5-11, 2019, "Drinking Water Week".
Proclamation declaring May 5-11, 2019, "National Small Business Week".
Proclamation declaring May 5-11, 2019, "Recognition of the Better Business Bureau and Their Support for 'National Small Business Week'".
Proclamation declaring May 2019, "Mental Health Awareness Month".

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. [19-0630](#) CORPUS CHRISTI FIREFIGHTERS' RETIREMENT SYSTEM

c. OTHER

G. MINUTES:

2. [19-0608](#) Regular Meeting of April 23, 2019.

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 -16)

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. [19-0587](#) Resolution authorizing a Service Agreement for Autoscale System Support for Solid Waste Operations

Resolution authorizing a five-year service agreement for autoscale hardware and software maintenance support with Mettler Toledo, Inc., of Columbus, Ohio for a total amount not to exceed \$84,647.

Sponsors: Solid Waste Operations and Contracts and Procurement

4. [19-0505](#) Purchase of Guns for the Police Department

Motion authorizing the purchase of new guns and exchange of trade-ins for credit for the Corpus Christi Police Department from Proforce Law Enforcement, of Prescott, Arizona for a total amount not to exceed \$149,840.

Sponsors: Police Department and Contracts and Procurement

5. [19-0485](#) Purchase of Police Utility Vehicles for the Police Department

Motion authorizing the purchase of 23, 2020 Ford Police Interceptors from Silsbee Ford Inc. of Silsbee, Texas and five 2019 Chevrolet Tahoe police pursuit vehicles from Lake Country Chevrolet of Jasper, Texas for a combined total amount not to exceed \$988,851.50 as per the following:

Silsbee Ford Inc.
Silsbee, Texas
\$805,691.00

Lake Country Chevrolet
Jasper, Texas
\$183,160.50

Sponsors: Police Department and Contracts and Procurement

6. [19-0501](#) **Resolution for Renewal of Property Insurance for City-Owned Property**

Resolution authorizing renewal of property insurance, including All Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown insurance, through Carlisle Insurance Agency, Broker of Record, for upcoming policy year (May 5, 2019 - May 5, 2020) in exchange for annual premium of \$2,194,681.15.

Sponsors: Legal Department

7. [19-0458](#) **Service Agreement for Mowing and Grounds Maintenance Services Of Street Rights-of-Way, Circles and Medians for Storm Water Group 1**

Motion authorizing a 42-month service agreement for mowing and grounds maintenance services of street rights-of-way, circles and medians for Storm Water Group 1 with CML Services, LLC of Corpus Christi, Texas for a total amount not to exceed \$309,721.28.

Sponsors: Parks and Recreation Department and Contracts and Procurement

8. [19-0455](#) **Second Reading Ordinance - Appropriating funds for "one-time" purchases for the Police Department (1st Reading 4/23/19)**

Ordinance appropriating \$74,920 from the Unreserved Fund Balance in the Crime Control District Fund for "one-time" expenditures and amending the FY2018-2019 Operating Budget adopted by Ordinance No. 031504 by increasing expenditures by \$74,920.

Sponsors: Police Department

9. [19-0510](#) **Second Reading Ordinance - Accepting and appropriating Homeland Security - Operation Stonegarden Grant funds within the Police Department (1st Reading 4/23/19)**

Ordinance accepting a grant in the amount of \$250,000 from the State of Texas Governor's Homeland Security Grants Division for funding eligible under FY2018 Department of Homeland Security Grant Program Operation Stonegarden; and appropriating \$250,000 in Police Grants Fund.

Sponsors: Police Department

10. [19-0528](#) **Second Reading Ordinance - Accepting and appropriating grant funds for the Click It or Ticket program within the Police Department (1st Reading 4/23/19)**

Ordinance accepting \$17,987.36 from State of Texas, Department of Transportation for FY2019 Click It or Ticket program grant; and appropriating \$17,987.36 in Police Grants Fund.

Sponsors: Police Department

11. [19-0509](#) **Second Reading Ordinance - Accepting and appropriating a Citgo donation for the Fire Department (1st Reading 4/23/19)**

Ordinance authorizing the acceptance of a donation from Citgo in the amount of \$175,000 to be used to support the Corpus Christi Fire Department; and appropriating the funds into the Fire Grant Fund No. 1062.

Sponsors: Fire Department

12. [19-0476](#) **Second Reading Ordinance - Contract with Naval Air Station Corpus Christi for Wastewater Line Repairs (1st Reading 4/23/19)**

Ordinance authorizing contract with Naval Air Station Corpus Christi (NASCC) for \$232,411.38 and change order for \$40,769.24 for NASCC wastewater line repairs; and appropriating said payments upon receipt in the No. 4200 Wastewater Utilities Fund.

Sponsors: Water Utilities Department

13. [19-0500](#) **Second Reading Ordinance - Amending the AEP Texas, Inc. Electric Franchise Fee 5% Increase (1st Reading 4/23/19)**

Ordinance of the City Council of the City Of Corpus Christi amending the franchise with AEP Texas Inc. to change compensation or consideration to be paid for use of the public rights-of-way; providing an effective date; providing for acceptance by AEP Texas Inc.; finding and determining that the meetings at which this ordinance was considered were open to the public and in accordance with Texas law.

Sponsors: Legal Department

14. [19-0529](#) **Second Reading Ordinance - Approving an additional tariff for AEP Texas, Inc. Electric Franchise Fee 5% Increase (1st Reading 4/23/19)**

Ordinance of the City Council of the City of Corpus Christi approving an additional tariff for the recovery of franchise fees not currently being recovered in base rates by AEP Texas Inc.; and finding and determining that the meetings at which this ordinance was considered were open to the public and in accordance with Texas law.

Sponsors: Legal Department

15. [19-0517](#) **Second Reading Ordinance - Accepting and Appropriating Revenue for Revocable Easement to Epic Crude Pipeline, LP (1st Reading 4/23/19)**

Ordinance accepting and appropriating \$41,029 of revenue from Epic Crude Pipeline, LP; authorizing the City Manager or designee to execute a Revocable Easement to Epic Crude Pipeline, LP to permit one 30-inch pipeline for transportation of crude oil across City owned property known as Mobile Estates Park, operated by the City Park & Recreation Department; appropriating the compensation received into its Community Enrichment Fund No. 4720.

Sponsors: Engineering Services

16. [19-0493](#) **Second Reading Ordinance - Dedicating Wetland Preserve for Harbor Bridge Replacement Project (HBRP) (1st Reading 4/16/19) (Tabled 4/23/19)**

Ordinance declaring and dedicating 16.744 acres of land located on North Beach as a wetland preserve; authorizing execution of the deed restriction and actions necessary to maintain the protected property as a wetland preserve subject to the conditions of U.S. Army Corps of Engineers Permit and Final Mitigation Plan for the US 181 Harbor Bridge Replacement Project filed by Flatiron-Dragados, LLC.

Sponsors: Office of Public Works and Parks and Recreation Department

L. FUTURE AGENDA ITEMS: (NONE)

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

M. RECESS FOR LUNCH

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

N. PUBLIC HEARINGS: (ITEMS 17 - 20)

17. [19-0591](#) **Second Public Hearing - La Quinta Corridor Annexation**

Public hearing on a proposed annexation of up to 1,500 acres of land generally located along the north side of Corpus Christi Bay within San Patricio County. This annexation includes parcels of land located between the Cities of Portland and Gregory from US Highway 181 to Farm-to-Market 2986; and parcels of land located south of State Highway 35, east of US Highway 181, and west of La Quinta Road.

Sponsors: Planning and Environmental/Strategic Initiatives

18. [19-0574](#) **First Public Hearing - Annexation on the North Side of Corpus Christi Bay - TO BE HELD AT 1:00 P.M.**

Public hearing on a proposed annexation of up to 5,700 acres of land generally located along the north side of Corpus Christi Bay within San Patricio County between the Cities of Gregory and Ingleside. This annexation includes parcels of land located between State Highway 35 and Corpus Christi Bay; and between La Quinta Road and County Road 93 and the western bounds of the City of Ingleside's extraterritorial jurisdiction.

Sponsors: Planning and Environmental/Strategic Initiatives

19. [19-0631](#) **Second Public Hearing - Annexation on the North Side of Corpus Christi Bay - TO BE HELD AT 3:00 P.M.**

Public hearing on a proposed annexation of up to 5,700 acres of land generally located along the north side of Corpus Christi Bay within San Patricio County between the Cities of Gregory and Ingleside. This annexation includes parcels of land located between State Highway 35 and Corpus Christi Bay; and between La Quinta Road and County Road 93 and the western bounds of the City of Ingleside's extraterritorial jurisdiction.

Sponsors: Planning and Environmental/Strategic Initiatives

20. [19-0534](#) **Public Hearing and First Reading Ordinance - Alley Closure between Gulfbreeze Boulevard and Surfside Boulevard**

Ordinance closing, abandoning and vacating of a section of the 20-foot-wide alley adjoining lots 1 and 3, Block 27, Corpus Beach North Addition and Lot 2R, Block 27, Brooklyn Addition, requiring petitioners, Carrie Robertson Meyer and 246Brooklyn, LLC, to comply with specified conditions.

Sponsors: Development Services

O. **REGULAR AGENDA: (NONE)**

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

P. **FIRST READING ORDINANCES: (ITEM 21 - 22)**

21. [19-0511](#) **First Reading Ordinance - Authorizing License Agreements with Nueces County for Youth Sports Programs at LyondellBasell Park**

Ordinance authorizing License Agreements with Nueces County for South Texas Elite Youth Football League, Arlington Heights Christian School and South Texas Futbol Club use of LyondellBasell Park on Haven Drive for youth sports programs, with two-year terms, with option to extend for up to two additional years.

Sponsors: Parks and Recreation Department

22. [19-0593](#) **First Reading Ordinance - Declaring City Property as Surplus and Permitting its Sale to the Public**

Ordinance declaring City owned land at 4830 Williams Drive as surplus property; authorizing its sale to the public by sealed bid; and authorizing execution of the deed and any related documents necessary to complete the sale and convey the property.

Sponsors: Engineering Services

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. **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 23 - 26)**

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.

23. [19-0611](#) **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.**

24. [19-0612](#) **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.
25. [19-0598](#) **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 FBI Criminal Justice Information Services (CJIS) services provided to the City's police department, the National Crime Information Center (NCIC), Uniform Crime Reporting (UCR) and other identification and computer security matters and pursuant to **Texas Government Code § 551.076** to discuss the deployment or specific occasions for implementation of security personnel or devices.
26. [19-0643](#) **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 existing laws and potential legislation of the Texas Legislature in relation to the City's legislative agenda.

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