



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, June 11, 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 Deacon Mark Arnold, Diocese of Corpus Christi.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Paul Bass, Assistant Director of Support Services, Solid Waste Services.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-0791](#)** Proclamation declaring June 16, 2019, "Juneteenth Celebration For the Crest, Celebrating History: We are One".
Proclamation declaring June 17, 2019, "National Garbage Worker Day" and June 17-23, 2019, "National Garbage Worker Week".
Proclamation declaring June 23-29, 2019, "2019 CITGO Etchells World Championships Week".

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

a. **UTILITY BILLING UPDATE**

b. **CITY PERFORMANCE REPORT - HUMAN RESOURCES DEPARTMENT**

c. **OTHER**

G. **MINUTES:**

2. [19-0789](#) Regular Meeting of May 21, 2019.

H. **BOARD & COMMITTEE APPOINTMENTS:**

3. [19-0806](#) Food Service Advisory Committee (2 vacancies)
Human Relations Commission (5 vacancies)
Padre Isles Management District (3 vacancies)
Retired and Senior Volunteer Program Advisory Committee (5 vacancies)
Senior Companion Program Advisory Committee (4 vacancies)

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 - 25)

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. [19-0716](#) Resolution approving the concepts, direction, and general work plan for the sixth year of the Street Preventative Maintenance Program (SPMP) - "2019 SPMP Work Plan (Year - 6)."

Sponsors: Street Department and Engineering Services
5. [19-0718](#) Motion approving Amendment No. 1 to a contract with J. Schwarz & Associates, Inc. in the amount of \$846,500 for a restated fee not to exceed \$874,250 to provide engineering design and development of Delivery Orders for the 2019 Citywide Street Preventative Maintenance Program (SPMP) with funding available in the Street Operation Budget and Street Capital Funds for sidewalk improvements for the Americans with Disability Act.

Sponsors: Street Department and Engineering Services
6. [19-0633](#) Motion authorizing six two-year service agreements for non-fire backflow preventer services for commercial accounts with Koetter Fire Protection, Hebert Irrigation, Graf Plumbing, Smart Plumbing, and KimJon Backflow Service, all of Corpus Christi, Texas, and TD Backflow Services of Orange Grove, Texas for an amount not to exceed \$142,800 for each contract; and, one two-year service agreement for fire backflow preventer for commercial accounts with Koetter Fire Protection of Corpus Christi, Texas for an amount not to exceed \$142,800, for a combined total amount not to

exceed \$999,600, each with one two-year option for a total potential multi-year amount not to exceed \$1,999,200, funded by the Backflow Prevention Fund.

Sponsors: Utilities Department, Development Services and Contracts and Procurement

7. [19-0641](#) **Second Reading Ordinance - Rezoning for a Property located at or near 10224 Leopard Street (1st Reading 5/21/19)**

Case No. 0319-03 Corpus Christi Storage Solutions, LLC: Request for rezoning a property at or near 10224 Leopard Street from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District.

Planning Commission and Staff Recommendation (April 17, 2019):
Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, in lieu thereof, approval of the "RS-6/SP" Single-Family 6 District with a Special Permit (SP) with conditions.

Ordinance rezoning property at or near 10224 Leopard Street from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit (SP) with conditions.

Sponsors: Development Services

8. [19-0642](#) **Second Reading Ordinance - Rezoning for a Property located at or near 701 McBride Lane (1st Reading 5/21/19)**

Case No. 0419-01 Vernon and Jennifer Carr: Request for rezoning a property at or near 701 McBride Lane from the "CG-2" General Commercial District and the "RS-6" Single-Family District to the "IL" Light Industrial District.

Planning Commission and Staff Recommendation (April 17, 2019):
Denial of the change of zoning from the "CG-2" General Commercial District and the "RS-6" Single-Family 6 District to the "IL" Light Industrial District, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit (SP) with conditions.

Ordinance rezoning property at or near 701 McBride Lane from the "CG-2" General Commercial District and the "RS-6" Single-Family District to the "CG-2/SP" General Commercial District with a Special Permit (SP) with conditions.

Sponsors: Development Services

9. [19-0782](#) Resolution authorizing submission of 3 grant applications to the Office of the Governor for the State Homeland Security Program and State

Homeland Security Program Law Enforcement Terrorism Activity.

Sponsors: Fire Department

10. [19-0688](#) Motion authorizing a five-year service agreement with Mobile Wireless LLC of Plano, Texas for NetMotion Mobility software maintenance and support for a total amount not to exceed \$146,881, with first-year funding through the Information Technology Fund.
Sponsors: Information Technology Services and Contracts and Procurement
11. [19-0747](#) Resolution authorizing an interlocal agreement for participation in a cooperative purchasing program with the Department of Information Resources Communications Technology Services Division (DIR/CTS), for future purchases of communication services and equipment.
Sponsors: Information Technology Services and Contracts and Procurement
12. [19-0715](#) Resolution authorizing a three-year service agreement with Mid-Coast Electric Supply, Inc. of San Antonio, Texas for Rockwell software and hardware support for the Supervisor Control and Data Acquisition (SCADA) system at the O.N. Stevens Water Treatment Plant for a total amount not to exceed \$56,801.85, with first-year funding through the Water Fund.
Sponsors: Utilities Department and Contracts and Procurement
13. [19-0369](#) Resolution authorizing a three-year service agreement for preventative maintenance and purchase of parts for the chlorine dioxide system at the O.N. Stevens Water Treatment Plant with International Dioxide, Inc. of North Kingstown, Rhode Island for a total amount not to exceed \$76,200, with first-year funding through the Water Fund.
Sponsors: Utilities Department and Contracts and Procurement
14. [19-0741](#) Motion authorizing a three-year supply agreement with Ferguson Enterprises, LLC of Corpus Christi, Texas, for the purchase of malleable brass fittings for the Water Utilities Department for a total amount not to exceed \$92,431.91, with first-year funding through the Water Fund.
Sponsors: Utilities Department and Contracts and Procurement
15. [19-0646](#) Motion authorizing the purchase of three replacement trailer-mounted portable air compressors for Utilities from ROMCO Power Systems of Corpus Christi, Texas, via NJPA - Sourcewell Purchasing Cooperative for a total amount not to exceed \$58,000 funded through the Water Fund.
Sponsors: Utilities Department and Contracts and Procurement
16. [19-0686](#) Motion authorizing a three-year supply agreement with Ferguson Enterprises, LLC of Corpus Christi, Texas, for the purchase of plastic lids for utility meter boxes for a total amount not to exceed \$291,042, with first-year funding through the Warehouse Stores Fund.
Sponsors: Contracts and Procurement and Utilities Department

17. [19-0536](#) Motion authorizing a 36-month service agreement for mowing of City properties for the Asset Management Department with WLE, LLC of Austin, Texas, for a total amount not to exceed \$62,225.28, with first-year funding through the Facility and Property Management Fund.
Sponsors: Asset Management Department and Contracts and Procurement
18. [19-0676](#) Motion authorizing the purchase of one replacement self-propelled broom (street sweeper) for the Solid Waste Department from Nueces Power Equipment of Corpus Christi, Texas, via Houston-Galveston Area Council Cooperative for a total amount not to exceed \$65,317.75 funded through the Fleet Maintenance Service Fund.
Sponsors: Asset Management Department, Solid Waste Operations and Contracts and Procurement
19. [19-0677](#) Motion authorizing the purchase of two replacement Ford trucks for the Solid Waste Department from Grande Truck Center of San Antonio, Texas, via Buy Board Cooperative for a total amount not to exceed \$175,260 funded through the Fleet Maintenance Service Fund.
Sponsors: Asset Management Department, Solid Waste Operations and Contracts and Procurement
20. [19-0532](#) Motion awarding a design contract to Bath Engineering for the 2018 Bond Project for Elevator Modernization at Multiple Locations in the amount of \$99,750 for design, bid and construction phase services to replace and upgrade five (5) elevators and corresponding equipment with funding available in various 2018 Bond Propositions.
Sponsors: Asset Management Department and Engineering Services
21. [19-0635](#) Motion authorizing a three-year supply agreement with Ferguson Enterprises, LLC of Corpus Christi, Texas, for the purchase of gas pipe repair clamps for a total amount not to exceed \$154,577.40, with first-year funding through the Warehouse Stores Fund.
Sponsors: Contracts and Procurement and Gas Department
22. [19-0739](#) Motion approving Amendment No. 1 to a contract with LNV, Inc. for the 2018 Bond Project that reconstructs Airline Road from South Padre Island Drive (SPID) to McArdle in the amount of \$349,220 for a total restated fee of \$399,120 for design, bid and construction phase services with funding available in the Street 2018 Bond Program.
Sponsors: Street Department and Engineering Services
23. [19-0744](#) Motion awarding a contract to Berry Contracting, L.P. dba Bay, Ltd. for the 2012 Bond Project that reconstructs Morgan Avenue from Staples Street to Crosstown Freeway in the amount of \$6,275,173.95 for Hot Mix Asphalt pavement replacement and underground utility improvements with funding available in the Street 2012 Bond Program.
Sponsors: Street Department and Engineering Services

24. [19-0502](#) Motion authorizing a three-year service agreement for professional auditing services with Weaver and Tidwell, LLP, of Houston, Texas, for an amount not to exceed \$608,000, with two additional one-year renewal options with escalation cost for a potential total amount not to exceed \$1,043,700, with first-year funding through the General Fund.

Sponsors: Financial Services Department and Contracts and Procurement

25. [19-0775](#) Motion authorizing a five-year service agreement for bond counsel services with Norton Rose Fulbright USA LLP of San Antonio, Texas for an estimated amount not to exceed \$800,000 with five one-year options for a total potential estimated multi-year amount not to exceed \$1,600,000, funded through the bond revenues.

Sponsors: Financial Services Department and Contracts and Procurement

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: (ITEM 26)

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

26. [19-0810](#) Ordinance amending Corpus Christi Code to change residential building permit fees from valuation based to square footage based; providing for publication; and declaring an emergency for a one-reading action.

Sponsors: Development Services

O. FIRST READING ORDINANCES: (ITEMS 27 - 32)

27. [19-0664](#) Ordinance authorizing the acceptance and appropriation of a grant contract for the Texas Epidemiology Capacity Expansion Grant in the amount of \$204,855, from the Texas Department of State Health Services in the Health Grants Fund, to perform surveillance and epidemiology activities for infectious diseases September 1, 2019 through August 31, 2021.

Sponsors: Health Department

28. [19-0665](#) Ordinance authorizing the acceptance and appropriation of a grant for the Immunization/Locals Grant Program in the amount of \$241,637.00, from the Texas Department of State Health Services to provide immunization services and appropriating related program income September 1, 2019, through August 31, 2020.

Sponsors: Health Department

29. [19-0667](#) Ordinance authorizing an amendment to a grant contract for the Community Preparedness Section - Laboratory Response Network -

Public Health Emergency Preparedness grant in the amount of \$201,123 with a City match of \$20,113 to provide continued emergency preparedness and response laboratory activities July 1, 2019 through June 30, 2020.

Sponsors: Health Department

30. [19-0668](#) Ordinance authorizing the acceptance and appropriation of a grant contract for the Laboratory Response Network Influenza Surveillance and Epidemiology Activities (LRN/FLU-LAB) grant in the amount of \$10,000 from the Texas Department of State Health Services in the Health Grants Fund to provide flu testing September 1, 2019 through August 31, 2021.

Sponsors: Health Department

31. [19-0670](#) Ordinance authorizing the acceptance and appropriation of a grant contract for the Tuberculosis Prevention and Control-State (TB/PC-STATE) grant in the amount of \$61,645, from the Texas Department of State Health Services in the Health Grants Fund with a City match of \$12,329, to provide tuberculosis prevention and control services September 1, 2019 through August 31, 2021.

Sponsors: Health Department

32. [19-0511](#) Ordinance authorizing License Agreements with Nueces County for Arlington Height 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

P. BRIEFINGS: (ITEMS 33 - 34)

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.

33. [19-0709](#) **Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Update to City Council (Q1 2019)**

Sponsors: Economic Development

34. [19-0737](#) **Alternative Water Supplies Request for Information (RFI) Update**

Sponsors: Water Utilities Department

Q. 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.

R. EXECUTIVE SESSION: (ITEMS 35 - 36)

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.

35. [19-0763](#) **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 at or in the vicinity of 5205 Edinburg Circle, 7101 Edgebrook, and/or 6099 Ennis Joslin 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 5205 Edinburg Circle, 7101 Edgebrook, and/or 6099 Ennis Joslin) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
36. [19-0795](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning pending litigation, potential settlement, attorneys fees, and/or other potential legal matters including but not limited to, the case of *Priscilla Guel vs. The City of Corpus Christi*; Cause No. 2018CCV62016-3.

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