



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, June 25, 2019

11:30 AM

Council Chambers

Addendums will be added on Friday.

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 Pastor Rick Barrera, Believe Church.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Leticia Kanmore, Community Development Administrator, Housing and Community Development.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-0848](#) Proclamation declaring July 4, 2019, "Mayor's 4th of July Big Bang Celebration".**
Recognition of "Mayor's July 4th Big Bang Celebration" Essay Contest Winners.
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:

H. BOARD & COMMITTEE APPOINTMENTS:

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 2 - 17)

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.

2. [19-0800](#) Ordinance amending Ordinance No. 031751 to comply with grant requirements of the FY2018 Department of Homeland Security Grant Program by adding sections which assure in the event of loss or misuse that the funds will be returned in full by the City of Corpus Christi and authorizing the City Manager to apply for, accept, reject, alter or terminate the grant.
Sponsors: Police Department
3. [19-0808](#) Ordinance authorizing the acceptance of a grant from Maddie's Fund in the amount of \$5,000.00 to develop a pilot program to determine the feasibility for implementation of an Animal Care Foster Program; and appropriating the grant amount in the Police Grants Fund.
Sponsors: Police Department
4. [19-0669](#) Ordinance authorizing the acceptance and appropriation of a grant contract for the Regional Local Services System/Local Public Health System (RLSS/LPHS) grant in the amount of \$328,736.00 from the Texas Department of State Health Services in the Health Grants for the contract period September 1, 2019 through August 31, 2021, to provide essential public health services.
Sponsors: Health Department

5. [19-0796](#) Ordinance amending Ordinance No. 029958 by expanding the boundary of the City's Industrial District No. 2 to add approximately 213 acres to the current approximately 4,157 acres, with new acreage generally located between Callicoate Road and Rand Morgan Road and between State Highway 44 and the City Limit Boundary near Mallard Drive, which includes an existing industrial district facility.
Sponsors: Planning and Environmental/Strategic Initiatives
6. [19-0780](#) Ordinance amending Corpus Christi Code of Ordinances Section 49-12 to require applicant(s) to provide a current fair market value appraisal for the closure of improved streets, alleys, or rights-of-way, to remove payment exemption for improved alleys, and to update outdated terms or language.
Sponsors: Development Services
7. [19-0814](#) Ordinance granting an easement and a temporary construction easement to Southwestern Bell Telephone, LP (SWB) across Ben Garza Park for SWB's existing facilities so that SWB can update its fiber cable system as part of the Harbor Bridge Project.
Sponsors: Engineering Services
8. [19-0678](#) Ordinance approving the sale of 0.161 acres at 5205 Edinburg Circle for the highest cash offer received by real estate broker of \$22,000.00 to B.B.M.M. Homes, Inc., a Texas Corporation.
Sponsors: Legal Department
9. [19-0681](#) Ordinance approving the sale of 0.1431 acres at 7101 Edgebrook Drive for the highest cash offer received by real estate broker of \$20,000.00 to Rebecca Christine Brandauer.
Sponsors: Legal Department
10. [19-0811](#) Ordinance exempting The Coves at Lago Vista Unit 3C, located south of South Oso Parkway and east of King Ranch Drive, from the payment of the wastewater lot/acreage fees under section 8.5.2.G.1 of the Unified Development Code; and declaring an emergency for a one-reading action.
Sponsors: Development Services
11. [19-0817](#) Ordinance exempting Ybarra Terrace Lot 1 located north of Weber Road and east of Oso Creek, from the payment of the wastewater lot or acreage fee under section 8.5.2.G.1 of the Unified Development Code; and declaring an emergency for a one-reading action.
Sponsors: Development Services
12. [19-0849](#) Resolution approving FY 2019-2020 grant application for the Beach Cleaning and Maintenance Assistance Program from the Texas General Land Office for an estimated amount of \$60,000 to provide beach cleaning and maintenance on North Padre Island and Mustang Island.
Sponsors: Parks and Recreation Department

13. [19-0792](#) Motion authorizing the purchase of four heavy replacement trucks, which include one Roll-off truck and three Dump trucks to be utilized by Utilities Department, from Grande Truck Center of San Antonio, Texas, via BuyBoard Cooperative for a total amount not to exceed \$708,975.00 funded through the Wastewater Fund.
Sponsors: Utilities Department and Contracts and Procurement
14. [19-0779](#) Resolution authorizing a four-year service agreement renewal for InfoCare software with Innovyze Inc. of Houston, Texas, which is used to optimize the water distribution and wastewater collection systems through computerized modeling, for a total amount not to exceed \$73,636.21, with first-year funding through the Water Fund.
Sponsors: Utilities Department and Contracts and Procurement
15. [19-0807](#) Motion authorizing a three-year service agreement with Infor (US) Inc. of Alpharetta, Georgia for Infor Expense Management subscription license and services for a total amount not to exceed \$228,846.60, with the first-year funded through Info Tech Fund.
Sponsors: Information Technology Services and Contracts and Procurement
16. [19-0838](#) Resolution authorizing a three-month Service Agreement for the purchase and installation of 14 Harris radio dispatch consoles from Dailey-Wells Communications, of San Antonio, Texas to replace consoles that have reached the end of their service life for a total amount not to exceed \$585,999.56 funded through the Information Technology (IT) Fund.
Sponsors: Information Technology Services, Police Department and Contracts and Procurement
17. [19-0875](#) Resolution amending City Council Policy No. 14 regarding board, commission, and committee appointment procedures to require applications to be submitted no later than 14 days prior to the appointment date.
Sponsors: City Secretary's Office

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS (ITEMS 18 - 21)

18. [19-0731](#) Zoning Case No. 0519-01 Luxury Spec Homes (Council District 1): Ordinance rezoning property at or near 3802 Callicoate Road from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 Single-Family 4.5 District. Planning Commission and Staff recommend Approval.
Sponsors: Development Services
19. [19-0732](#) Zoning Case No. 0519-02 Rick's Homes, LLC. (Council District 1): Ordinance rezoning property at or near 3030 McKinzie Road from the

“RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District (Tract 1) and “RS-4.5” Single-Family 4.5 District (Tract 2). Planning Commission and Staff recommend Approval.

Sponsors: Development Services

20. [19-0823](#) Zoning Case No. 0319-04 Advanced Housing Alternatives Corporation (Council District 1): Ordinance rezoning a property at or near 509 South Carancahua Street from the “ON” Neighborhood Office District and the “RM-1” Multifamily 1 District to the “CR-2” Resort Commercial District. Planning Commission and Staff recommended Denial of the requested zoning change and Approval of zoning change to “ON/SP” Neighborhood Office District with a Special Permit. $\frac{3}{4}$ favorable vote required to overrule Planning Commission’s recommendation.

Sponsors: Development Services

21. [19-0824](#) Zoning Case No. 0519-04 Blairtown Energy Center, LLC. (Council District 3): Ordinance rezoning property at or near 2502 and 2506 Johanna Street from the “ON” Neighborhood Office District to the “CG-2” General Commercial District. Planning Commission and Staff recommend Denial of the requested change and approval of the zoning change to the “ON/SP” Neighborhood Office District with a Special Permit. $\frac{3}{4}$ favorable vote required to overrule Planning Commission’s recommendation.

Sponsors: Development Services

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. BRIEFINGS: (ITEMS 22 - 24)

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.

22. [19-0809](#) 2019 Second Quarter Update on the Harbor Bridge Replacement Project.

Sponsors: Street Department

23. [19-0760](#) Short Term Rentals are rentals of overnight accommodation of less than 30 consecutive days and are subject to state and local hotel occupancy tax (HOT).

Sponsors: Convention and Visitors Bureau

24. [19-0788](#) Unified Development Code Evaluation including the recommendations for the amendments and providing next steps in a multi-phased program to amend the Unified Development Code.

Sponsors: Development Services

Q. **EXECUTIVE SESSION: (ITEMS 25 - 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.

25. [19-0858](#) **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 *City of Ingleside 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.
26. [19-0859](#) **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.
27. [19-0860](#) **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 annexation, disannexation, industrial district agreements, agreements pursuant to Texas Local Gov't Code Chapter 212, cession agreements for extraterritorial jurisdiction, apportionment of extra-territorial jurisdiction between municipalities, interlocal agreements with water districts and neighboring municipalities, contracts for potential economic development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities (including, but not limited to the proposed Gulf Coast Growth Ventures' chemical manufacturing facility in

San Patricio County), economic development agreements relating to property currently or formerly owned by Voestalpine, Chemours, Occidental Petroleum, Corpus Christi (CC) Alumina, Corpus Christi Liquefaction, LLC, and other entities, existing and proposed industrial facilities in San Patricio County and Nueces County that are and/or will be consumers of water, wastewater, and other services, connections to the Mary Rhodes Pipeline for facilities to supply water to entities in San Patricio County, legislation recently approved by the Texas Legislature related to annexation and other issues, and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid 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).

R. 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.

S. ADJOURNMENT