



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final-revised

### City Council

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Tuesday, August 13, 2019

11:30 AM

Council Chambers

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Addendums may 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 Communication 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 Natalia Arredondo, Senior Call Center Representative/Trainer, Communication Department.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [19-1056](#)** Proclamation declaring August 16, 2019, "Kiwanis Club of Corpus Christi 100th Anniversary".  
Proclamation declaring September 14, 2019, "Operation K.E.Y.S., Keeping Every Youth in School Day".  
Presentation of Honorary Citizen Certificates to 2019 Sister City Exchange

Students.

Recognition of the City of Corpus Christi as, "StormReady" from National Weather Service and the StormReady Advisory Board.

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

**a. OTHER**

**G. MINUTES:**

- 2. [19-1058](#)** Regular Meetings of July 23, 2019 and July 30, 2019.

**H. BOARD & COMMITTEE APPOINTMENTS:**

- 3. [19-1057](#)** Charter Review Ad Hoc Committee (1 vacancy)  
Corpus Christi B Corporation (1 vacancy)  
Corpus Christi Business and Job Development Corporation (1 vacancy)  
Mayor's Fitness Council (2 vacancies)  
Parking Advisory Committee (10 vacancies)  
Parks and Recreation Advisory Committee (6 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 Communication 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 - 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. Unless otherwise stated below, Ordinances should be presumed to be second readings.*

4. [19-0500](#) 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

5. [19-0529](#) 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

6. [19-0949](#) Zoning Case No. 0619-01: Mt. Olive Lutheran Church (Council District 5) Ordinance rezoning property at or near 5101 Saratoga Boulevard (State Highway 357) from the "RS-6" Single-Family 6 District to the "ON" Neighborhood Office District. Planning Commission and Staff recommend Approval.

**Sponsors:** Development Services

7. [19-1033](#) Ordinance abandoning and vacating a 4-foot wide by approximately 107-feet in length (433 sq. ft.) portion of an existing utility easement out of Lot 3, Block 4, Manhattan Estates Unit 7, located at 3729 Berkeley Dr.  
*Sponsors:* Development Services
8. [19-0965](#) Ordinance authorizing the acceptance of a grant from the Office of the Attorney General for the Internet Crimes Against Children (ICAC) Task Force program, in the amount of \$10,100.00 to purchase equipment and supplies for the ICAC program within the Police Department; and appropriating the \$10,100.00 in the Police Grants Fund.  
*Sponsors:* Police Department
9. [19-0943](#) Ordinance appropriating \$77,350.00 from the Fleet Fund Future Replacement balance; amending the FY2018-2019 operating budget adopted by Ordinance 031548 to increase expenditures by \$77,350.00; and approving the purchase of four trailer-mounted portable air compressors from ROMCO Power Systems of Corpus Christi, Texas, via NJPA-Sourcewell Cooperative for a total amount not to exceed \$77,350.00 funded from the Fleet Maintenance Service Fund.  
*Sponsors:* Gas Department and Contracts and Procurement
10. [19-0740](#) Ordinance awarding a contract to Haas-Anderson Construction, LTD in the amount of \$11,016,599.50 for construction of Ayers Street Pedestrian improvements and turn lane addition from South Padre Island Drive (SPID) to Gollihar Road for the base bid and additive alternate no. 1 with asphalt pavement; amending the FY2019 Capital Improvement Program Budget to support the use of Bond 2014 Proposition 1 funds, increase the budget, and funds are available in Bond 2014 Streets and various utility funds.  
*Sponsors:* Street Department and Engineering Services
11. [19-1060](#) Resolution authorizing submittal of grant application in the amount of \$175,175.00 for Edward Byrne Memorial Justice Assistance Grant (JAG) Program with funds to be distributed to the City of Corpus Christi in the amount of \$80,918.00, Nueces County in the amount of \$80,917.00 and the City of Robstown in the amount of \$13,340.00; and authorizing Interlocal Agreements with Nueces County and City of Robstown for distribution of JAG program funds should the grant be awarded.  
*Sponsors:* Police Department
12. [19-0945](#) Motion authorizing a three-year service agreement with Triple G Lawn Services in an amount not to exceed \$96,000.00 for a three-year period, with term starting upon issuance of notice to proceed, for landscaping and grounds maintenance for seven police managed buildings funded through the General Fund.  
*Sponsors:* Police Department and Contracts and Procurement
13. [19-0929](#) Motion authorizing five individual amendments to five service agreements

for mowing and servicing of vacant properties with code violations in an amount not to exceed \$11,250.00 each, and a revised value of each service agreement not to exceed \$56,250.00 with Luz Alicia Sierra Leal dba Alicia's Lawn Service, Richard Herrera dba R.H. Const. & Mowing and Arnold Mendoza dba Pioneer Lawn Services, and CML Services, LLC, Joe Manuel Perez dba J.M. Perez and Grandsons LLC, with terms ending on June 30, 2020 funded through the General Fund and the Community Development Block Grant.

**Sponsors:** Police Department and Contracts and Procurement

14. [19-0922](#) Motion awarding a contract to Coast to Coast Construction, Inc., in the amount of \$492,138.00 to replace damaged roofs, metal siding and upgrade lighting to energy efficient LED lighting at Woodsboro Pump Station and Bloomington Pump Station funded by Mary Rhodes Phase 2 reserves.

**Sponsors:** Water Utilities Department and Engineering Services

15. [19-1044](#) Motion authorizing the City Manager, or designee, to execute the Second Amendment to the Landfill Services Agreement with Cefe Landfill Texas, LP, to increase the fee paid to the contractor, add a definition for intermediate cover, remove language limiting the distance that the contractor will haul soil, and modify the termination date; for an estimated increase of \$143,625 per month for 17 months.

**Sponsors:** Solid Waste Operations

16. [19-1046](#) Motion authorizing the City Manager, or designee, to execute the First Amendment to the Waste Disposal Agreement with BFI Waste Services of TX, LP, to modify the termination date, discount and the required annual tonnage; providing revenue to the City estimated at \$267,100 per month for 17 months.

**Sponsors:** Solid Waste Operations

17. [19-0899](#) Motion authorizing a three-year service agreement for pest control services with Henry Garrett, dba G & G Pest Control of Beeville, Texas, for a total amount not to exceed \$80,802.00 to be funded by Facility and Property Management Fund.

**Sponsors:** Asset Management 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: (ITEM 18)**

*The following items are public hearings and public hearings with first reading ordinances. Each item will be considered individually.*

18. [19-0999](#) Public Hearing and Resolution approving the Corpus Christi Crime Control District budget for the fiscal year beginning October 1, 2019 and ending

September 30, 2020 with revenues of \$7,540,031.00 and expenditures of \$7,562,835.00 for 63 authorized Police sworn personnel and appropriating \$7,562,835.00 in the Crime Control and Prevention District Fund.

**Sponsors:** Police Department

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

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

**O. FIRST READING ORDINANCES: (ITEMS 19 - 22)**

19. [19-1017](#) Ordinance appropriating \$42,402.94 from damage claims into General Fund to purchase a replacement Prisoner Transport Vehicle, replacement ATV and other police equipment.

**Sponsors:** Police Department

20. [19-0998](#) Ordinance authorizing an amendment of \$10,916.00 to the Women, Infant and Children's Nutrition Program (WIC) grant contract for a total contract amount of \$868,850.00 for the period of October 1, 2018, through September 30, 2019, and authorizing a contract amendment of \$868,850.00 for the period of October 1, 2019, through September 30, 2020, from the Health and Human Services Commission, and authorizing a staff complement of 21 positions.

**Sponsors:** Health Department

21. [19-1027](#) Ordinance authorizing a Wastewater Trunk Main Line Extension Construction and Reimbursement Agreement with Yasin Investment LLC to extend a line south of Whitecap Boulevard, along Palmira Avenue for a commercial development for which the anchor store is IGA; appropriating \$899,786.39 from the Wastewater Trunk System Trust Fund to reimburse developer.

**Sponsors:** Development Services

22. [19-1088](#) Ordinance authorizing the City Manager to execute the Second Amendment to the Raw Water Supply Contract with the San Patricio Municipal Water District (SPMWD) to provide an additional 5,600 acre-feet of raw water per calendar year for SPMWD to provide to its designated customer developing in San Patricio County; increasing the SPMWD Raw Water Supply Contract from 41,200 acre-feet to a total of 46,800 acre-feet per calendar year.

**Sponsors:** Water Utilities Department

**P. ADDENDUM ITEMS: (ITEMS 23 - 25)**

23. [19-1107](#) Ordinance authorizing a four-month service agreement for the purchase of hardware, software, licensing, and professional services from Area

Electronics Systems, Inc. dba DataON Storage for \$782,734.00 for the datacenter remediation; appropriating \$782,734.00 from the unreserved fund balance in the Liability and Employee Benefits - General Liability Fund; transferring to the IT Fund; and amending the FY 2018-2019 Operating Budget adopted by Ordinance No. 031548 funded through the Liability and Employee Benefits - General Liability Fund.

Sponsors: Information Technology Services and Contracts and Procurement

24. [19-1152](#) Motion to set the public hearing for the City of Corpus Christi Fiscal Year 2019-2020 Budget for Friday, September 6, 2019 during a special City Council meeting beginning at 9:00 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

Sponsors: Office of Management and Budget

25. [19-1146](#) Motion to set a public hearing on the ad valorem tax rate for Tuesday, August 27, 2019 during the regular City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas and a second public hearing for Friday, September 6, 2019 during a special City Council meeting beginning at 9:00 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

Sponsors: Financial Services Department

**P. 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.*

**Q. EXECUTIVE SESSION: (ITEM 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.*

26. [19-1007](#) **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 a potential Voluntary Collection Agreement for hotel occupancy taxes.

**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**