



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final-revised

### City Council

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Tuesday, January 28, 2020

11:30 AM

Council Chambers

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Addendums may be added on Friday.

- 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 Wesley Nebgen, Assistant Director of Maintenance of Lines, Water Utilities.
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.
- E. Proclamations / Commendations
  - 1. [20-0148](#) Proclamation declaring February 1, 2020, "Know Your Numbers Day".
- F. **PUBLIC COMMENT - APPROXIMATELY 12:00 P.M.** 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. This is a public hearing for all items on this agenda.
- G. **CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
  - a. OTHER
- H. **MINUTES:**
  - 2. [20-0169](#) Regular Meetings of January 14, 2020 and January 21, 2020.
- I. **BOARD & COMMITTEE APPOINTMENTS:**
  - 3. [20-0075](#) Marina Advisory Committee (5 vacancies)

## Port of Corpus Christi Authority of Nueces County, TX (1 vacancy)

**J. 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.*

**K. CONSENT AGENDA: (ITEMS 4 - 20)**

*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.*

*Consent - Second Reading Ordinances*

4. [19-1761](#) Zoning Case No. 1119-01, SCCBH, LLC. (District 1). Ordinance rezoning property at or near 221 Kleberg Place from the "CR-1" Resort Commercial District to the "CR-3" Resort Commercial District. Planning Commission and Staff recommend approval.  
**Sponsors:** Development Services
5. [19-1762](#) Zoning Case No. 1119-02, H&P North Beach, LLC (District 1). Ordinance rezoning property at or near 202, 229, and 230 Kleberg Place from the "RM-AT" Multifamily AT District to the "CR-3" Resort Commercial District. Planning Commission and Staff recommend approval.  
**Sponsors:** Development Services
6. [19-1801](#) Zoning Case No. 1219-01, Paula Gaut Properties, Inc. (District 5). Ordinance rezoning property at or near 6734 Saratoga Boulevard (State Highway 357) from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District. Planning Commission and Staff recommend Approval.  
**Sponsors:** Development Services
7. [20-0013](#) Ordinance accepting a grant from the Flint Hills Resources 2019 Helping Heroes Program in the amount of \$10,000 to purchase hazmat equipment; and appropriating the funds into the Fire Grant Fund.  
**Sponsors:** Fire Department
8. [19-1542](#) Ordinance to appropriate (a) \$148,509.14 interest earnings from Airport

CIP Funds for City's match for future FAA Grant Projects; (b) \$3,119,110.54 interest earnings from Bond Proceeds for Public Health and Safety, Public Facilities, Parks and Recreation, and Street bond projects; (c) \$3,553,010.17 interest earnings from Utility Revenue Bond Funds for Utility projects (d) \$359,757.13 interest earnings from Specialty Bond Funds including Texas Military Preparedness Commission, Public Property Finance Contractual Obligations, Seawall, Type B Streets and Packery Channel for approved specialty projects; and (e) \$955,002.37 in other unappropriated funds including street assessments, street closure fees and Federal Government reimbursements for Streets and Utilities projects; changing the FY 2020 Capital Improvement Budget adopted by Ordinance No. 031870 to increase expenditures accordingly.

**Sponsors:** Office of Management and Budget

9. [19-1185](#) Ordinance amending Corpus Christi Code of Ordinances to add Section 49-15 authorizing execution of easement encroachment licenses as an administrative remedy.

**Sponsors:** Development Services

10. [19-1809](#) Ordinance awarding a construction contract to R.S. Parker Construction, LLC for reconstruction of Newport Pass Road and Zahn Road with new concrete pavement in the amount of \$1,337,185.02, located in Council District 4, effective upon issuance of notice to proceed, funding is available from Street Bond 2014, Proposition 2 and Water Utility Capital Program funds; and the FY 2020 Capital Budget is amended to add this project.

**Sponsors:** Public Works/Street Department, Engineering Services and Contracts and Procurement

11. [19-1375](#) Ordinance awarding a contract to HDR Engineering, Inc., for design, bid, and construction phase services for Packery Channel Dredging and Beach Nourishment in the amount of \$ 392,736, located in Council District 4, effective upon issuance of notice to proceed, with funding available from Tax Increment Reinvestment Zone (TIRZ) No. 2 and State Hotel Occupancy Tax Reserve Funds upon approval of this ordinance to amend the budget.

**Sponsors:** Parks and Recreation Department, Engineering Services and Contracts and Procurement

12. [20-0017](#) Ordinance awarding eight Master Services Agreements (MSAs) for Bond 2020 and FY 2021 CIP feasibility studies in an amount not to exceed \$3,600,000; three MSAs in the amount of \$650,000 each to Freese and Nichols, HDR Engineering, and Urban Engineering for Street projects; two MSAs in the amount of \$500,000 and \$250,000, to Urban Engineering and LAN respectively for Utility Projects; and three MSAs in the amount of \$300,000 each to Bath Engineering, LNV Inc. and Hanson Professional Services for Facility Projects, located city wide with funding available from Street Bond 2014 and FY 2020 Utility CIP; and amending the FY 2020 Capital Budget.

**Sponsors:** Contracts and Procurement and Engineering Services

13. [20-0025](#) Ordinance approving the Second Amended and Restated Stadium Lease Agreement with Corpus Christi Baseball Club, LP; appropriating funds in the amount of \$2,000,000.00 from the Business and Job Development Fund to match a \$1,000,000 allocation by Corpus Christi Baseball Club, LP, for improvements to Whataburger Field; and amending the operating and capital budget.

**Sponsors:** Assistant City Manager

*Consent - Contracts and Procurement*

14. [20-0009](#) Motion authorizing a two-year service agreement with Miguel Hernandez Jr., dba Universal Tool and Die, of Corpus Christi, Texas, for a total amount not to exceed \$90,000.00 for on-call fabrication, welding, and repair services for the Wastewater Division of the Utilities Department, effective upon issuance of notice to proceed, with first-year funding in the amount of \$33,750.00 available in the Wastewater Fund.

**Sponsors:** Utilities Department and Contracts and Procurement

15. [20-0019](#) Motion authorizing a two-year supply agreement with DPC Industries, Limited Partnership of Houston Texas, for an amount not to exceed \$579,162.80, for the purchase of Liquid Chlorine in Railcars to be used during the water treatment process as the primary disinfectant at O.N. Stevens Water Treatment Plant, effective upon issuance of notice to proceed, with FY2020 funding in an estimated amount of \$193,054.26 available through the Water Fund.

**Sponsors:** Utilities Department and Contracts and Procurement

16. [20-0012](#) Motion authorizing a two-year supply agreement with Southern Ionics Inc., of West Point, Mississippi, in an amount not to exceed \$1,221,677.00, for the purchase of Sodium Bisulfite to be used by the Wastewater Division of the Utilities Department to dechlorinate wastewater, effective upon issuance of notice to proceed, with first-year funding in the amount of \$610,838.00 available in the FY 2020 Wastewater Fund.

**Sponsors:** Utilities Department and Contracts and Procurement

17. [20-0074](#) Motion authorizing a three-year service agreement with Smart Plumbing, Incorporated of Corpus Christi, Texas with an amount not to exceed \$626,643.75, to perform on-call plumbing repair services to City owned facilities, effective upon issuance of notice to proceed, with FY 2020 funding in an estimated amount of \$139,254.17 available through the Facility and Property Management Fund.

**Sponsors:** Asset Management Department and Contracts and Procurement

*Consent - Capital Projects*

18. [20-0057](#) Motion awarding a contract to Urban Engineering for design, bid, and

construction phase services for the Packery Channel Waterline project in the amount of \$195,630.00, located in City Council District 4, effective upon notice to proceed, with funding approved and available from FY 2019 Water Capital Improvement Program.

**Sponsors:** Engineering Services, Utilities Department and Contracts and Procurement

*General Consent Items*

19. [20-0036](#) Resolution identifying City matching funds of \$7,600,000 from the Stormwater Capital Improvement Program (CIP) for the Texas General Land Office Community Development & Revitalization grant application for La Volla Creek drainage improvements.

**Sponsors:** Utilities Department

20. [20-0100](#) Resolution determining the public necessity and public use for the acquisition of fee simple property rights for a public improvement project known as the La Volla Creek Detention Pond Project; authorizing negotiation to acquire the property interests; authorizing condemnation by eminent domain to acquire fee simple property interests in approximately 132 acres of land owned by Lands Greenwood 2018 LLC located near the intersection of Saratoga Boulevard and Greenwood Drive.

**Sponsors:** Utilities Department

**L. RECESS FOR LUNCH**

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

**M. PUBLIC HEARINGS: (ITEMS 21 - 22)**

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

21. [20-0083](#) Ordinance renewing the Corpus Christi curfew for minors ordinances as mandated every three years per the Local Government Code.

**Sponsors:** Police Department

22. [20-0058](#) Ordinance amending the London Area Wastewater Master Plan, an element of the Comprehensive Plan, to provide wastewater service to approximately 144 acres of land located immediately west of the existing London Area Wastewater Master Plan Area; amending related elements of the Comprehensive Plan; and providing for publication. (Located near Council District 3)

**Sponsors:** Planning & Environmental 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: (ITEM 23)**

*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.*

- 23. [20-0037](#)** Briefing of the findings from the recent Alternative Utility Financing study and potential alternative options for managing infrastructure development.

**Sponsors:** Development Services

**Q. EXECUTIVE SESSION: (ITEMS 24 - 25)**

*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.*

- 24. [20-0159](#)** **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning the lawsuit of *Richard Salazar v. City of Corpus Christi Officer Cantu and Officer DeLeon* and the potential approval of settlement(s), attorney's fees, expert fees, and/or expenses in said case.

- 25. [20-0179](#)** **Executive session pursuant to Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties or discipline of City Auditor.

**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**

ADDITIONAL INSTRUCTIONS / INSTRUCCIONES ADICIONALES

*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 ayudarlo.*

*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.*