



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, April 21, 2020

11:30 AM

Council Chambers

Addendums may be added on Friday.

- A. Mayor Joe McComb to call the meeting to order.
- B. Invocation to be given by Mayor Joe McComb.
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag.
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.
- E. **CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**
 - a. GOVERNMENT ACTIONS RELATED TO CORONA VIRUS
- F. PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COUNCIL. To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Council. This meeting will be broadcast at cctexas.com/services/council-meeting-agendas-minutes-video. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Council should be provided in written format and presented to the City Secretary and/or designee no later than five minutes after the start of each meeting of the City Council. Testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's door and on the City website, and allow for electronic submission. The written public testimony shall be provided to members of City Council prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This testimony shall serve as the required public testimony pursuant to Texas Government Code 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference. The public may participate remotely by following the instructions of the City Secretary at cctexas.com/departments/city-secretary.

G. MINUTES:

1. [20-0510](#) Regular Meeting of April 14, 2020.

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. CONSENT AGENDA: (ITEMS 2 - 18)

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.

2. [20-0516](#) Ordinance approving an agreement between the City of Corpus Christi and the Corpus Christi Business and Job Development Corporation in an amount not to exceed \$2,500,000.00 for Type A funding of arterial and collector streets within the City; approving a Chapter 380 agreement in an amount not to exceed \$2,500,000.00 with LiftFund, Inc. for a small business recovery program; appropriating \$2,500,000.00 from the unreserved fund balance of the Business and Job Development Fund for use on the arterial and collector street improvements; amending the operating and capital budget; and declaring an emergency.

Sponsors: City Manager's Office

3. [20-0518](#) Ordinance amending the City's Consolidated Annual Action Plan (CAAP) of entitlement funding from HUD for FY 2019-2020; accepting and appropriating \$803,100.00 from the United States Department of Housing and Urban Development (HUD) for Emergency Solutions Grant (ESG-CV) and \$1,622,820.00 for Community Development Block Grant (CDBG-CV) funding in FY 2019-2020; authorizing the execution of all documents necessary to accept, appropriate, and disburse the funds; to execute all agreements, amendments and all other documents necessary to implement the additional ESG-CV and CDBG-CV funding from HUD with organizations for approved projects; and declaring an emergency.

Sponsors: Housing and Community Development

Consent - Second Reading Ordinances

4. [20-0415](#) Zoning Case No 0220-03, MPM Development, LP. (District 5). Ordinance rezoning property at or near 7797 Yorktown Boulevard from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District. Planning Commission and Staff recommend Approval.

Sponsors: Development Services

5. [20-0400](#) Ordinance accepting a grant award of \$4,063.31 from Plains All American Pipeline to purchase personal protective equipment for the Corpus Christi Fire Department for use during industrial responses; and appropriating \$4,063.31 into the Fire Grant Fund.

Sponsors: Fire Department

6. [20-0341](#) Ordinance authorizing an amendment to the Lease Agreement with Padre Island Yacht Club revising rent payments from greater of 10% of gross income or \$2300 annually to greater of 5% gross income or \$2500 quarterly.

Sponsors: Utilities Department

7. [20-0277](#) Ordinance authorizing three non-contiguous 30-foot wide pipeline easements and one construction yard license of 1.12 acres to Dean Pipeline Company, LLC to construct one new 8-inch pipeline for the transportation of oil, gas, or other hydrocarbon product located on City property operated by the City Water Department, two of the pipeline easements are located southeast of the O.N. Stevens Water Treatment Plant and third pipeline easement on property north of IH37 by the O.N. Stevens Spillway Tract; located in Council District 1, and appropriating \$108,810 into the City's Water Department Operating Fund No. 4010.

Sponsors: Utilities Department and Engineering Services

8. [20-0471](#) Ordinance amending Section 55-100 of the Corpus Christi Code of Ordinances regarding wastewater winter quarter average usage calculation to be effective by May 1, 2020.

Sponsors: Water Utilities Department

Consent - Contracts and Procurement

9. [20-0275](#) Motion authorizing a three-year service agreement with C&S Plating and Bumper Recycling, Inc., dba C&S Truck and Van Equipment for a total amount not to exceed \$663,000.00, for upfitting and repair parts and services for Asset Management, effective upon issuance of notice to proceed, with FY 2020 funding in the amount of \$110,500.00 available through the Fleet Maintenance Service Fund.

Sponsors: Asset Management Department and Contracts and Procurement

10. [20-0354](#) Motion authorizing a five-year license agreement with e-Builder, Inc. in an amount of \$3,795,755.48 for the purchase of licenses and support maintenance for Engineering Services, effective upon issuance of a notice to proceed, with FY 2020 funding in the amount of \$1,121,549.46 available through the Engineering Services Fund.
Sponsors: Information Technology Services, Engineering Services and Contracts and Procurement
11. [20-0364](#) Motion approving a service agreement with VWR International, LLC in an amount not to exceed \$99,760.40 for Phase III of the Utilities Water Lab renovations and upgrades, effective upon issuance of notice to proceed and FY 2020 funded through the Water Fund.
Sponsors: Utilities Department and Contracts and Procurement
12. [20-0368](#) Motion authorizing a two-year supply agreement with Brenntag Southwest, Inc., in an amount not to exceed \$5,440,294.52, for the purchase of Sodium Hypochlorite used by the Utilities Department for the disinfection of treated effluent at four Wastewater Treatment Plants, and by the Water Treatment Plant to boost the disinfection properties of the City's drinking water throughout the distribution system, effective upon issuance of notice to proceed, with FY 2020 funding in an estimated amount of \$1,133,400.00 available in the Wastewater and Water Funds.
Sponsors: Utilities Department and Contracts and Procurement
13. [20-0369](#) Motion authorizing a two-year Supply Agreement with Univar Solutions USA Inc., for an amount not to exceed \$3,985,600.00 for liquid caustic soda solution for pH adjustment for the water treatment process at the O.N. Stevens Water Treatment Plant, effective upon issuance of notice to proceed, with FY 2020 funding in an estimated amount of \$996,400.00 available through the Water Fund.
Sponsors: Utilities Department and Contracts and Procurement
14. [20-0413](#) Motion authorizing a two-year supply agreement with Polydyne, Inc., in an amount not to exceed \$790,585.00, for the purchase of Sludge Dewatering Polymer for the Utilities Department, effective upon issuance of notice to proceed, with first-year funding in the amount of \$164,700.00 available in the FY 2020 Wastewater Fund.
Sponsors: Utilities Department and Contracts and Procurement

Consent - Capital Projects

15. [20-0103](#) Motion awarding Amendment No. 1 to contract with Hazen and Sawyer for design and preparation of construction documents and related construction phase services to dredge the pre-sedimentation basin, replace the solids collector system and clarifier drive mechanisms for the O.N. Stevens Water Treatment Plant (ONSWTP) in the amount of \$862,388, for a revised contract value not to exceed \$912,188, located in City Council District 1,

effective upon issuance of notice to proceed, with funding approved and available from Water 2020 Capital Improvement Program Budget.

Sponsors: Utilities Department and Engineering Services

General Consent Items

16. [20-0480](#) Resolution requesting financial assistance from the Texas Water Development Board for design and construction of improvements to the City's Utility system; authorizing City staff and consultants to coordinate the submission of the application to the Texas Water Development Board for funding from its State Water Implementation Fund for Texas; and other matters in connection therewith.

Sponsors: Finance & Business Analysis

17. [20-0477](#) Resolution authorizing the Interlocal Agreement with Nueces County for exchange of Gulf beach maintenance with the City to maintain and clean a portion of the Gulf beach managed by the County and the County to maintain and clean a portion of the Gulf beach managed by the City. The City will provide beach maintenance from the State Park Boundary to Beach Marker 203. The County will provide beach maintenance from Access Road 6 to Beach Marker 252.

Sponsors: Parks and Recreation Department

18. [20-0519](#) Resolution authorizing submission of grant application for \$18,032.44 to the State of Texas, Office of the Governor, Criminal Justice Division for funding eligible under the Coronavirus Emergency Supplemental Funding Program FY 2020.

Sponsors: Municipal Court Administration

K. RECESS FOR LUNCH

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

L. PUBLIC HEARINGS: (ITEMS 19 - 21)

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

19. [20-0430](#) Zoning Case No. 0220-02, J3PV Investment, LP. (District 4). Ordinance rezoning property at or near 113 Porto Villageo Drive from the "RM-AT" Multifamily AT District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development. Planning Commission and Staff recommend Approval with the condition that the side yard setback shall be 3 feet where the PUD adjoins lots that are not part of the development.

Sponsors: Development Services

20. [20-0431](#) Zoning Case No. 0220-04, Nazari Mohammad Rezaei (District 3). Ordinance rezoning property at or near 5506 Cain Drive from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Planning Commission and Staff recommend Denial of the change to the "CN-1" Neighborhood Commercial District in lieu thereof, approval of the "RS-6/SP" Single-Family 6 District with a Special Permit with conditions. A $\frac{3}{4}$ favorable vote is required to overrule Planning Commission recommendation.

Sponsors: Development Services

21. [20-0432](#) Zoning Case No. 0320-01, Margo Lyn Moore (District 4). Ordinance rezoning property at or near 7517 South Padre Island Drive (State Highway 358) from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District. Planning Commission and Staff recommend Approval.

Sponsors: Development Services

M. REGULAR AGENDA: (NONE)

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

N. FIRST READING ORDINANCES: (ITEMS 22 - 23)

22. [20-0425](#) Ordinance authorizing the conversion of 12 Firefighter I positions to Firefighter II - EMS for a total cost of \$30,888 to provide adequate staffing of an additional medic unit that is being placed into service in District 2 at Fire Station 7 in accordance with the FY2020 budget.

Sponsors: Fire Department

23. [20-0440](#) Ordinance accepting \$281,250.00 Air Quality Planning Grant from Texas Commission on Environmental Quality and appropriating in the Community Enrichment Grant Fund No. 1071.

Sponsors: Planning & Environmental Services

O. 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.

P. EXECUTIVE SESSION: (ITEM 24)

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. [20-0506](#) **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 *Application of AEP Texas Inc to amend its Distribution Cost Recovery Factor* at the Public Utility Commission.

Q. 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.

R. 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 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.

This meeting may be held via videoconference call pursuant to Texas Government Code § 551.127. If this meeting is held via videoconference call or other remote method of meeting, then a member of this governmental body presiding over this meeting will be physically present at the location of this meeting unless this meeting is held pursuant to Texas Government Code § 551.125 due to an emergency or other public necessity pursuant to Texas Government Code § 551.045.