



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final-revised

### City Council

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Tuesday, October 27, 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 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. **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](https://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](https://cctexas.com/departments/city-secretary).
- F. **GIFT PRESENTATION FOR OUTGOING CITY COUNCIL MEMBER RUDY D. GARZA, JR.**

**G. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:****a. GOVERNMENT ACTIONS RELATED TO CORONA VIRUS****H. MINUTES:**

1. [20-1294](#) Regular Meeting of October 20, 2020

**I. BOARD & COMMITTEE APPOINTMENTS: (NONE)****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 2 - 11)**

*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*

2. [20-1215](#) Ordinance authorizing the acceptance of a grant from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, in an amount of \$157,601.00 for the FY 2020 Edward Byrne Memorial Justice Assistance Grant program for the Corpus Christi Police Department; and appropriating \$157,601.00 in the Police Grants Fund with \$78,800.00 to be distributed to Nueces County based on an interlocal agreement and the remaining \$78,801.00 to be used by the City. (Requires 2/3 vote)  
*Sponsors:* Police Department
3. [20-0865](#) Ordinance accepting and appropriating Airport Grant # 60 from the United States Department of Transportation-Federal Aviation Administration in the amount of \$8,846,317.00 for the Corpus Christi International Airport, Terminal Apron Phase IV and East General Aviation Apron Phase V projects and awarding a construction contract in the amount of \$11,201,609.96 to Head, Inc. of Columbus, Ohio, with funding available in the Airport Capital Improvement Fund. (Requires 2/3 vote)

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

4. [20-1214](#) Ordinance amending the Urban Transportation Plan Map of Mobility CC, a transportation element of the Comprehensive Plan, by deleting a portion of Civitan Drive between Ayers St and Crosstown Expressway (State Highway 286); and providing for publication.

**Sponsors:** Planning & Environmental Services

*Consent - Contracts and Procurement*

5. [20-0890](#) Resolution authorizing a three-year service agreement with Fabian Adan Olivarez, Jr. dba Sparkling City Power Washing in an amount of \$104,770.00 for vehicle wash services for Asset Management Fleet Department, with FY 2021 funding available through the Fleet Maintenance Services Fund in the amount of \$32,013.06. (Requires 2/3 vote)

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

*General Consent Items*

6. [20-1231](#) Resolution approving the FY 2021 and FY 2022 Infrastructure Management Plan as proposed by the Public Works Department that includes a list of neighborhood, arterial, and collector streets for street maintenance work to be completed as the City's Street Maintenance Program.

**Sponsors:** Public Works/Street Department

7. [20-1233](#) Resolution amending City Council Policy 28 that outlines the guidelines for awarding arterial and collector street construction contracts using concrete pavement or asphalt pavement.

**Sponsors:** Public Works/Street Department

8. [20-1171](#) Resolution authorizing extensions for a period not to exceed 12 months, of a Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement not to exceed \$109,354.20 for installation of a water arterial transmission and grid main line, and extension of a Developer Participation Agreement not to exceed \$207,386.85 for partial construction of Oso Parkway with MPM Development, LP for a planned residential development, Royal Creek Estates Unit 7, located south of Yorktown Boulevard and east of Cimarron Boulevard at 8399 Rock Crest Drive. (District 5) (Requires 2/3 vote)

**Sponsors:** Development Services

9. [20-1284](#) Resolution approving Amendment No. 2 to extend the term of this agreement to September 30, 2021 between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi for the Type A Affordable Housing Program - Homebuyer Assistance Program. (Requires 2/3 vote)

**Sponsors:** Grant Monitoring

10. [20-1301](#) Resolution authorizing the submittal of a grant application totaling up to \$901,952 to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program with a matching contribution from the city of \$250,000 for project management and grant administration services. (Requires 2/3 vote)

**Sponsors:** Communications & Intergovernmental Affairs

11. [20-1296](#) Resolution authorizing a total of up to \$3,838.50 from the City's Coronavirus Relief Fund allocation through the CARES Act to Corpus Christi Montessori School to provide funds for up to 25% of the cost to purchase the computer equipment necessary to facilitate compliance with COVID-19 related public health measures and tele-learning. (Requires 2/3 vote)

**Sponsors:** Finance & Business Analysis

**L. TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE ITEMS: (ITEMS 12 - 14)**

12. [20-1318](#) One-reading Ordinance Approving the Tax Increment Reinvestment Zone Number 5 Project & Financing Plan approved by the Board of Directors of Reinvestment Zone Number Five, City of Corpus Christi, Texas.

**Sponsors:** Finance & Business Analysis

13. [20-1311](#) Resolution authorizing execution of an Interlocal Cooperation Agreement with Del Mar College, for participation in the Tax Increment Reinvestment Zone Number Five at 75% of Del Mar's increment for 20 years, up to \$4,000,000.

**Sponsors:** Finance & Business Analysis

14. [20-1325](#) Motion to approve a Development Reimbursement Agreement with South Padre Investment, Inc. for reimbursement of infrastructure costs related to the development of the Bohemian Colony, located in Tax Increment Reinvestment Zone Number 5, up to \$17,000,000 or a maximum of 20 years, whichever is less.

**Sponsors:** Finance & Business Analysis

**M. RECESS FOR LUNCH**

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

**N. PUBLIC HEARINGS: (ITEM 15)**

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

15. [20-1227](#) Ordinance authorizing a Wastewater Lift Station Construction and Reimbursement Agreement with Peterson Properties, Ltd to construct wastewater lift station for a planned commercial development located on Westpoint Road and Highway 358 with a completion date within 24

months; transferring \$520,000 from the Water Arterial Transmission and Grid Main Trust Fund, and \$40,000 from the Water Distribution Main Trust Fund to the Wastewater Trunk System Trust Fund; and appropriate \$712,412.82 from the Wastewater Trunk System Trust Fund to reimburse the Developer per the agreement. (District 3) (Requires 2/3 vote)

**Sponsors:** Development Services

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

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

**P. FIRST READING ORDINANCES: (ITEMS 16 - 17)**

16. [20-1077](#) Ordinance authorizing the City of Corpus Christi to exercise an Option to Purchase the Frost Bank building and adjacent lots located at 2402 Leopard Street from Frost National Bank based on a 20 year lease purchase agreement entered into on May 30, 2000 in an amount of \$0.00 and authorizing the execution of the Option to Exercise Fee payment in an amount of \$1,000.00 with FY 2021 funding available from the Development Services Fund and Fire Administration General Fund. (Requires 2/3 vote)

**Sponsors:** Engineering Services, Development Services and Fire Department

17. [20-1287](#) Ordinance amending the City's Consolidated Annual Action Plan (CAAP) of entitlement funding from HUD for FY 2019-2020; accepting and appropriating \$2,275,155.00 from the United States Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG-CV) and \$1,864,176.00 for the Emergency Solutions Grant (ESG-CV) funding in FY2019-2020; 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 CDBG-CV and ESG-CV funding from HUD with organizations for approved projects. (Requires 2/3 vote)

**Sponsors:** Grant Monitoring

**Q. RECESS FOR CORPORATION MEETING: (ITEM 18)**

18. [20-1283](#) Special Board Meeting of the Corpus Christi Housing Finance Corporation regarding an Investment Services Agreement.

**Sponsors:** Human Resources

**R RECONVENE COUNCIL MEETING**

**S. 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.*

**T. CORPUS CHRISTI CONSTRUCTION TRADE ADVISORY AND APPEAL BOARD  
APPEAL (ITEM 19)**

**The Appeal will proceed using the following format:**

- a. *Statement of Facts (up to 3 minutes)*
- b. *Appellant's Oral Presentation of Written Notice of Appeal (up to 3 minutes)*  
*(Appellant may be questioned by City Council)*
- c. *City Staff Response (Up to 3 minutes - City Staff may be questioned by City Council)*
- d. *Council Action - Three options:*
  1. *Deny the appeal (uphold 6-month suspension)*
  2. *Modify the Board's Decision (suspension from 0 to 3 years)*
  3. *Set aside the Board's decision (no suspension)*

19. [20-1232](#) City Council consideration of an appeal of Vargo Plumbing & Utilities Plumbing Contractor's six-month suspension of City plumbing contractor's registration upheld by the Corpus Christi Construction Trade Advisory and Appeal Board on September 17, 2020.

**Sponsors:** Development Services

**U. EXECUTIVE SESSION: (ITEM 20)**

*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.*

20. [20-1293](#) **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 and litigation in the case of *Ambriz, Stephen v. City of Corpus Christi, Brandon Cordell, and Andres Lopez* and other lawsuits and potential lawsuits, including potential authorization of settlement of the aforementioned case and/or authorization of fees for attorneys, experts, and other fees related to defense of said case.

**V. 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.*

**W.     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.*