



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, February 16, 2021

1:30 PM

Council Chambers

Addendums may be added on Friday.

Public Notice: 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.

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.

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.

- A. Mayor Paulette M. Guajardo to call the meeting to order.**
- B. Invocation to be given by Pastor David Bendett, Rock City Church.**
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Trinity Chase Salazar, 8th Grade Student at Elliot Grant Middle School.**
- 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. 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.

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

- a. **CORPUS CHRISTI CONVENTION AND VISITORS BUREAU ANNUAL REPORT - BRETT OETTING, CEO**
- b. **GOVERNMENT ACTIONS RELATED TO CORONA VIRUS**

G. MINUTES:

H. BOARD & COMMITTEE APPOINTMENTS:

- 1. [21-0239](#) Crime Control and Prevention District (9 vacancies)
Library Board (5 vacancies)
Sister City Committee (4 vacancies)
Watershore and Beach Advisory Committee (4 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. CONSENT AGENDA: (ITEMS 2 - 15)

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. [21-0021](#) Ordinance amending the Unified Development Code amending defined terms, administrative exemptions, design standards, fees, appeals, stays of demolition, zero lot line development, residential development standards, place of worship use, mixed-use overlay district, streetscape zone standards, neighborhood mixed-use development standards, trust fund policy, nonconforming structures, driveway spacing, visibility and mid-block obstructions, development incentives , combine uses, reducing setbacks, increasing allowable accessory dwelling units, signs in commercial districts and adding and removing language to ensure consistency with adopted local, State and Federal codes; and providing for penalty.
Sponsors: Development Services
3. [21-0137](#) Ordinance amending the Urban Transportation Plan Map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by moving a portion of Wildcat Drive from County Road 52; amending related elements of the Comprehensive Plan of the City; and providing for publication.
Sponsors: Planning & Environmental Services
4. [20-1151](#) Ordinance authorizing the acceptance of a grant from the Texas General Land Office - Community Development Block Grant Disaster Recovery to conduct a voluntary residential home buyout program for five to ten homes located in flood-prone areas throughout the City of Corpus Christi in an amount of \$1,319,559.00; and appropriating \$1,319,559.00 to the Community Development Block Grant Program Fund.
Sponsors: Grant Monitoring
5. [21-0016](#) Ordinance recommending a three-month service agreement with DARPRO Commercial Construction, LLC, Corpus Christi, Texas, for an amount not to exceed \$62,500.00 for renovation of Fleet Division restroom, effective upon notice to proceed, with FY 2021 funding available through the Fleet Maintenance Service Fund.

Sponsors: Asset Management Department and Contracts and Procurement

Consent - Contracts and Procurement

6. [20-1422](#) 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 \$223,900.00, for on-call fabrication, welding, and repair services for the Utilities Department, with FY 2021 funding in the amount of \$77,000.00 available in the Wastewater Fund.

Sponsors: Utilities Department and Contracts and Procurement

7. [21-0074](#) Resolution authorizing a three-year supply agreement with McNeilus Truck and Manufacturing Co. in an amount not to exceed \$530,000.00 for the purchase of McNeilus parts for City Solid Waste and Recycling trucks, effective upon issuance of notice to proceed, with FY 2021 funding in an amount of \$117,778.00 available in the Fleet Maintenance Service Fund.

Sponsors: Asset Management Department and Contracts and Procurement

Consent - Capital Projects

8. [20-0111](#) Motion awarding a professional services contract to LNV, Inc., Corpus Christi, TX, to provide design, bid, and construction services for office space and other building upgrades to the O.N. Stevens Water Treatment Plant Filter Building 1, located in Council District 1, in an amount not to exceed \$179,998.00, with FY 2021 funding available from the Water 2020 Capital Improvement Program Fund.

Sponsors: Engineering Services, Utilities Department and Contracts and Procurement

9. [20-0305](#) Motion awarding a professional services contract to Hanson Professional Services, Inc., Corpus Christi, Texas, for design, bid, and construction phase services for the reconstruction of McArdle Road from Carroll Lane to Kostoryz Road, located in Council Districts 2 and 3, in an amount of \$544,933.75, with FY 2021 funding available from the Bond 2018 Street Proposition B, Storm Water, Wastewater, and Water Funds.

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

10. [21-0112](#) Motion authorizing a design/build contract for the construction of a new Emergency Medical Services (EMS) Central Building with Barcom Construction, Inc. from Corpus Christi, Texas, for an amount not to exceed \$448,184, effective upon issuance of a notice to proceed, with funding from FY 2018 Bond Proposition E - Public Safety Improvements.

Sponsors: Asset Management Department and Fire Department

General Consent Items

11. [21-0144](#) Resolution authorizing the submission of a grant application in the amount

of \$140,930.23 to the Office of the Governor Homeland Security Grants Division for funding eligible under the FY 2022 Local Border Security Program Grant.

Sponsors: Police Department

12. [21-0151](#) Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed 9% Housing Tax Credit for an affordable housing project known as Avanti at Heritage Park to be developed by Avanti Heritage Park, LP.

Sponsors: Human Resources

13. [21-0221](#) Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed 9% Housing Tax Credit for an affordable housing project known as Palms at Blucher Park to be developed by TG 110 Palms at Blucher Park, LP.

Sponsors: Human Resources

14. [21-0205](#) Motion authorizing the amended and restated Management Services Agreement between the Corpus Christi Area Convention and Visitors' Bureau and the City of Corpus Christi, Texas.

Sponsors: Finance & Business Analysis

15. [21-0226](#) Resolution endorsing Mayor Paulette Guajardo to serve on the Texas Municipal League board of directors.

Sponsors: Intergovernmental Relations

K. RECESS FOR LUNCH

L. PUBLIC HEARINGS: (ITEMS 16 - 18)

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

16. [21-0060](#) Zoning Case No. 1120-02, Ocean Harbor II, LLC (District 4). Ordinance rezoning property at or near 14805, 14809, 14813, and 14817 Windward from the "RM-AT/IO" Multifamily AT District with the Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with the Island Overlay and a Planned Unit Development (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

17. [21-0129](#) Zoning Case No. 1220-02, Mario A. Martinez Holdings, LLC.: (District 4) Ordinance rezoning a property at or near 14725 Running Light Drive from the "RS-6/IO" Single-Family 6 District with the Island Overlay to the "RM-AT/IO" Multifamily AT District with the Island Overlay. (Planning Commission and Staff recommend Approval)

Sponsors: Development Services

18. [21-0130](#) Zoning Case No. 1220-03, The Episcopal Church Corporation in West

Texas: (District 3) Ordinance rezoning property at or near 4518 Saratoga Boulevard (State Highway 357) from the "RS-6" Single Family 6 District to the "ON" Office Neighborhood District. (Planning Commission recommends Denial and Staff recommends Approval) (3/4 vote required to overturn the Planning Commission's recommendation)

Sponsors: Development Services

M. INDIVIDUAL CONSIDERATION ITEMS: (NONE)

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

N. FIRST READING ORDINANCES: (ITEMS 19 - 20)

19. [21-0138](#) Ordinance abandoning, vacating, and closing a 1.200-acre (52,272 square-feet) tract of an improved portion of public right-of-way identified as Butler Road, between Violet Road and Cliff Crenshaw Street, and requiring the petitioner, Annville Baptist Church, to comply with specified conditions.

Sponsors: Public Works/Street Department

20. [21-0223](#) 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 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 CDBG-CV and ESG-CV funding from HUD with organizations for approved projects.

Sponsors: Human Resources

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. LEGISLATIVE UPDATE:

Q. EXECUTIVE SESSION: (ITEMS 21 - 22)

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.

21. [21-0233](#) **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 case of *Graham Construction Services, Inc. v. City of Corpus Christi, Xylem Water Solutions and Atlas Copco Compressors v. Carollo Engineers, PC, Travelers Casualty and Surety Company, Control Panels USA, Inc. and Fluid Components International LLC*, including potential consideration of settlement offers and/or fees for attorneys, engineers, other expert witnesses assisting in this case, deposition fees, and court costs, and updates on litigation in other cases.
22. [21-0234](#) **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 *City of Ingleside, Texas v. City of Corpus Christi, Texas* and other lawsuits and potential lawsuits, including potential consideration of additional funding for the defense of the aforementioned lawsuit.

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