



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, December 20, 2022

11:30 AM

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 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 Haley Zepeda, Sophomore at Roy Miller High School.
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.

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

- 1. [23-0049](#) Staff Announcement

Nadia Chandler Hardy, Assistant City Manager
- 2. [23-0050](#) FY 2022 4th Quarter Budget and Finance Update
- 3. [23-0051](#) Mud Bridge Repair Update by Ernesto De La Garza, Director of Public Works
- 4. [23-0053](#) 2022 United Way Charitable Campaign Recap

5. [23-0054](#) 37th Annual Martin Luther King Jr. Commemorative March on Monday, January 16, at City Hall

F. **PUBLIC COMMENT - APPROXIMATELY 12:00 P.M.** To speak during this public comment period, you must sign up before the meeting begins. Each speaker is limited to a total of no more than 3 minutes per speaker. You will not be allowed to speak again on an item when the Council is considering the item. Time limits may be restricted further by the Mayor at any meeting. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Written comments may be submitted at cctexas.com/departments/city-secretary. Electronic media that you would like to use may only be introduced into the City system IF approved by the City's Information Technology (IT) Department at least 24 hours prior to the Meeting. Please contact IT at 826-3211 to coordinate. This is a public hearing for all items on this agenda.

G. **BOARD & COMMITTEE APPOINTMENTS: (NONE)**

H. **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.

I. **CONSENT AGENDA: (ITEMS 6 - 31)**

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.

6. [23-0022](#) Approval of the December 6, 2022 Regular Meeting Minutes

Consent - Second Reading Ordinances

7. [22-1955](#) Ordinance authorizing the acceptance of a grant in an amount of \$281,193.79 from the State of Texas, Criminal Justice Division for the Victims of Crime Act Grant with an in-kind match of \$18,080.00 for the Corpus Christi Police Department's Victim Assistance Program; and appropriating \$281,193.79 in the Police Grants Fund; and authorizing five full-time positions. (Requires 2/3 Vote)

Sponsors: Police Department

8. [22-1956](#) Ordinance authorizing acceptance of a grant in an amount of \$47,393.76 from State of Texas, Criminal Justice Division for Violence Against Women Program with a cash match of \$13,351.61 and in-kind match of \$6,960.00; and appropriating \$60,745.37 in the Police Grants Fund; and authorizing one full-time civilian position for a Victim Case Manager. (Requires 2/3 Vote)
Sponsors: Police Department
9. [22-1958](#) Ordinance authorizing acceptance of a grant in an amount of \$45,776.00 from the State of Texas, Criminal Justice Grant Program for the Edward Byrne Memorial Justice Assistance Grant for the purchase of six additional in-car video systems for the Corpus Christi Police Department; and appropriating \$45,776.00 in the Police Grants Fund. (Requires 2/3 Vote)
Sponsors: Police Department
10. [22-1959](#) Ordinance authorizing acceptance of a grant in an amount of \$150,000.00 from the State of Texas, Criminal Justice Division for the Paul Coverdell Forensic Sciences Improvement Grant for the purchase of a 3D laser scanner for the Corpus Christi Police Department's Forensic Services Division; and appropriating \$150,000.00 in the Police Grants Fund. (Requires 2/3 Vote)
Sponsors: Police Department
11. [22-1810](#) Ordinance authorizing acceptance of a grant from State Farm Insurance in an amount of \$10,000.00 for the Corpus Christi Police Department Crime Reduction Unit to purchase supplies used to promote and support Neighborhood on Watch groups throughout Corpus Christi; and appropriating \$10,000.00 in the Police Grants Fund. (Requires 2/3 Vote)
Sponsors: Police Department
12. [22-1960](#) Ordinance authorizing the acceptance of a grant in the amount of \$415,806.00 from the Assistance to Firefighters Grant Program, for incident command training, water rescue training, and purchasing personal protective equipment for the Corpus Christi Fire Department's technical rescue program, with a City cash match of \$37,800.55; and appropriating \$415,806.00 in the Fire Grants Fund. (Requires 2/3 Vote)
Sponsors: Fire Department
13. [22-1800](#) Ordinance authorizing acceptance of a \$1,000 grant from NuStar Logistics L.P. for the purchase of supplies and equipment for the Corpus Christi Fire Department's HazMat Program; and appropriating \$1,000 into Fire Grant Fund. (Requires 2/3 Vote)
Sponsors: Fire Department
14. [22-2099](#) Ordinance approving the amended Tax Increment Reinvestment Zone #3 Project & Financing Plans as approved by the Board of Directors of Reinvestment Zone Number Three, City of Corpus Christi, Texas on

December 6, 2022, which adds a program for funding of Technology, Innovation and Entrepreneurial Ecosystem Development.

Sponsors: Finance & Procurement

15. [22-1984](#) Case No. 1022-02, Mc J's and Associates, LLC. (District 4): Ordinance rezoning a property at or near 14909 Granada Drive 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 Overlay; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval) (Requires 2/3 Vote)

Sponsors: Development Services

16. [22-2001](#) Case No. 1022-04 James Jones (District 2): Ordinance rezoning a property at or near 3301 South Staples Street from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval) (Requires 2/3 Vote)

Sponsors: Development Services

Consent - One-reading Ordinances

17. [22-1598](#) One-Reading Ordinance increasing Engineering Inspection Fees; approving the addition of four full-time positions with required salaries, benefits, and equipment to the Engineering Services Department budget; and amending the FY 2023 Operating Budget with funding coming from the FY 2023 Capital Improvement and Operational Budgets as required. (Requires 2/3 Vote)

Sponsors: Engineering Services

18. [22-2068](#) One-Reading Ordinance authorizing a five-year Lease Agreement with Coastal Bend Cricket Club which will allow for Coastal Bend Cricket Club to have access to, and use of a cricket pitch that will be constructed by the City at the Westside Pony Field #2, located at 4033 Greenwood Drive, within the boundary of Salinas Park. (Requires 2/3 Vote)

Sponsors: Parks and Recreation Department

19. [23-0017](#) One-Reading Ordinance authorizing a 75-month license agreement with Texas Market Research Group, L.L.C. for use of 121 parking spaces at the City parking lot located at 900 Mann Street during specified hours. (Requires 2/3 Vote)

Sponsors: Finance & Procurement

20. [23-0027](#) One-Reading Ordinance abandoning and vacating utility easements totaling 4,000.05 square feet out of Flour Bluff Center, Block 6, Lots 1, 2, 3, 4, 5, 6, 7, 8, 38, 39, and 40, located at 9825 and 9841 South Padre Island Drive; conditioned on the dedication of a replacement easement.

Sponsors: Development Services

Consent - Contracts and Procurement

21. [22-1896](#) Motion authorizing the purchase of six additional self-contained breathing apparatus air-paks and cylinders from HEAT Safety Equipment LLC., of Von Ormy, Texas, through the HGACBuy Cooperative, for \$54,563.30 to be utilized by the Fire Department, with FY 2023 funding from the General Fund. (Requires 2/3 Vote)

Sponsors: Fire Department and Finance & Procurement

22. [22-2105](#) Resolution authorizing a five-year license agreement with Infor US, Inc., of New York, New York, for a Workforce Management ("WM") software module for time management to assist Human Resources and Payroll in improving employee timekeeping, automating workflows, and shortening the time to process payroll for a total amount of \$1,039,996.16 and authorizing an agreement with The Arcanum Group, Inc., of Aurora, Colorado, for implementation of the WM module for \$562,552.00, with FY 2023 funding of \$758,877.00 from the Information Technology Fund. (Requires 2/3 Vote)

Sponsors: Information Technology Services and Finance & Procurement

Consent - Capital Projects

23. [22-1247](#) Motion awarding a construction contract to Mako Contracting, Corpus Christi, TX, for the Salinas Park Connectivity project, located in Council District 3, in an amount of \$302,156.10 with FY 2023 funding available from the Park CIP Fund. (Requires 2/3 Vote)

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

General Consent Items

24. [22-2096](#) Resolution Approving the Calendar Year 2023 Annual Audit Plan to be implemented by the City Auditor's Office.

Sponsors: City Auditor

25. [23-0028](#) Resolution authorizing a developer participation agreement with MPM Development, LP to reimburse developer up to \$192,253.75 for the City's share of the cost to construct Lady Alexa Drive (formerly Iron Throne Drive). (Requires 2/3 Vote)

Sponsors: Development Services

26. [23-0021](#) Resolution authorizing a Substantial Amendment to the City of Corpus Christi's FY2020/PY2019 Consolidated Annual Action Plan for U.S. Department of Housing and Urban Development funds reducing the

Emergency Solutions Grant COVID allocation from \$2,667,276 by \$533,147.46 to \$2,134,128.54; allocating \$1,144,611.54 to The Salvation Army for construction of temporary housing; authorizing the execution of all necessary documents to submit the Substantial Amendment; and further authorizing the execution of all documents necessary to implement the Substantial Amendment.

Sponsors: Neighborhood Services

27. [22-2071](#) Resolution approving the Program for Public Information, a community outreach campaign to help residents plan for and protect themselves from flooding and other disasters, as part of the City's participation in the Community Rating System Program (CRS).

Sponsors: Public Works/Street Department

28. [22-2025](#) Motion authorizing six Corpus Christi B Corporation Small Business Assistance Agreements with the following entities for one year: one with Service Corps of Retired Executives (SCORE), one with Texas A&M University-Corpus Christi, and four with Del Mar College for a total amount not to exceed \$675,000 to support small businesses within the City of Corpus Christi. (Requires 2/3 Vote)

Sponsors: Finance & Procurement

29. [22-2054](#) Resolution authorizing execution of an Interlocal cooperation agreement with the Corpus Christi Downtown Management District for dockless vehicle cleanup services in the annual amount not to exceed \$41,250.00, with funding available in the Dockless Vehicle Fund. (Requires 2/3 Vote)

Sponsors: Finance & Procurement

Consent - First Reading Ordinances

30. [22-2079](#) Ordinance accepting two Federal Emergency Management Agency (FEMA) - Public Assistance (PA) reimbursement grants in the amount of \$276,171.44 (Category B - emergency measures and Category Z - management costs) including local match of \$26,302.04 from the Texas Division of Emergency Management (TDEM). (Requires 2/3 Vote)

Sponsors: Finance & Procurement

31. [22-2030](#) Ordinance authorizing a 30-year ground lease, with two five-year options to extend, with Corpus Christi Renewables, LLC, for the development, management, operation, and sale of processed landfill gas at the Cefe Valenzuela Landfill in exchange for a monthly royalty payment; and providing for publication. (28-day delay required between readings) (Requires 2/3 Vote)

Sponsors: Solid Waste Operations and Finance & Procurement

J. RECESS FOR LUNCH

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

K. RECESS TO CORPORATION MEETING: (ITEM 32)

- 32. [23-0030](#)** North Padre Island Development Corporation Special Meeting

Sponsors: Finance & Procurement

L. RECONVENE CITY COUNCIL MEETING:

M. INDIVIDUAL CONSIDERATION ITEMS: (ITEMS 33 - 40)

- 33. [23-0031](#)** Resolution authorizing termination of the Tri-Party Agreement between the City of Corpus Christi, the Corpus Christi Tax Increment Reinvestment Zone No. 2, and the North Padre Island Development Corporation; and authorizing dissolution of the North Padre Island Development Corporation.

Sponsors: Finance & Procurement

- 34. [22-2050](#)** Resolution relating to City of Corpus Christi's intention to reimburse itself from future issuances of Utility System Revenue bonds in an amount not to exceed \$270,000,000 for Utility System expenditures budgeted in the Fiscal Year 2022-2023 Capital Improvement Plan but incurred before the issuance of the bonds.

Sponsors: Finance & Procurement

- 35. [22-2051](#)** Resolution relating to City of Corpus Christi's intention to reimburse itself from future issuances of General Obligation bonds in an amount not to exceed \$125,000,000 for expenses related to projects included in the voter approved 2022 Bond Election incurred before the issuance of the bonds.

Sponsors: Finance & Procurement

- 36. [22-2097](#)** Resolution relating to City of Corpus Christi's intention to reimburse itself from future issuances of Certificates of Obligation in an amount not to exceed \$53,800,000 for expenses budgeted in the Fiscal Year 2022-2023 Capital Improvement Plan (CIP).

Sponsors: Finance & Procurement

- 37. [22-1423](#)** One-Reading Ordinance authorizing a construction contract to Fulton Coastcon General Contractors of Corpus Christi, Texas, for the construction of the Police Training Academy in an amount of \$21,154,706.00 and authorize a professional services contract amendment No. 3 to Turner Ramirez & Associates, Inc., Corpus Christi, Texas, to provide construction phase services in an amount of \$93,953.00 for a for a total restated fee not to exceed \$1,199,553.00, located in Council District 5, amending the Capital Budget \$3,763,536.00 with FY 2023 funding available from Certificates of Obligation and General Fund. (Requires 2/3 Vote)

Sponsors: Engineering Services, Asset Management Department and Contracts and

Procurement

38. [22-1997](#) Ordinance authorizing the Second Amended and Restated Addendum No. 1 to Lease Agreement with Foresight Corpus Christi Golf, L.L.C. a Texas Limited Liability Company, which provides for \$412,000.00 from the Golf Fund and \$1,160,000 from the anticipated Certificates of Obligation for increased construction costs for improvements to the Lozano Golf Center Executive Nine Hole Course and practice range; appropriating \$412,000 from the Golf Fund; and amending the operating and capital budgets. (Requires 2/3 Vote)

Sponsors: Parks and Recreation Department

39. [23-0044](#) One-Reading Ordinance authorizing execution of all documents necessary to acquire approximately 12.4 acres of real property and 11.3 acres of easements from Flint Hills Resources Corpus Christi, LLC, and related entities across property owned by said company and related entities at or near Nueces Bay Boulevard and Broadway Street, extending into the Corpus Christi Industrial Canal, for public use as water supply projects, including approval of development agreements in a total amount of up to \$5,455,000 previously approved by City Council; declaring a public necessity; providing for the City of Corpus Christi to authorize the use of the power of eminent domain to acquire the aforementioned areas for water supply projects; the consideration of the use of eminent domain to condemn property by a single record vote for all units of property to be acquired herein; and delegating authority to initiate condemnation proceedings and execute related documents to the City Manager. (Requires 2/3 Vote)

Sponsors: Corpus Christi Water

40. [23-0042](#) One-Reading Ordinance authorizing execution of all documents necessary to acquire an underground utility easement from Union Pacific Railroad near Broadway Street and Palm Drive; declaring a public use and necessity; and authorizing the City Manager to institute condemnation by eminent domain proceedings to acquire an underground utility easement for water supply projects across railroad right-of-way near Broadway Street and Palm Drive in a manner that does not interfere with transportation by rail carriers or operation of railroad tracks or railroad facilities. (Requires 2/3 Vote)

Sponsors: Corpus Christi Water

N. PUBLIC HEARINGS: (ITEMS 41 - 43)

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

41. [22-2053](#) One-reading ordinance annexing sections of County Road (CR) 43 and CR 18 located south of Farm to Market Road (FM) 2444 and being approximately 9.78 acres, annexing approximately 37.44 acres of land per

owner petition, and annexing a section of FM 2444 from CR 41 to County Road 47 into the territorial limits of the City of Corpus Christi; and approving related service plans. (Requires 2/3 Vote)

Sponsors: Planning Department

42. [22-2095](#) Ordinance adopting a new Westside Area Development Plan, an element of the Plan CC Comprehensive Plan; rescinding the former Westside Area Development Plan adopted by ordinance #22166; and amending the Plan CC Comprehensive Plan.

Sponsors: Planning Department

43. [23-0005](#) Ordinance authorizing a Water Arterial Transmission Grid Main Construction Reimbursement Agreement ("Agreement") up to \$471,488.10 with Cypress Point Capital, LLC ("Developer") to construct a required water arterial transmission grid main line for the proposed residential development located South of Farm Road 2444 on County Road 43, otherwise known as Caroline's Heights Unit 1; and authorizing future transfer and appropriation of Water and Wastewater Trust Fund revenue up to \$471,488.10 to reimburse the developer in accordance with the agreement. (Requires 2/3 Vote)

Sponsors: Development Services

O. CANVASSING ELECTION: (ITEM 44)

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

44. [23-0029](#) One-Reading Ordinance canvassing returns and declaring the results of the Runoff Election held on December 13, 2022 in the City of Corpus Christi for the purpose of electing the Council Members for Districts One, Two, and Three.

Sponsors: City Secretary's Office

P. BRIEFINGS: (ITEMS 45 - 47)

Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. No 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.

45. [23-0025](#) Quarterly briefing update to City Council on operations at the American Bank Center

Sponsors: City Manager's Office

46. [23-0055](#) Coastal Bend Council of Governments Meeting Update

Sponsors: Communications & Intergovernmental Affairs

47. [23-0058](#) Metropolitan Planning Organization Meeting Update

Sponsors: Planning Department

Q. EXECUTIVE SESSION: (ITEM 48)

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.

- 48. [23-0015](#) 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 the purchase, exchange, lease, or value of real property rights for desalination and water treatment, transmission, and storage facilities, including areas at or near the (1) the Inner Harbor Ship Channel Seawater Desalination Site at or in the vicinity of Nueces Bay Blvd, Summers St., Palm Dr., John St., and Broadway Street, Nueces Bay Heights Subdivision, Sunset Place Subdivision, and the Industrial Canal and (2) the La Quinta Channel Seawater Desalination Site involving various properties between Highway 361 and the La Quinta Ship Channel and areas in and adjacent to said locations, (3) other water rights and contracts for the purchase of water including, but not limited to, water related permits on or near the Colorado River, Waldron Road, Laguna Madre, Oso Bay, and/or the Mary Rhodes Pipeline, (4) applications for water rights permits, discharge permits, and other permits from the Texas Commission of Environmental Quality and/or the U.S. Army Corps of Engineers, and (5) potential use of eminent domain proceedings to effectuate the aforementioned acquisitions and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property (water) rights at or in the vicinity of the aforementioned locations) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

R. ADJOURNMENT