



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, January 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 Deacon Mark Arnold, Diocese of Corpus Christi.
- C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Nina Nixon-Mendez, Assistant Director of Administration, Development Services.
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.
- E. Proclamations / Commendations
 - 1. [20-0065](#) Proclamation declaring January 22, 2020, "Aurora Arts Theatre Day".
Proclamation declaring January 6 - March 1, 2020, "It's Time Texas Community Health Challenge".
Commendations for Arlington Heights Christian High School Six-Man Football Team.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.
- F. Presentation from CCAD - Your Depot, Our Mission, Its Impact by Colonel Gail E. Atkins, Commander Corpus Christi Army Depot
- G. 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.
- H. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

a. OTHER**I. MINUTES:**

2. **20-0121** Regular Meeting of January 14, 2020

J. BOARD & COMMITTEE APPOINTMENTS: (NONE)**K. 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 or a vote at the last regular, or a subsequent special meeting; such agendas are incorporated herein for reconsideration and action on any reconsidered item.

L. CONSENT AGENDA: (ITEMS 3 - 24)

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.

Second Reading Ordinances - Consent

3. [19-1760](#) Zoning Case No. 1019-07, AGCE Corp. (District 1). Ordinance rezoning property at or near 3001 Morgan Avenue from the "IL/H" Light Industrial District with the Historic Overlay to the "IL" Light Industrial District. Landmark Commission, Planning Commission, and Staff recommend Denial. (3/4 vote required to overrule the Planning Commission's recommendation)
Sponsors: Development Services
4. [19-1763](#) Zoning Case No. 1119-04, Virgil and Carolyn Greene (District 4). Ordinance rezoning property at or near 3846 and 3850 Herring Drive from the "R-MH" Manufactured Home District to the "RS-6" Single-Family 6 District. Planning Commission and Staff recommend Approval.
Sponsors: Development Services
5. [19-1764](#) Zoning Case No. 1119-05, Corpus Christi Housing Authority (District 1). Ordinance rezoning property at or near 2427 Francis Street from the "RS-6" Single-Family 6 District to the "RS-TF" Two Family District. Planning Commission and Staff recommend Approval.

Sponsors: Development Services

6. [20-0014](#) Ordinance adopting the East London Area Wastewater Master Plan, an element of the Comprehensive Plan, to provide wastewater service to land located between the Oso Creek and SH 286 and between FM 43 and FM 2444; amending related elements of the Comprehensive Plan; and providing for publication. (Recently annexed; Contiguous to Council District 5)

Sponsors: Planning & Environmental Services

7. [20-0063](#) Ordinance amending Chapter 53 of the City Code to amend section 53-187 allowing the City Manager, Chief of Police or their designee(s) to issue parking placards to exempt executive city officials from paying parking fees for city owned, paid parking spaces while conducting official city business.

Sponsors: City Manager's Office

8. [19-1519](#) Ordinance approving a service agreement for repairs to the Airport storage building with Vertex Roofing, LLC of Corpus Christi, Texas, for an amount not to exceed \$84,652.00; appropriating \$45,016.99 from the Unreserved Fund Balance in the Airport Fund; and amending the operating budget.

Sponsors: Asset Management Department, Aviation Department and Contracts and Procurement

9. [20-0004](#) Ordinance accepting a \$50,000 grant from the Ed Rachal Foundation to fund overtime for increased police presence in a neighborhood near Crosstown Expressway and Agnes Street in Council District 1; and appropriating \$50,000 in the Police Grants Fund.

Sponsors: Police Department

10. [19-1808](#) Ordinance approving an affordable housing agreement with FishPond Living at Corpus Christi, LP located at 1002 Sixth Street in an amount not to exceed \$500,000.00 to provide affordable housing to residents of the existing Sea Gulf Villa in downtown Corpus Christi with a development deadline of two-years following the effective date of the agreement (approximately December 2021); appropriating \$500,000.00 from the unreserved fund balance in the Business/Job Development Fund; and amending the budget.

Sponsors: Business Liaison

Contract and Procurement - Consent

11. [19-1745](#) Motion authorizing the lease-purchase of one John Deere excavator, as an addition to the fleet for the Utilities Department to be used for construction work and emergency repairs of stormwater infrastructure throughout the City, to be purchased from Doggett Heavy Machinery Services, LLC of Corpus Christi, Texas, for a total amount of \$467,223.62 through the

BuyBoard Cooperative, effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$62,296.48 available through the Stormwater Fund.

Sponsors: Utilities Department and Contracts and Procurement

12. [19-1795](#) Motion authorizing the lease-purchase of two 2021 M2-112 TRA Freightliner crew trucks with service bodies, as additions to the fleet for the Water Division of the Utilities Department to be used to haul heavy equipment to jobsites throughout the City, to be purchased from Houston Freightliner, Inc., of Houston, Texas, for a total amount of \$318,696.51 through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative, effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$42,492.87 available through the Water Fund.
- Sponsors:** Utilities Department and Contracts and Procurement
13. [19-1799](#) Motion authorizing the lease-purchase of three 2021 M2-112 TRA Freightliner crew trucks with service bodies, as additions to the fleet for the Wastewater Division of the Utilities Department to be used to haul heavy equipment to jobsites throughout the City, to be purchased from Houston Freightliner, Inc., of Houston, Texas, for a total amount of \$480,643.29 through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative, effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$64,085.77 available through the Wastewater Fund.
- Sponsors:** Utilities Department and Contracts and Procurement
14. [19-1750](#) Motion authorizing a purchase of two Toro 16' wide mowers from Professional Turf Products LP of Selma, Texas, for a total amount of \$195,157.92 through the BuyBoard Cooperative, to be used by the Parks and Recreation Department for mowing City parks, effective upon issuance of letter of acceptance with funding available through the FY 2020 General Fund.
- Sponsors:** Parks and Recreation Department and Contracts and Procurement
15. [19-1752](#) Motion authorizing a purchase of three Ford F250 pickup trucks from Silsbee Ford, Inc. of Silsbee, Texas, for a total amount of \$106,638.48 through the GoodBuy Purchasing Cooperative to be used by the Parks and Recreation Department for construction and irrigation projects as an addition to the fleet, effective upon issuance of letter of acceptance with funding available through the FY 2020 General Fund.
- Sponsors:** Parks and Recreation Department and Contracts and Procurement
16. [19-1753](#) Motion authorizing the lease-purchase of one Western Star winch truck, as a replacement unit for Gas Operations to be used to load heavy equipment onto trucks and/or trailers dispatched to job sites throughout the City, to be purchased from Grande Truck Center of San Antonio, Texas, for a total amount of \$175,051.93 through the BuyBoard Purchasing Cooperative,

effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$23,340.26 available through the Gas Fund.

Sponsors: Gas Department and Contracts and Procurement

17. [19-1747](#) Motion authorizing the lease-purchase of one 2019 Atlas Copco XA(V)S 650 JD8 T4F portable air compressor, as an addition to the fleet for Gas Operations to be used as the final step to test the City's high-pressure gas mains for leaks before they are put into service, to be purchased from ROMCO Equipment Co. of Corpus Christi, Texas, for a total amount of \$139,583.89 through the NJPA-Sourcewell Purchasing Cooperative, effective upon issuance of letter of acceptance, with FY2020 funding in an estimated amount of \$18,477.84 available through the Gas Funds.

Sponsors: Gas Department and Contracts and Procurement

18. [19-1617](#) Motion authorizing a two-year supply agreement with Gajeske, Inc. of Corpus Christi, Texas, in an amount not to exceed \$1,234,287.92 for the purchase of gas line pipe for the City Warehouse as a central distribution for Gas Operations, effective upon issuance of notice to proceed, with funding in the amount of \$411,429.31 available in the FY 2020 Stores Fund.

Sponsors: Contracts and Procurement

19. [19-1779](#) Motion authorizing a two-year supply agreement with Gajeske Inc. of Corpus Christi, Texas, in an amount not to exceed \$443,618.22 for the purchase of polyethylene pipe for the City Warehouse as a central distribution for Gas Operations, effective upon issuance of notice to proceed, with funding in the amount of \$147,872.74 available in the FY 2020 Stores Fund.

Sponsors: Contracts and Procurement

20. [19-1794](#) Motion authorizing a purchase of three Ford Interceptor sport utility vehicles (SUV) from Silsbee Ford, Inc. of Silsbee, Texas, as replacements to the fleet, for a total amount of \$109,868.25 through the GoodBuy Purchasing Cooperative to be used by City Marshals to conduct Municipal Court business, effective upon issuance of letter of acceptance with funding available through the FY 2020 Fleet Maintenance Service Fund.

Sponsors: Municipal Court Administration, Asset Management Department and Contracts and Procurement

21. [19-1804](#) Motion authorizing a three-year service agreement with Coastline Refrigeration and Service, LLC of Corpus Christi, TX for a total amount not to exceed \$2,013,940.00 for Heating, Ventilation and Air Conditioning (HVAC) preventative maintenance and repairs to 28 City facilities, effective upon issuance of notice to proceed, with funding in the amount of \$447,542.22 available through the FY 2020 Facility and Property Management Fund.

Sponsors: Asset Management Department and Contracts and Procurement

22. [20-0002](#) Motion authorizing an amendment to Service Agreement with Siddons-Martin Emergency Group, LLC of Katy, Texas for a total amount not to exceed \$150,000.00, increasing the service agreement value to \$750,000.00 for purchase of parts and services for Fire Department, with fiscal year 2020 funding available in the General Fund.
Sponsors: Fire Department and Contracts and Procurement
23. [20-0142](#) Motion awarding Master Service Agreement (MSA) to Hanson Professional Services in an initial amount not to exceed \$150,000 with two optional renewals to provide professional services for roofing upgrades/replacement and building envelope improvements for Public Safety, Fire, and Health Departments, effective upon issuance of notice to proceed with current funding available from Bond 2018 Propositions E and F.
Sponsors: Engineering Services, Asset Management Department and Contracts and Procurement

General Consent Items

24. [19-1612](#) Resolution authorizing the execution of a Mutual Aid Agreement with the Corpus Christi Fire Department and the Coastal Plains Local Emergency Planning Committee that includes 14 municipalities in Aransas, Refugio, and San Patricio counties for the provision of firefighting assistance.
Sponsors: Fire Department

M. RECESS FOR LUNCH

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

N. PUBLIC HEARINGS: (ITEMS 25 - 27)

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

25. [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
26. [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
27. [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

O. REGULAR AGENDA:

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

P. FIRST READING ORDINANCES: (ITEMS 28 - 34)

28. [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

29. [19-1542](#) Ordinance appropriating (a) \$148,509.14 to Airport CIP Funds for City's match for future FAA Grant Projects; (b) \$3,119,110.54 to Bond Proceeds for Public Health and Safety, Public Facilities, Parks and Recreation, and Street bond projects; (c) \$3,312,230.28 to Utility Revenue Bond Funds for Utility projects (d) \$359,757.13 to Specialty Bond Funds for approved specialty projects; and (e) \$955,002.37 in other CIP funds for repairs of city streets and other street expenses and water development projects; changing the FY 2020 Capital Improvement Budget adopted by Ordinance No. 031870 to increase expenditures accordingly.

Sponsors: Office of Management and Budget

30. [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

31. [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: Street Department, Engineering Services and Contracts and Procurement

32. [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

33. [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

34. [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

Q. BRIEFINGS:

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.

R. EXECUTIVE SESSION: (ITEMS 35 - 38)

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.

35. [20-0066](#) **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 a proposed action determining public necessity and authorizing acquisition of real property

adjacent to La Volla Creek and for the La Volla Creek Drainage and Box Culvert Project and the La Volla Creek Detention Pond Project, and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, lease, and/or value of real property interests adjacent to La Volla Creek and for the La Volla Creek Drainage and Box Culvert Project and the La Volla Creek Detention Pond Project when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with third person(s).

36. [20-0155](#) **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 sanitary sewer overflows and the City's sanitary sewer system, water system, and/or drainage system, dissolved oxygen standards for Oso Bay, Texas Commission on Environmental Quality wastewater discharge permits, backflow protection matters, state and federal regulatory matters and potential litigation related to the City's water distribution system, and/or potential future litigation involving the U.S. Environmental Protection Agency, State of Texas, and/or U.S. Department of Justice and the potential approval of attorney's fees, expert fees, and expenses for negotiations and/or litigation with the aforesaid entities.
37. [20-0165](#) **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 potential acquisition of property on/near Greenwood Dr., and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, lease, and/or value of real property interests when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with third person(s).
38. [20-0166](#) **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 state regulatory issues and other legal matters related to potential desalination plant(s) and permits related to said plant(s) and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential lease, and/or value of real property interests for desalination plant(s) and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).

S. 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.

T. 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.