City of Corpus Christi

Meeting Agenda - Final-revised

City Council

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

POSTED
3:30pm
DEC 06 2019 AB
Rebecca Huerta
City Secretary

Tuesday, December 10, 2019 **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 Pastor Rob Bailey, Southside Community Church.**

C. **Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Alan Carlos, Assistant Director of Information Technology.**

D. **City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**

E. **Proclamations / Commendations**

F. **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.**

G. **CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**

a. **OTHER**

H. **MINUTES:**

1. 19-1720 Regular Meeting of November 19, 2019 and Joint Workshop Session of December 3, 2019.

I. **BOARD & COMMITTEE APPOINTMENTS:**

2. 19-1640 Corpus Christi Regional Economic Development Corporation (1 Vacancy)
Electrical Advisory Board (5 vacancies)
Landmark Commission (2 vacancies)

North Padre Island Development Corporation (5 vacancies)
Port of Corpus Christi Authority of Nueces County (1 vacancy)
Reinvestment Zone No. 4 (1 vacancy)

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 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.

3. 19-1673 One-reading ordinance approving a seawall improvement project for the demolition of K-Pier at the Corpus Christi Municipal Marina in an amount up to $175,000.00; appropriating $175,000 from the Seawall Improvement Fund; transferring funds in the amount of $175,000.00 from the Seawall Improvement Fund to the Capital Improvement Program Fund; amending the operating and capital budgets; and declaring an emergency.

Sponsors: Municipal Marina

4. 19-1431 Ordinance authorizing a 20-year Lease Agreement with Art Community Center of Corpus Christi, Inc. a Texas nonprofit corporation, for continued use and operation of the Art Community Center at no charge, located at 100 N. Shoreline Blvd. for use by local and visiting artists, to provide meeting rooms, art exhibits, an information center, a gift shop, a restaurant, display areas for the arts, and art classes.

Sponsors: Parks and Recreation Department

5. 19-1610 Ordinance approving amendment to the Tax Increment Reinvestment Zone #2 Amended Project & Financing Plans approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas, regarding approval of additional funds up to $2,884,815.66 for the Park Road 22 Bridge Project.

Sponsors: Business Liaison

6. 19-1609 Ordinance appropriating additional funds in the amount of $2,884,815.66 from the Reinvestment Zone No. 2 Fund 1111 for construction of the Park

Road 22 Bridge; transferring funds in the amount of $6,884,815.66 from the Reinvestment Zone No. 2 Fund 1111 to the Capital Improvement Program Fund for the project; and amending the operating and capital budgets.

Sponsors: Business Liaison

7. 19-1530 Ordinance annexing into the territorial limits of the City of Corpus Christi approximately 281 acres of land located in the area west of the Oso Creek and southeast of Farm-to-Market 43 and County Road 43.

Sponsors: Planning & Environmental Services

8. 19-1476 Ordinance annexing approximately 446.4 acres of land into the territorial limits of the City of Corpus Christi; and rezoning said annexed property at or near 1442 Farm-to-Market (FM) 43 from "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District (Tract 1) and "CN-1" Neighborhood Commercial District (Tract 2) per Zoning Case No. 1019-08. Staff recommends approval. Planning Commission recommends denial of the zoning; therefore, a 3/4 vote is required on zoning.

Sponsors: Planning & Environmental Services and Development Services

9. 19-1493 Zoning Case No. 0819-02, Fish Pond Development, LLC. (District 1). Ordinance rezoning property at or near 1000 Sixth Street from the "RM-3" Multifamily 3 District and "ON" Neighborhood Office District to the "RM-3/PUD" Multifamily 3 District with a Planned Unit Development. Planning Commission and Staff recommend approval.

Sponsors: Development Services

10. 19-1494 Zoning Case No. 0819-03, SuperElite, LLC. (District 4). Ordinance amending the development guidelines of a Planned Unit Development (PUD) at or near 14836 Granada Drive currently zoned "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

11. 19-1495 Zoning Case No. 0819-01, MPM Development, LP. (District 5). Ordinance rezoning property at or near 6810 Bison Drive from the "RS-4.5" Single-Family 4.5 District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development. Planning Commission and Staff recommend approval.

Sponsors: Development Services

12. 19-1608 Ordinance providing for prior and current service annuities under the act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Corpus Christi; and establishing an effective date for the ordinance.

Sponsors: Human Resources

13. 19-1541 Ordinance consenting to and ratifying an assignment of the On-Airport Rental Car Concession and Lease Agreement ("Agreement") from Coastal Bend Rent-A-Car, Inc. (dba Avis Rent A Car), and South Texas Auto Rental Services, LLC (dba Budget Rent A Car), to Avis Budget Car Rental, LLC.

Sponsors: Aviation Department

14. 19-1569 Motion authorizing a five-year supply agreement with Miller Veterinary Supply Co., Inc. of Fort Worth, Texas, in an amount not to exceed $584,511.00 for animal food and supplies, effective upon issuance of notice to proceed, with funding in the amount of $87,676.65 available through the FY 2020 Animal Control Services' budget in the General Fund.

Sponsors: Police Department and Contracts and Procurement

15. 19-1568 Motion authorizing a five-year service agreement with ESO Solutions, Inc., of Austin, Texas, in an amount not to exceed $104,920.00, for a records management system for the Fire Department, effective upon issuance of a notice to proceed, with first-year funding in the amount of $20,984.00 available in the FY 2020 Fire Department General Fund.

Sponsors: Fire Department, Information Technology Services and Contracts and Procurement

16. 19-1543 Motion authorizing a five-year license agreement with Everbridge, Inc., of Pasadena, California, in an amount not to exceed $395,232.00, for the Reverse Alert mass notification system for the Emergency Operations Center (EOC), effective upon issuance of a notice to proceed, with first-year funding in the amount of $81,632.00 available in the FY2020 Local Emergency Planning Committee (LEPC) fund.

Sponsors: Fire Department and Contracts and Procurement

17. 19-1157 Resolution authorizing a five-year supply agreement with Doggett Heavy Machinery Services, LLC of Corpus Christi, Texas in an amount not to exceed $937,500.00 for the purchase of John Deere construction equipment parts for Asset Management, effective upon issuance of notice to proceed, with FY 2020 funding in an estimated amount of $156,250.00 available through the Fleet Maintenance Service Fund.

Sponsors: Asset Management Department and Contracts and Procurement

18. 19-1484 Motion awarding a contract to Associated Construction Partners, Ltd. of Boerne, Texas in the amount of $3,118,590 to upgrade the headworks and odor control systems for the Greenwood Wastewater Treatment Plant Headworks and Grit Removal Rehabilitation Project located in Council District 3, effective upon notice to proceed with funding available through FY 2020 Wastewater Capital Reserves Fund.

Sponsors: Water Utilities Department and Engineering Services

19. 19-1520 Motion authorizing a three-year license agreement with Routeware, Inc., of Portland, Oregon for the amount not to exceed $673,968.62 for the

purchase and support of routing software for the Solid Waste Operations, effective upon issuance of a notice to proceed, with FY 2020 funding in the amount of $315,948.00 available through the General Fund.

Sponsors: Information Technology Services, Solid Waste Operations and Contracts and Procurement

20. 19-1532 Motion authorizing a purchase of two John Deere 17G mini excavators from Doggett Heavy Machinery Services, LLC of Corpus Christi, Texas, for a total amount of $79,236.00, as additions to the fleet, to be used daily by Gas Operations to dig trenches for the installation or repair of gas lines, effective upon issuance of letter of acceptance with funding available through the FY 2020 Gas Operations Fund.

Sponsors: Gas Department and Contracts and Procurement

21. 19-1533 Motion authorizing a purchase of one 2019 624L John Deere wheel loader from Doggett Heavy Machinery Services, LLC of Corpus Christi, Texas in an amount not to exceed $205,144.00, to be used by Street Operations as an addition to the fleet, effective upon issuance of letter of acceptance, with funding available in the Streets Fund.

Sponsors: Street Department and Contracts and Procurement

22. 19-1626 Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed 4% Housing Tax Credit affordable housing project known as FishPond at Corpus Christi at 1006 6th Street, Corpus Christi, Texas to be developed by FishPond Living at Corpus Christi, LP.

Sponsors: Housing and Community Development

23. 19-1647 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 $110,000,000 for Utility System expenditures budgeted in the Fiscal Year 2019-2020 Capital Improvement Plan but incurred before the issuance of the bonds.

Sponsors: Finance & Business Analysis

24. 19-1703 Motion approving Amendment No. 2 to a Contract with J. Schwarz & Associates, Inc. to provide engineering design and development of Delivery Orders for Fiscal Year 2020 Citywide Street Preventative Maintenance Program (SPMP) in the amount of $423,250 for a restated fee not to exceed $1,297,500, work will be city-wide and begin upon issuance of notice to proceed with funding available in the Street Operation Budget.

Sponsors: Street Department and Engineering Services

L. **RECESS TO CORPORATION MEETING: (ITEM 25)**

25. 19-1630 Meeting of the North Padre Island Development Corporation

Sponsors: Business Liaison

M. **RECONVENE COUNCIL MEETING:**

N. **RECESS FOR LUNCH**

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

O. **PUBLIC HEARINGS: (ITEMS 26 - 28)**

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

26. 19-1490 Zoning Case No. 1019-05, Southside Ventures III, LP. (District 5). Ordinance rezoning property at or near 7564 Brooke Road from the "RS-TH" Townhouse District to the "RS-4.5" Single-Family 4.5 District. Planning Commission and Staff recommend Approval.

Sponsors: Development Services

27. 19-1491 Zoning Case No. 1019-02, DMPI Beach Investments (District 4). Ordinance rezoning property at or near 14901 Granada Drive from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and Planned Unit Development. Planning Commission and Staff recommend Approval.

Sponsors: Development Services

28. 19-1492 Zoning Case No. 0819-05, Tammy Johnson (District 4). Ordinance rezoning property at or near 3837 Herring Drive from the "RMH" Manufactured Home District to the "RS-6" Single-Family 6 District. Planning Commission and Staff recommend Approval.

Sponsors: Development Services

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

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

Q. **FIRST READING ORDINANCES: (ITEMS 29 -36)**

29. 19-1618 Ordinance accepting grant funds from the Coastal Bend Wellness Foundation in the amount of $22,892.91 for the Red Cord Initiative Diversion Program; and appropriating $22,892.91 in the FY 2020 Police General Fund.

Sponsors: Police Department

30. 19-1675 Ordinance eliminating, revising, modifying, and merging advisory boards and committees as a result of a thorough review.

Sponsors: City Secretary's Office and Strategic Planning & Innovation

31. 19-1500 Ordinance approving the sale of lot of approximately 0.1431 acres at 7101 Edgebrook Drive for the highest cash offer received by real estate broker

of $18,000 to James Magill.

Sponsors: Legal Department

32. 19-1513 Ordinance approving the sale of City's partial interest in the lot of approximately 0.1993 acres at or near 926 St. Bernard, Corpus Christi, Texas for $7,500.00 to Strategic Investment Solutions, LLC.

Sponsors: Gas Department

33. 19-1349 Ordinance approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide grant up to $133,000 for their Contractor Resource Center (CRC) program to assist small businesses bid for existing and upcoming large industrial opportunities; appropriating $133,000 from the unreserved fund balance in the Business/Job Development Fund; and amending the budget.

Sponsors: Economic Development

34. 19-1619 Ordinance closing, abandoning, and vacating a 25-foot wide by approximately 993.17-foot long (24,136 sq. ft.) utility easement in Callicoatte Estates Unit 5 located at 3802 Callicoatte Road. (District 1).

Sponsors: Development Services

35. 19-1638 Ordinance authorizing an amendment to the Depository Services Agreement with Frost Bank to modify a collateral requirement and to extend the term of the contract for the final one-year extension commencing January 1, 2020 and ending December 31, 2020.

Sponsors: Finance & Business Analysis

36. 19-1691 Ordinance amending the FY 2020 City of Corpus Christi Capital Budget to appropriate $350,000 from the unreserved fund balance in Seawall Improvements; transferring and appropriating said funds into Seawall CIP Fund; adding the Bayshore Park Improvement Project to the Capital Improvement Program; and authorizing a change order to Fulton-Coastcon, Inc. of Corpus Christi, Texas to restore the Bayshore Park Playground Area (Water's Edge Park in Council District 1) for a total amount not to exceed $234,745.

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

R. BRIEFINGS: (ITEMS 37 - 38)

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.

37. 19-1719 ~~City of Corpus Christi Port Authority Appointees Quarterly Update to City Council on Port Matters~~

This item will be rescheduled for a later date.

38. 19-1601 Corpus Christi Seawater Desalination Siting and Permiting Project Quarterly Update

S. **ADDENDUM ITEMS: (ITEMS 39 - 40)**

39. 19-1732 Ordinance authorizing a navigable canal on North Beach

40. 19-1666 Ordinance awarding a contract to Bay, Ltd. for Ultra-Thin Bonded Wear Course in an amount not to exceed $20,000,000 and Overlays in an amount not to exceed $30,000,000 as part of the Street Preventative Maintenance Program located city-wide with work starting upon notice to proceed and funding available through Streets, Utilities with ADA improvement funds from Bond 2016 and 2018; and amending the budget to appropriate $5,000,000 in Street Preventative Maintenance Program Reserves.

Sponsors: Engineering Services, Street Department and Contracts and Procurement

T. **EXECUTIVE SESSION: (ITEM 41)**

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.

41. 19-1728 **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 ordinance authorizing a navigable canal on North Beach, a proposed term sheet related thereto, state and federal laws and regulations related to land development and structures on North Beach and permit requirements related thereto, existing/potential incentive agreement(s) for development(s) on North Beach with Blackard Global, Inc. or affiliates thereof and/or Tax Increment Reinvestment Zone #4, drainage matters related thereto, hotel occupancy funding restrictions related thereto, municipal funding restrictions related thereto, and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the potential

purchase, exchange, lease, and/or value of real property interests on North Beach owned or controlled by the City or other third parties when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City in North Beach and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).

U. 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.

V. 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.