



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final-revised

City Council

Tuesday, April 23, 2019

11:30 AM

Council Chambers

Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. 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 to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

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.

- A. Mayor Joe McComb to call the meeting to order.**
- B. Invocation to be given by Pastor Kevin Jennings, Mt. Olive Lutheran Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Mike Gillis, Animal Care Services Program Manager.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [19-0571](#) Proclamation declaring April 16, 2019, "TLC Complete Care Recognition Day".**
Proclamation declaring April 21-27, 2019, "Medical Laboratory Professionals Week".
Proclamation declaring April 21-27, 2019, "National Community Development Week".
Proclamation declaring April 28-May 4, 2019, "Maternal Mental Health Awareness Week" and May 1, 2019, "Maternal Mental Health Awareness

Day".

Proclamation declaring May 5-11, 2019, "National Children's Mental Health Awareness Week".

Commendation for John LaRue.

Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

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

a. UTILITY BILLING UPDATE

b. OTHER

G. MINUTES:

2. [19-0580](#) Regular Meeting of April 16, 2019 and Special Meeting of April 15, 2019.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [19-0569](#) Building Standards Board
Coastal Bend Council of Governments
Human Relations Commission
Parks and Recreation Advisory Committee
Water Resources Advisory Committee

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. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M.** A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. 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 Public Communications department at 361-826-3211 to coordinate. All items on this agenda are considered public hearings.

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

- 1. MAKE A STATEMENT OF FACTUAL INFORMATION.**
- 2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.**
- 3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.**

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

K. CONSENT AGENDA: (ITEMS 4 - 10)

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.

4. [19-0475](#) Payment for Cleaning of Sanitary Sewer Mains in the Downtown Area

Motion authorizing the City Manager, or designee, to ratify payment to Ace Pipe Cleaning, Inc., in the amount of \$194,768.75 for the cleaning of 8,044.9 linear feet of sanitary sewer mains in the downtown area (Broadway Basin).

Sponsors: Water Utilities Department

5. [19-0486](#) **Service Agreement for Information Technology Consulting Services**

Motion authorizing a professional service agreement for IT consulting services with Peter Collins of Corpus Christi, Texas for a not to exceed value of \$160,000.

Sponsors: City Manager and Contracts and Procurement

6. [19-0457](#) **Second Reading Ordinance - Amending the Wastewater Collection System Master Plan by relocating lift station 13 to the as-built location (1st Reading 9/16/19)**

Ordinance amending the Wastewater Collection System Master Plan, an element of the Comprehensive Plan of the City of Corpus Christi, Texas, by relocating Lift Station 13 to the as-built location and adjusting alignment/size of the collection lines as identified in the Wastewater Collection System Master Plan, Oso W.R.P. Service Area, Area 1, as identified in the Master Sanitary Sewer Plan for the Southern Portion of Corpus Christi, Texas 1983; amending related elements of the City's Comprehensive Plan; providing for severance; and providing for publication.

Sponsors: Water Utilities Department

7. [19-0493](#) **Second Reading Ordinance - Dedicating Wetland Preserve for Harbor Bridge Replacement Project (HBRP) (1st Reading 4/16/19)**

Ordinance declaring and dedicating 16.744 acres of land located on North Beach as a wetland preserve; authorizing execution of the deed restriction and actions necessary to maintain the protected property as a wetland preserve subject to the conditions of U.S. Army Corps of Engineers Permit and Final Mitigation Plan for the US 181 Harbor Bridge Replacement Project filed by Flatiron-Dragados, LLC.

Sponsors: Office of Public Works and Parks and Recreation Department

8. [19-0436](#) **Second Reading Ordinance - Accepting and appropriating State Grant for Law Enforcement Officer Standards and Education account for training and equipment (1st Reading 4/16/19)**

Ordinance accepting \$26,109.20 from State of Texas - Law Enforcement Officer Standards and Education Account; and appropriating \$26,109.20 in Police Grants Fund.

Sponsors: Police Department

9. [19-0487](#) **Second Reading Ordinance - Cession agreement to cede extraterritorial jurisdiction of certain areas to the City of Portland (1st Reading 4/16/19)**

Ordinance providing for the cession by the City of Corpus Christi to the City of Portland of all annexation rights and police powers over and in certain tracts of land, by mutual agreement; and providing for publication.

Sponsors: Planning and Environmental/Strategic Initiatives

10. [19-0553](#) **Second Reading Ordinance - Approving amendment to TIRZ #2 Project and Financing Plan (1st Reading 4/16/19)**

Ordinance approving the 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 the approval of funds up to \$4,000,000 for the Park Road 22 Bridge Project.

Sponsors: Business Liaison

L. **RECESS TO CORPORATION MEETING: (ITEM 11)**

11. [19-0488](#) **Special Meeting of the North Padre Island Development Corporation**

Sponsors: Business Liaison

M. **RECONVENE CITY COUNCIL MEETING**

N. **FUTURE AGENDA ITEMS: (ITEMS 12 - 16)**

The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.

12. [19-0587](#) **Resolution authorizing a Service Agreement for Autocale System Support for Solid Waste Operations**

Resolution authorizing a five-year service agreement for autoscale hardware and software maintenance support with Mettler Toledo, Inc., of Columbus, Ohio for a total amount not to exceed \$84,647.

Sponsors: Solid Waste Operations and Contracts and Procurement

13. [19-0505](#) **Purchase of Guns for the Police Department**

Motion authorizing the purchase of new guns and exchange of trade-ins for credit for the Corpus Christi Police Department from Proforce Law Enforcement, of Prescott, Arizona for a total amount not to exceed \$149,840.

Sponsors: Police Department and Contracts and Procurement

14. [19-0485](#) **Purchase of Police Utility Vehicles for the Police Department**

Motion authorizing the purchase of 23, 2020 Ford Police Interceptors from

Silsbee Ford Inc. of Silsbee, Texas and five 2019 Chevrolet Tahoe police pursuit vehicles from Lake Country Chevrolet of Jasper, Texas for a combined total amount not to exceed \$988,851.50 as per the following:

| | |
|-------------------|------------------------|
| Silsbee Ford Inc. | Lake Country Chevrolet |
| Silsbee, Texas | Jasper, Texas |
| \$805,691.00 | \$183,160.50 |

Sponsors: Police Department and Contracts and Procurement

15. [19-0501](#) **Resolution for Renewal of Property Insurance for City-Owned Property**

Resolution authorizing renewal of property insurance, including All Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown insurance, through Carlisle Insurance Agency, Broker of Record, for upcoming policy year (May 5, 2019 - May 5, 2020) in exchange for annual premium of \$2,194,681.15.

Sponsors: Legal Department

16. [19-0458](#) **Service Agreement for Mowing and Grounds Maintenance Services Of Street Rights-of-Way, Circles and Medians for Storm Water Group 1**

Motion authorizing a 42-month service agreement for mowing and grounds maintenance services of street rights-of-way, circles and medians for Storm Water Group 1 with CML Services, LLC of Corpus Christi, Texas for a total amount not to exceed \$309,721.28.

Sponsors: Parks and Recreation Department and Contracts and Procurement

O. **RECESS FOR LUNCH**

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

P. **PUBLIC HEARINGS: (ITEMS 17 - 18)**

17. [19-0573](#) **First Public Hearing - La Quinta Corridor Annexation**

Public hearing on a proposed annexation of up to 1,500 acres of land generally located along the north side of Corpus Christi Bay within San Patricio County. This annexation includes parcels of land located between the Cities of Portland and Gregory from US Highway 181 to Farm-to-Market 2986; and parcels of land located south of State Highway 35, east of US Highway 181, and west of La Quinta Road.

Sponsors: Planning and Environmental/Strategic Initiatives

18. [19-0582](#) **Second Public Hearing for the Annexation of 161.56 acres in the London Area**

Public hearing on a proposed annexation of land generally located on both sides of County Road 33 and to the north of FM 43.

Sponsors: Planning and Environmental/Strategic Initiatives

Q. REGULAR AGENDA: (ITEMS 19 - 20)

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

19. [19-0484](#) Second Reading Ordinance - Approving a Developer Agreement for Park Road 22 Bridge (1st Reading 4/16/19)

Ordinance appropriating \$4,000,000 from the TIRZ #2 fund for construction of the Park Road 22 Bridge; and approving a developer agreement with Diamond Beach Holdings, LLC and Padre Island Holdings, LLC, which certifies the availability of \$11,696,319.50 for the construction of the Park Road 22 Bridge and requires the award of the construction contract for the bridge after the third-party canal is completed.

Sponsors: Assistant City Manager and Engineering Services

20. [19-0530](#) Service Agreement for Body Worn Cameras for the Police Department

Motion authorizing a five-year service agreement for body worn cameras for the Police Department with Turn-Key Mobile, Inc., of Jefferson City, Missouri for a total amount not to exceed \$509,215.

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

R. FIRST READING ORDINANCES: (ITEMS 21 - 28)

21. [19-0455](#) First Reading Ordinance - Appropriating funds for "one-time" purchases for the Police Department

Ordinance appropriating \$74,920 from the Unreserved Fund Balance in the Crime Control District Fund for "one-time" expenditures and amending the FY2018-2019 Operating Budget adopted by Ordinance No. 031504 by increasing expenditures by \$74,920.

Sponsors: Police Department

22. [19-0510](#) First Reading Ordinance - Accepting and appropriating Homeland Security - Operation Stonegarden Grant funds within the Police Department

Ordinance accepting a grant in the amount of \$250,000 from the State of Texas Governor's Homeland Security Grants Division for funding eligible under FY2018 Department of Homeland Security Grant Program

Operation Stonegarden; and appropriating \$250,000 in Police Grants Fund.

Sponsors: Police Department

23. [19-0528](#) **First Reading Ordinance - Accepting and appropriating grant funds for the Click It or Ticket program within the Police Department**

Ordinance accepting \$17,987.36 from State of Texas, Department of Transportation for FY2019 Click It or Ticket program grant; and appropriating \$17,987.36 in Police Grants Fund.

Sponsors: Police Department

24. [19-0509](#) **First Reading Ordinance - Accepting and appropriating a Citgo donation for the Fire Department**

Ordinance authorizing the acceptance of a donation from Citgo in the amount of \$175,000 to be used to support the Corpus Christi Fire Department; and appropriating the funds into the Fire Grant Fund No. 1062.

Sponsors: Fire Department

25. [19-0476](#) **First Reading Ordinance - Contract with Naval Air Station Corpus Christi for Wastewater Line Repairs**

Ordinance authorizing contract with Naval Air Station Corpus Christi (NASCC) for \$232,411.38 and change order for \$40,769.24 for NASCC wastewater line repairs; and appropriating said payments upon receipt in the No. 4200 Wastewater Utilities Fund.

Sponsors: Water Utilities Department

26. [19-0500](#) **First Reading Ordinance - Amending the AEP Texas, Inc. Electric Franchise Fee 5% Increase**

Ordinance of the City Council of the City Of Corpus Christi amending the franchise with AEP Texas Inc. to change compensation or consideration to be paid for use of the public rights-of-way; providing an effective date; providing for acceptance by AEP Texas Inc.; finding and determining that the meetings at which this ordinance was considered were open to the public and in accordance with Texas law.

Sponsors: Legal Department

27. [19-0529](#) **First Reading Ordinance - Approving an additional tariff for AEP Texas, Inc. Electric Franchise Fee 5% Increase**

Ordinance of the City Council of the City of Corpus Christi approving an additional tariff for the recovery of franchise fees not currently being recovered in base rates by AEP Texas Inc.; and finding and determining

that the meetings at which this ordinance was considered were open to the public and in accordance with Texas law.

Sponsors: Legal Department

28. [19-0517](#) **First Reading Ordinance - Accepting and Appropriating Revenue for Revocable Easement to Epic Crude Pipeline, LP**

Ordinance accepting and appropriating \$41,029 of revenue from Epic Crude Pipeline, LP; authorizing the City Manager or designee to execute a Revocable Easement to Epic Crude Pipeline, LP to permit one 30-inch pipeline for transportation of crude oil across City owned property known as Mobile Estates Park, operated by the City Park & Recreation Department; appropriating the compensation received into its Community Enrichment Fund No. 4720.

Sponsors: Engineering Services

S. **BRIEFINGS: (ITEM 29)**

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.

29. [19-0586](#) **How to Create a Tax Increment Reinvestment Zone for the North Beach Area**

Sponsors: Business Liaison

T. **LEGISLATIVE UPDATE:**

This item is for Council's informational purposes only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.

U. **EXECUTIVE SESSION: (ITEMS 30 - 32)**

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.

30. [19-0579](#) **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, an electricity rate case expected to be filed with the Texas Public Utilities Commission by AEP Texas/AEP Texas Central Company/AEP Texas North Company.

31. [19-0584](#) **Executive session pursuant to Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.
32. [19-0601](#) **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 annexation, disannexation, cession agreements for extraterritorial jurisdiction, apportionment of extra-territorial jurisdiction between municipalities, interlocal agreements with water districts and neighboring municipalities, contracts for potential economic development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities (including, but not limited to proposed Gulf Coast Growth Ventures' chemical manufacturing facility in San Patricio County, Texas, proposed fractionator and related facilities in Nueces County, economic development agreements relating to property currently or formerly owned by Voestelpine, Corpus Christi Liquefaction, LLC, and other entities and existing and proposed industrial facilities in San Patricio County and Nueces County) that are and/or will be consumers of water and/or wastewater services and connections to the Mary Rhodes Pipeline for facilities to supply water thereto, potential legislation currently being considered in the Texas Legislature related to annexation and other issues, 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 and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).

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