



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, August 11, 2015

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., or the end of the Council Meeting, whichever is earlier. Please speak into the microphone located at the podium and state your name and address. Your presentation will be limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.

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 Nelda Martinez to call the meeting to order.**
- B. Invocation to be given by Ms. Jeanne Gardiner, Unity by the Sea Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Robert Rocha, Fire Chief.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [15-0849](#) Commendation recognizing Melissa Martinez as the, "2015 LULAC National Woman of the Year", and recognizing her induction into the "LULAC Women's Hall of Fame"**
- F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. 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 have a petition or other information pertaining to your subject, please present it to the City Secretary.**

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.

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

a. OTHER

H. REGULAR AGENDA: (ITEM 2)

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

THE FOLLOWING ITEM WILL BE DISCUSSED AT APPROXIMATELY 12:30

2. [15-0778](#) **Second Reading Ordinance - Amending the City Code to create credit access business regulations (1st Reading 7/28/15)**

Ordinance amending the Corpus Christi Code of Ordinances by adding a new chapter, Chapter 5, Business Regulations; Creating Chapter 5, Article I - CREDIT ACCESS BUSINESSES to set forth registration requirements and credit extension guidelines for credit access businesses; providing for severance; providing for publication; providing for penalty; and providing an effective date.

Sponsors: Intergovernmental Relations

I. BRIEFINGS: (ITEMS 3 - 5)

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.

3. [15-0838](#) **Proposed FY2016 Budget for General Fund**

Sponsors: ACM - General Government and Operations Support and Office of Management and Budget

4. [15-0839](#) **Proposed FY2016 Budget for Internal Service Funds**

Sponsors: ACM - General Government and Operations Support and Office of Management and Budget

5. [15-0748](#) **Water Rates - Rate Impacts**

Sponsors: Office of Public Utilities and Water/Wastewater Treatment

J. **EXECUTIVE SESSION: (ITEMS 6 - 7)**

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.

6. [15-0784](#) **Executive Session pursuant to Section 551.071** of the Texas Government Code and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the New Broadway Waste Water Treatment Plant and other parts of the City's Sanitary Sewer Collection System.

7. [15-0848](#) **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining negotiations and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters' Association and/or Corpus Christi Police Officers' Association.

K. **MINUTES: (ITEM 8)**

8. [15-0850](#) Regular Meeting of July 28, 2015

L. **BOARD & COMMITTEE APPOINTMENTS:**

9. [15-0851](#) Advisory Committee on Community Pride
Parks and Recreation Advisory Committee

M. **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.

N. CONSENT AGENDA: (ITEMS 10 - 18)

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.

10. [15-0615](#) Service Agreement for Preventative Maintenance of the Breakpoint Chlorination System

Motion approving a service agreement with Grace Water Services, LLC, of Katy, Texas based on Local Government Code Sec. 252.022 General Exemption, a procurement necessary to preserve or protect the public health or safety of the municipality's residents, for a total amount of \$194,660.00. The term of the contract will be for twenty-four months with options to extend for up to three additional twelve-month periods, subject to the approval of the Contractor and the City Manager or designees. Funds have been budgeted by the Utilities Department in FY 2014-2015.

Sponsors: Purchasing Division and Office of Public Utilities

11. [15-0682](#) Supply Agreement for Hot Mix Asphalt

Motion rescinding the award made on June 16, 2015 to HAC Materials, Ltd., Corpus Christi, Texas due to naming the incorrect supplier of the primary award and properly awarding to the following suppliers for hot mix asphalt, based on lowest responsible bid, awarding primary and secondary agreements, in accordance with Bid Event No. 5 for an estimated semi-annual expenditure of \$989,085 of which \$659,390 is required for FY 2014-2015. The term of the agreements will be for six months with options to extend for up to five additional six month periods, subject to the approval of the suppliers and the City Manager or designee. Funds have been budgeted by Street Services in FY 2014-2015.

Haas Anderson	
Construction Ltd.	Bay, Ltd.
Corpus Christi, Texas	Corpus Christi, Texas
\$936,937.50	\$52,147.50
Primary Supplier	Secondary Supplier

Grand Total: \$989,085.00

Sponsors: Purchasing Division and Street Department

12. [15-0722](#) Supply Agreement for Emulsion Oil (SS-1)

Motion authorizing the City Manager or designee to execute a supply agreement with Ergon Asphalt & Emulsions, Inc., Austin, Texas for Emulsion Oil (SS-1) in accordance with Bid Event No. 4, based on only bid, for an estimated six month expenditure of \$79,450.00 of which \$13,241.67 is required for FY 2014 - 2015. The term of the contract will be for six months with an option to extend for up to five additional six-month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Street Services Department in FY2014 - 2015.

Sponsors: Purchasing Division and Street Department

13. [15-0586](#) Purchase Video Collaboration Technology for Corpus Christi Police Department and City video operations

Motion authorizing the City Manager or designee to approve the purchase of information technology equipment from Data Projections for a Police Department Intelligence Command Center with communication links to the City Emergency Operations Center (EOC) and designated entities for a total expenditure of \$114,741.64. Data Projections is a State of Texas vendor, number DIR-SDD-11. Funds are available in the Municipal Information Systems Department FY2014-2015 budget.

Sponsors: Municipal Information Systems and Police Department

14. [15-0767](#) Second Reading Ordinance - Closing an undeveloped and unsurfaced portion of a public right-of-way located south of Holly Road and east of Ennis Joslin Road (1st Reading 7/28/15)

Ordinance abandoning and vacating an undeveloped and unsurfaced 21,300.84-square foot portion (0.489 acres) of a 20-foot wide public right-of-way, out of Lot 1, Section 32, Flour Bluff & Encinal Farm & Garden Tracts and requiring the owner, MPM Development, LP to comply with specified conditions.

Sponsors: Development Services

15. [15-0790](#) Second Reading Ordinance - Amending the City Code of Ethics complaint procedures (1st Reading 7/28/15)

Ordinance amending Sections 2-330 and 2-334 of the City Code to amend the City's Code of Ethics regarding the complaint form and procedures; and providing for publication.

Sponsors: Legal Department

16. [15-0771](#) Second Reading Ordinance - Amending City Code related to interest rates for voluntary assessment projects, and approving the final assessment roll for improvements made on Vaky Street, Ivy Lane, and Clare Drive (Bond 2008)(1st Reading 7/28/15)

Ordinance amending Chapter 49, Article II, Section 49-21 "Required Improvements; Policy on Assessments"; Amending Ordinance 029769 Passed and Approved on March 19, 2013, to adopt the final assessment roll and assessments to be levied against the owners of property abutting on Vaky Street from Swantner Drive to Reid Drive, Ivy Lane from Gollihar Road to Horne Road and Clare Drive from South Padre Island Drive to McArdle Road (The "Project") (Bond 2008)

Sponsors: Street Department and Capital Programs

17. [15-0747](#) **Second Reading Ordinance - Lease Agreement for hangar and office space for air ambulance and charter flight service (1st Reading 7/28/15)**

Ordinance authorizing the City Manager or designee to execute a lease agreement with Sterling Air Service for hangar, office and parking space at Corpus Christi International Airport for a period of 18 months.

Sponsors: Aviation Department

18. [15-0761](#) **Second Reading Ordinance - Appropriating funds for routine airport maintenance (1st Reading 7/28/15)**

Ordinance appropriating \$50,000 from Texas Department of Transportation's Routine Airport Maintenance Program (RAMP) Grant (CSJ No. M1516CORP) in the No. 1055 Airport Grants Fund to fund airport maintenance at Corpus Christi International Airport.

Sponsors: Aviation Department

O. **PUBLIC HEARINGS: (ITEMS 19 - 22)**

19. [15-0788](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 3522 Airline Road**

Case No. 0715-01 Guadalupe Leon and Maria Del Carmen Leon: A change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District. The property to be rezoned is described as being a 1.523 acre tract of land being out of Lots 22 and 23, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located along the east side of Airline Road between Brooke Road and Wall Street.

Planning Commission and Staff Recommendation (July 15, 2015): Approval of the change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon

application by Guadalupe Leon and Maria Del Carmen Leon ("Owners") by changing the UDC Zoning Map in reference to a 1.523 acre tract of land being out of Lots 22 and 23, Section 20, Flour Bluff and Encinal Farm and Garden Tracts (the "Property"), from the "FR" Farm Rural District to the "RE" Residential Estate District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

20. [15-0811](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 3313 Barthlome Street.**

Case No. 0615-04 Jesus Mora: A change of zoning from the "CI" Intensive Commercial District to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan from Commercial to Light Industrial. The property to be rezoned is described as Lot 4-B, Barthlome Acre Tracts, located along the south side of Barthlome Street between Nueces Bay Boulevard and Lily Street.

Planning Commission and Staff Recommendation (July 15, 2015): Denial of the change of zoning from the "CI" Intensive Commercial District to the "IL" Light Industrial District and, in lieu thereof, approval of the "CI/SP" Intensive Commercial District with a Special Permit with 9 conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Jesus Mora ("Owner"), by changing the UDC Zoning Map in reference to Lot 4-B, Barthlome Acre Tracts, from the "CI" Intensive Commercial District to the "CI/SP" Commercial Intensive District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

21. [15-0812](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 3209 Acushnet Drive**

Case No. 0715-02 Andrea Trevino and Jesus Trevino, dba Southside Paint & Body, LLC and Liliot, LLC: A change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan from commercial to light industrial uses. The property to be rezoned is described as Lots 8, 11 and 12, Block 7, Saratoga Weber Plaza, located along the north side of Acushnet Drive between Jefferson Road and Weber Road (FM 43).

Planning Commission Recommendation (July 15, 2015):

Approval of the change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District.

Staff Recommendation: Denial of the change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Andrea Trevino and Jesus Trevino, dba South Side Paint & Body, LLC and Liliot, LLC ("Owners") by changing the UDC Zoning Map in reference Lots 8, 11 and 12, Block 7, Saratoga Weber Plaza (the "Property") from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

22. [15-0813](#)**Public Hearing and First Reading Ordinance - Rezoning property located near Rodd Field Road and Siberian Street**

Case No. 0715-03 Related Investors, Ltd.: A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being a 66.96 acre tract of land out of Lots 1-4 and 14-16, Section 24, Flour Bluff and Encinal Farm and Garden Tracts, located along the east side of Rodd Field Road approximately 480 feet south of Siberian Street.

Planning Commission and Staff Recommendation (July 15, 2015):

Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Related Investors, Ltd. ("Owners") by changing the UDC Zoning Map in reference a 66.96 acre tract of land out of Lots 1-4 and 14-16, Section 24, Flour Bluff and Encinal Farm and Garden Tracts (the "Property") from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

P. FIRST READING ORDINANCES: (ITEM 23)**23. [15-0843](#) First Reading Ordinance - Appropriating funds for Judicial Court Improvements**

Ordinance appropriating \$25,500 from Account 260310 Fund Balance Restricted for Judicial/Court Improvements in the No. 1020 General Fund for the purchase of microphones and other electrical equipment, electrical installation, and training for Municipal Court Judges; and amending the FY2014-2015 Operating Budget adopted by Ordinance No. 030294 to increase expenditures by \$25,500 in the No. 1020 General Fund.

Sponsors: ACM - Safety, Health and Neighborhoods and Municipal Court Judicial

Q. FUTURE AGENDA ITEMS: (ITEMS 24 - 28)

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

24. [15-0716](#) Purchase of Generator

Motion approving the purchase of one generator from Holt Cat, Irving, Texas for a total expenditure of \$61,393.00. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds have been budgeted by the Utilities Department in FY 2014- 2015.

Sponsors: Purchasing Division and Office of Public Utilities

25. [15-0742](#) Purchase and Installation of HVAC Equipment

Motion approving the purchase and installation of one Burnham Commercial Fire Tube Boiler from Weatherrol, Inc., Corpus Christi, Texas for a total expenditure of \$64,700.00. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds have been budgeted by the Facilities Department in FY 2014- 2015.

Sponsors: Purchasing Division and Facilities Management Services

26. [15-0804](#) Adopting Homeless Solutions Visions & Strategies

Resolution to Adopt Homeless Solutions Vision and Strategies, to provide policy direction to City staff.

Sponsors: ACM - Safety and Health and Neighborhoods

27. [15-0770](#) Authorizing the City Manager or designee to enter into an outside city limit water contracts for property at 754 Mckinzie Road

Resolution authorizing the City Manager or his designee to enter into

outside city limits water contracts with Herman Dale Wulf & Donald E. Schiffke, Jr. to provide public water to their property located outside the city limits described as 1 acre out of 21 acres out of a 100 acre tract out of B.S. & F. Survey 403, Abstract 568, also commonly known by its street address as 754 Mckinzie Road under Section 55-111, Code of Ordinances.

Sponsors: Development Services

28. [15-0814](#) **Interlocal Agreement with the Corpus Christi Metropolitan Planning Organization for technical meeting broadcast services**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with the Corpus Christi Metropolitan Planning Organization for technical meeting broadcast services.

Sponsors: Communications and Media Relations and eGovernment

R. **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.

S. **ADJOURNMENT**