



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, March 18, 2014

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 Pastor Kenneth Mutchler, Immanuel Fellowship Church**
- C. Pledge of Allegiance to the Flag of the United States.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [14-00311](#) Proclamation declaring March 18, 2014 as "Leadership Corpus Christi 42 Day"
Proclamation declaring March 18, 2014, as "World Water Day"
Proclamation declaring March 2014, as "Professional Social Work Month"
Presentation of Mayor's Clean & Green Awards
Recognition of Hotel Occupancy Tax Fund Arts Grant Recipients for 2014 chosen by the Arts & Cultural Commission

- 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. **City Performance Report - Streets Department**
- b. **Other**

H. EXECUTIVE SESSION: (NONE)

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. In the event 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 office.

I. MINUTES:

2. [14-00312](#) Regular Meeting of February 25, 2014

J. BOARDS & 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 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.

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.

3. [14-00133](#) Supply agreement for police uniforms

Motion approving a supply agreement with Nardis, Inc., Kilgore, Texas for police uniforms in the amount of \$64,972.60 of which \$32,486.30 will be required for the remainder of FY 2013 - 2014. The term of the contract will be for twelve (12) months with an option to extend the contract for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City Manager or designee. The award is in accordance with the U.S. General Services Administration (GSA) Federal Supply Schedule 84 Cooperative Purchasing Program. Funds have been budgeted by the Police Department in FY 2013 - 2014.

Sponsors: Purchasing Division and Police Department

4. [14-00179](#) Purchase of electronic citation handheld units (ticket writers)

Motion approving the purchase of sixty-two (62) Electronic Citation Handheld Units from Brazos Technologies, College Station, Texas for a total amount of \$233,773. The award is based on the General Services Administration (GSA) Federal Supply Schedule 70 Cooperative Purchasing Program. Funds are available in the Crime Control and Prevention District in FY 2013-2014.

Sponsors: Purchasing Division and Police Department

5. [14-00180](#) Purchase of video equipment and system upgrade for video surveillance system

Motion approving the purchase of video cameras and equipment; to include a system upgrade from Zones, Solutions Group, Auburn, Washington based on the General Services Administration (GSA) Federal Supply Schedule 70 Cooperative Purchasing Program for a total amount of \$79,322.48. Funds are available in the Crime Control and Prevention District in FY 2013-2014.

Sponsors: Purchasing Division and Police Department

6. [14-00123](#) Purchase and installation of a roll-off hoist body for a reconfigured

roll-off truck to be used at transfer station

Motion approving the purchase and installation of one (1) roll-off hoist body from Texan Waste Equipment, Inc., Houston, Texas for a total amount of \$60,483. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC).

Sponsors: Purchasing Division, Fleet Maintenance Services and Solid Waste Operations

7. [14-00182](#)

Authorizing submission of grant application to State for a victim outreach program under the Victims of Crime Act (VOCA)

Resolution authorizing the submission of a grant application in the amount of \$68,163.15 to the State of Texas, Criminal Justice Division. For funding available under the Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit to continue Year 2 of the Victim Outreach Program with a city match of \$13,840.79 and \$3,200 in-kind services, for a total project cost of \$85,203.94; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

Sponsors: Police Department

8. [14-00183](#)

Authorizing submission of grant application to the State for victims of crime under the Victims of Crime Act (VOCA)

Resolution authorizing the submission of a grant application in the amount of \$77,084.05 to the State of Texas, Criminal Justice Division for funding available under the Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit with a city match of \$20,271.07 and \$4,000 in-kind services, for a total project cost of \$101,355.06; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

Sponsors: Police Department

9. [14-00184](#)

Authorizing submission of grant application to the State for violence against women under the Violence Against Women Act (VAWA)

Resolution authorizing the submission of a grant application in the amount of \$44,356.71 to the State of Texas, Criminal Justice Division. For funding available under the Violence Against Women Act (VAWA) fund for the Police Department's Family Violence Unit with a city match of \$20,280.21 and \$5,520 in-kind services, for a total project cost of \$70,156.92; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

Sponsors: Police Department

10. [14-00119](#) **Aquisition of real property rights for Navigation Boulevard street improvement project from Up River Road to Leopard Street (Bond 2012)**

Resolution of the City Council of the City of Corpus Christi, Texas (1) determining the public necessity and public use for the acquisition of parcels of land by fee simple title to the surface estate, right-of-way easements, utility easements, and temporary construction easements for a street improvement project known as the Navigation Boulevard Street Improvement Project which is to be generally located from Leopard Street northward to Up River Road, Bond 2012; (2) authorizing the City Manager or his designee to negotiate and execute all documents necessary to acquire the property interests subject to availability of funds appropriated for such purposes; (3) authorizing the City Manager to institute condemnation by eminent domain proceedings to acquire the fee simple and easement interests in the properties; (4) authorizing payment pursuant to an award by Special Commissioners; (5) authorizing acceptance and recording of appropriate legal instruments; and (6) approving condemnation for all units of property to be acquired by condemnation the parcels of land described herein by a single record vote of the City Council.

Sponsors: Capital Programs

11. [14-00190](#) **Support of project that will study redevelopment of area affected by Harbor Bridge relocation**

Resolution to provide support to the Regional/Urban Design Assistance Team Project.

Sponsors: Street Department and Capital Programs

12. [14-00216](#) **Refunding of Lavaca-Navidad River Authority (LNRA) water supply facilities revenue bonds for debt service savings**

Resolution authorizing the City Manager to take actions necessary to approve the issuance of refunding bonds designated as Lavaca-Navidad River Authority Water Supply Contract Revenue Refunding Bonds Taxable Series 2014, (Lake Texana Project); and other matters in connection therewith.

Sponsors: Financial Services Department

13. [14-00148](#) **Second Reading Ordinance - Exempting Buena Vista Addition, located on Guth Lane, north of Interstate Highway 37 and west of Sessions Road, from the wastewater lot/acreage fees (1st Reading 2/25/14)**

Ordinance exempting Buena Vista Addition, Block 3, Lots 2A & 3, a subdivision located on Guth Lane, north of Interstate Highway 37 and west of Sessions Road, from the payment of the wastewater lot/acreage

fees pursuant to Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Sponsors: Development Services

14. [14-00149](#) **Second Reading Ordinance - Exempting King Estates Unit 4, located south of South Staples Street (FM 2444) at the intersection with Oso Parkway South, from the wastewater lot/acreage fees (1st Reading 2/25/14)**

Ordinance exempting King Estates Unit 4, a subdivision located south of South Staples Street (FM 2444) at the of South Staples Street (FM 2444) and Oso Parkway South, from payment of wastewater lot/acreage fees pursuant to Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Sponsors: Development Services

15. [13-001123](#) **Second Reading Ordinance - Changing the name of Bufferhead Drive to Bufflehead Drive (1st Reading 2/25/14)**

Ordinance changing the name of Bufferhead Drive to Bufflehead Drive between Eider Drive and Goldeneye Drive

Sponsors: Capital Programs and Street Department

16. [14-00174](#) **Second Reading Ordinance - Accepting and appropriating grant funds for the Operation Stonegarden program for reduction of crime in the Rio Grande Valley (1st Reading 2/25/14)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$126,000 from Nueces County for funding eligible under the FY2012 Department of Homeland Security Grant Program Operation Stonegarden to reimburse fuel, overtime, fringe benefits, and equipment expenditures for the Police Department's collaborative enforcement efforts with Nueces County along routes of ingress and egress to include (but not limited to) U. S. Highway 77 and State Highway 44; and appropriating the \$126,000 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

17. [14-00108](#) **Second Reading Ordinance - Appropriating funds for the Infor Enterprise Resource Planning (ERP) implementation (1st Reading 2/25/14)**

Ordinance appropriating \$1,212,449 from the Unreserved Fund Balance in the Municipal Information Systems Fund No. 5210 and \$1,311,979 from the Unreserved Fund Balance in the General Fund No. 1020, and transferring to and appropriating in the MIS Fund No. 5210 for the Infor Enterprise Resource Planning (ERP) implementation; changing the FY 2013-2014 Budget adopted by Ordinance No. 029915 to increase

appropriations by \$2,524,428.

Sponsors: Municipal Information Systems

18. [14-00200](#) **Second Reading Ordinance - Authorization for streamlining the approval process for repeat special events requesting use of City property (1st Reading 2/25/14)**

Ordinance authorizing the City Manager or designee to execute agreements for use of City property by repeat special events.

Sponsors: ACM - Public Works & Utilities

19. [14-00166](#) **Second Reading Ordinance - Lease agreement for the 2014 Buccaneer Days Festival and related activities (1st Reading 2/25/14)**

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Buccaneer Commission, Inc. ("Commission") for 2014 Buccaneer Days Festival and related activities to allow use of City property including areas bounded by Kinney Street, North Shoreline, South Shoreline, and Park Avenue, including adjacent parking lots, during April 24, 2014 through May 4, 2014; use of parking lot north of former Memorial Coliseum site from April 18, 2014 through April 10, 2014 provide for Commission paying fees for City services in amount not to exceed \$33,000.00

Sponsors: ACM - Business Support Services

20. [14-00128](#) **Second Reading Ordinance - Engineering construction contract for downtown (Chaparral) signal improvements (Bond Issue 2008) (1st Reading 2/25/14)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by transferring \$459,111.75 from Fund 3541 Bond 2004 Project Reserves and \$459,117.75 from Fund 3544 Bond 2004 Project Reserves to the Downtown Street Chaparral Project (Bond 2008); increasing expenditures in the amount of \$918,235.50; and authorizing the City Manager, or designee, to execute a construction contract with Austin Traffic Signal Construction Co., Inc. of Round Rock, Texas in the amount of \$918,235.50 for the Downtown Streets Chaparral Signal Improvements for the Base Bid plus Additive Alternate One.

Sponsors: Street Department and Capital Programs

21. [14-00193](#) **Second Reading Ordinance - Engineering construction contract for Health Department parking lot (Bond 2012) (1st Reading 2/25/14)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by accelerating funding for the Health Department Building Parking Lot Bond 2012 project in the amount of

\$150,000 from Fiscal Year 2015 to Fiscal Year 2014; increasing expenditures in the amount of \$150,000; and authorizing the City Manager, or designee, to execute a construction contract with Mako Contracting of Corpus Christi, Texas in the amount of \$402,734.13 for Health Department Building Parking Lot for the Base Bid plus Additive Alternate Nos. 1 and 2. (Bond 2012)

Sponsors: Health Department and Capital Programs

22. [14-00043](#) **Second Reading Ordinance - Engineering design contract for Gollihar Road from Weber Road to Carroll Lane, Phase One and from Carroll Lane to Kostoryz Road, Phase Two (1st Reading 2/25/14)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer budgeted funds in the amount of \$600,384.20 from Storm Water CIP Fund 3495 Project No. E09025 Williams Drive Outfall; reserves in the amount of \$40,488.50 from Wastewater CIP Fund 4510; reserves in the amount of \$32,390.80 from Water CIP Fund 4479; reserves in the amount of \$8,097.70 from Gas CIP Fund 4551 for the Gollihar Road from Weber Road to Carroll Lane (Phase One) Project; transferring budgeted funds in the amount of \$600,384.20 from Storm Water CIP Fund 3495 Project No. E09025 Williams Drive Outfall; reserves in the amount of \$40,488.50 from Wastewater CIP Fund 4510; reserves in the amount of \$32,390.80 from Water CIP Fund 4479; reserves in the amount of \$8,097.70 from Gas CIP Fund 4551 for the Gollihar Road from Carroll Lane to Kostoryz Road (Phase Two) Project; increasing expenditures in the amount of \$1,362,722.40; and authorizing the City Manager, or designee, to execute an engineering design contract with RVE, Inc. from Corpus Christi, Texas in the amount of \$2,009,621.00 for the Gollihar Road from Weber Road to Carroll Lane (Phase One) and Gollihar Road from Carroll Lane to Kostoryz Road (Phase Two) Projects.

Sponsors: Maintenance of Lines Department, Water Treatment Department, Storm Water Department and Capital Programs

23. [14-00094](#) **Second Reading Ordinance - Engineering design contract for Southern Minerals Road from Up River to IH 37 (1st Reading 2/25/14)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$151,145.75 from Storm Water CIP Fund 3494, \$70,795.79 from Wastewater CIP Fund 4510, and \$65,349.96 from Water CIP Fund 4088 to the Bond 2014 Street Project Southern Minerals Road from Up River to IH 37; increasing expenditures in the amount of \$287,291.50; and authorizing the City Manager, or designee, to execute an engineering design contract with LNV, Inc. from Corpus Christi, Texas in the amount of \$604,675.00 for Southern Minerals Road from Up River to IH 37.

Sponsors: Capital Programs

24. [14-00096](#) **Second Reading Ordinance - Engineering design contract for Ayers Street from Ocean to Alameda (1st Reading 2/25/14)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$163,384.75 from Storm Water CIP Fund 3494, \$97,120.07 from Wastewater CIP Fund 4510, and \$78,424.68 from Water CIP Fund 4479 to the Bond 2014 Street Project Ayers Street from Ocean to Alameda; increasing expenditures in the amount of \$338,929.50; and authorizing the City Manager, or designee, to execute an engineering design contract with Freese and Nichols, Inc. from Corpus Christi, Texas in the amount of \$811,935.00 for Ayers Street from Ocean to Alameda.

Sponsors: Capital Programs

M. **PUBLIC HEARINGS: (ITEMS 25 - 29)**

25. [14-00237](#) **Public Hearing and First Reading Ordinance - Rezoning from the "FR" Farm Rural District to the "IL" Light Industrial District, on property located at the southwest corner of Leopard Street and Rhew Road.**

Case 0214-01 Bill Ferguson: A rezoning from the "FR" Farm Rural District to the "IL" Light Industrial District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being a 69.265-acre tract of land out of a 176-acre tract of land generally known as the Sedwick Tract and out of The J. Dunn Survey, Abstract 985, located along the west side of Rhew Road, between Leopard Street and Sedwick Road.

Planning Commission and Staff Recommendation (February 12, 2014): Approval of the change of zoning from the "FR" Farm Rural District to the "IL" Light Industrial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Bill Ferguson, acting as agent on behalf of D.W. Grant, Jr., Betty Grant Armstrong, Andrea Alice Armstrong Plymale, Amie Alexandria Armstrong Kirk, Amanda Annette Armstrong England, Sam Megarity Armstrong, Jr. ("Owners"), by changing the UDC Zoning Map in reference to a 69.265-acre tract of land out of a 176-acre tract of land generally known as the Sedwick Tract and out of The J. Dunn Survey, Abstract 985, from the "FR" Farm Rural District 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

26. [14-00238](#) **Public Hearing and First Reading Ordinance - Rezoning from the "FR" Farm Rural District to the "IL" Light Industrial District, on property located at 6045 Bear Lane.**

Case 0214-02 Congregation of Divine Providence, Inc.: A change of zoning from the "FR" Farm Rural District to the "IL" Light Industrial District, not resulting in a change to the Future Land Use Plan. The property is described as being 40 acres of land, more or less, out of the northeast corner of Lot 1 of the Margaret Kelly Land, located on the south side of Bear Lane, approximately 350 feet west of Junior Beck Drive.

Planning Commission and Staff Recommendation (February 12, 2014): Approval of the change of zoning from the "FR" Farm Rural District to the "IL" Light Industrial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by the Congregation of Divine Providence, Inc. ("Owner"), by changing the UDC Zoning Map in reference to 40 acres of land, more or less, out of the northeast corner of Lot 1 of the Margaret Kelly Land, from the "FR" Farm Rural District 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

27. [14-00243](#) **Public Hearing and First Reading Ordinance - Rezoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District, on property located at 4410 Ivy Lane.**

Case No. 0214-04 Santos and Virginia Herrera:A change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District, resulting in a change to the Future Land Use Plan from commercial to low density residential uses. The property is described as being a 0.113-acre tract of land out of Lot 10A, Ava Cooper Subdivision, located approximately 200 feet north of Gollihar Road and 75 feet east of Ivy Lane.

Planning Commission and Staff Recommendation (February 12, 2014): Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Santos Herrera and Virginia Herrera ("Owners"), by changing the UDC Zoning Map in reference to a 0.113-acre tract of land out of Lot 10A, Ava Cooper Subdivision, from the "CN-1" Neighborhood

Commercial District to the "RS-6" Single-Family 6 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

28. [14-00245](#) **Public Hearing an First Reading Ordinance - Rezoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, on property located at 7201 Yorktown Boulevard.**

Case No. 0214-03 Yorktown Oso Joint Venture: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 is described as being a 22.87-acre tract of land, more or less, out of Lots 2-4, Section 24 and Lots 29-31, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located at the ends of Fort Griffen Drive and Prax Morgan Place and south of Laurelas and Idle Hour Drives.

Planning Commission and Staff Recommendation (February 12, 2014): Approval of the rezoning 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 Yorktown Oso Joint Venture, acting as agent on behalf of Related Investors, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 22.87-acre tract of land, more or less, out of Lots 2-4, Section 24 and Lots 29-31, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, 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, penalties, and publication.

Sponsors: Development Services

29. [14-00244](#) **Public Hearing and First Reading Ordinance - Closing a portion of a 10-foot wide utility easement out of Block 903, Fitchue Place Addition located west of South Alameda Street and South of McKenzie Street**

Ordinance abandoning and vacating a portion of a 10-foot wide utility easement out of Block 903, Fitchue Place Addition and requiring the owner, CC Tower Center, LTD., to comply with the specified conditions.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 30 - 32)

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

30. [14-00268](#) **Confirming Barney L. Knight as Interim City Attorney and**

approving agreement

Motion confirming Barney L. Knight as Interim City Attorney and approving an agreement with Barney L. Knight of Knight & Partners, Attorneys at Law, for a period of one calendar month with an option to extend for up to three additional calendar months for a fee of \$16,000 a month.

Sponsors: Office of Strategic Management

31. [14-00218](#) Reimbursement resolution for energy efficiency projects

Resolution relating to establishing the City Council of the City of Corpus Christi, Texas' intention to reimburse itself for the prior lawful expenditure of funds relating to the acquisition of a new energy management and control system on a city-wide basis and certain other personal property from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.

Sponsors: Financial Services Department

32. [14-00208](#) Second Reading Ordinance - Contract amendment no. 2 for energy performance contract for Energy Efficiency Conservation Retrofit for Major City Facilities Project, Phase 2 (1st Reading 2/25/14)

Ordinance appropriating \$32,326.50 from AEP Program Incentives in the No. 3160 City Hall CIP Fund for the Energy Efficiency Conservation Retrofit for Major City Facilities Project; changing the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to increase revenues and expenditures by \$4,982,326.50 each; and authorizing the City Manager, or designee, to execute Amendment No. 2 to the Fixed Price Energy Performance Contract with McKinstry Essention of Seattle, Washington for Energy Efficiency Conservation Retrofit for Major City Facilities, Phase 2 in the amount of \$7,709,592, for a total re-stated fee of \$14,724,124.28.

Sponsors: Facilities Maintenance Services and Capital Programs

O. FIRST READING ORDINANCES: (ITEMS 33 - 41)**33. [14-00247](#) First Reading Ordinance - Approving the financing for phase 2 of energy projects**

Ordinance by the City Council of the City of Corpus Christi, Texas authorizing the issuance of "City of Corpus Christi, Texas Public Property Finance Contractual Obligations, Series 2014" in an amount not to exceed \$9,000,000, levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the contractual obligations; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the

contractual obligations; authorizing the execution of a Payment Agent/Registrar Agreement and a Purchase and Investment Letter; complying with the requirements imposed by the Letter of Representations previously executed with the Depository Trust Company; delegating the authority to the Mayor and certain members of the City Staff to execute certain documents relating to the sale of the contractual obligations; and providing an effective date.

Sponsors: Financial Services Department

34. [14-00219](#) First Reading Ordinance - Accepting and appropriating a State grant for Local Border Security Program (LBSP)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$45,000 from the Texas Department of Public Safety, Texas Homeland Security State Administrative Agency for funding eligible under the FY2014 Local Border Security Program (LBSP) grant to reimburse overtime and fringe benefits; and appropriating the \$45,000 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

35. [14-00262](#) First Reading Ordinance - Accepting and appropriating funds from State for training of police personnel and purchase of training equipment

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an annual allocation payment from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$29,600.43; and appropriating funds from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$29,600.43 in the No. 1061 Police Grants Fund for training of police personnel and purchase of training equipment.

Sponsors: Police Department

36. [14-00239](#) First Reading Ordinance - Accepting and appropriating developer fees and interest for park improvements and other related projects

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate \$341,846.87 in developer contributions and \$1,498.08 in interest earnings for a sum of \$343,344.95 in the No. 4720 Community Enrichment Fund for park improvements, and other related projects.

Sponsors: Parks and Recreation Department

37. [14-00241](#) First Reading Ordinance - Lease agreement for radio control automobile activity at Bill Witt Park

Ordinance authorizing City Manager or designee to execute a 60 month lease agreement with STARCAR for Bill Witt Park, in the City, Lessee agrees to operate and maintain the premises according to City standards.

Sponsors: Parks and Recreation Department

38. [14-00249](#) **First Reading Ordinance - authorizing financing for proposed Bond 2014 design work**

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Tax Notes, Series 2014" in an amount not to exceed \$8,000,000, levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the obligations; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the obligations; authorizing the execution of a Payment Agent/Registrar Agreement and a Purchase and Investment Letter; complying with the provisions of the Depository Trust Company's Letter of Representations; and providing an effective date.

Sponsors: Financial Services Department

39. [14-00261](#) **First Reading Ordinance - Amending Capital Improvement budget to include pier "R" replacement project**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to add Project Number E13144 City Marina Replacement of Pier R; increasing revenues and expenditures in the amount of \$3,239,496.

Sponsors: Municipal Marina, Financial Services Department and Capital Programs

40. [14-00316](#) **First Reading Ordinance - Engineering construction contract for McArdle Road from Ennis Joslin Road to Whitaker Drive (Bond 2012)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by transferring \$651,654.15 from Fund 3549 Project #E12098 McArdle Road from Whitaker Drive to Nile Drive, \$65,000 from Fund 4476 Water 2009 CIP Fund Reserves, \$360,000 from Fund 4247 Wastewater 2012 CIP Fund Reserves to Project #E12097 McArdle Road from Nile Drive to Ennis Joslin; increasing expenditures in the amount of \$425,000; authorizing the City Manager, or designee, to execute a construction contract with Reytec Construction Resources, Inc. of Corpus Christi, Texas in the amount of \$10,653,999.40 for McArdle Road from Ennis Joslin to Whitaker for the base bid; and executing a testing agreement with Rock Engineering and Testing Laboratories, Inc. in the amount of \$74,850 for McArdle Road from Ennis Joslin to Whitaker for construction materials testing services. (Bond 2012)

Sponsors: Street Department and Capital Programs

41. [14-00292](#) **First Reading Ordinance - Appropriating Lead Ballast Revenue**

Ordinance appropriating \$18,526 of revenue, from the sale of lead ballast from the Santa Maria, in the No. 1020 General Fund for payment to Columbus Sailing Association for the cost associated with the repair and restoration of the Niña or for staging facilities for the Niña; and changing the FY 2013-2014 operating budget adopted by Ordinance No. 029915 by increasing revenue and expenditures by \$18,526 each

Sponsors: ACM - Business Support Services

P. **FUTURE AGENDA ITEMS: (ITEMS 42 - 54)**

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

42. [14-00195](#) **Purchase agreement for traffic control radar detection systems**

Motion approving the purchase of four (4) traffic control radar detection systems from Twincrest Technologies, Mansfield, Texas for a total amount of \$77,920. The award is based on the cooperative purchasing agreement with the State of Texas Cooperative Purchasing Program. Funds have been budgeted by the Engineering Department in FY 2013-2014.

Sponsors: Purchasing Division and Street Department

43. [14-00266](#) **Service Agreement for Maintenance of City Hall HVAC System**

Motion approving a service agreement with Johnson Controls Inc., Corpus Christi, Texas for maintenance of the HVAC System located at City Hall for a total amount of \$274,122 of which \$24,794 is required for the remainder of FY 2013-2014. The award is based on the cooperative purchasing agreement with the State of Texas Cooperative Purchasing Program. The term of the agreement will be sixty months. Funds are budgeted by the Facility Maintenance Services Fund in FY 2013-2014.

Sponsors: Purchasing Division and Facilities Maintenance Services

44. [14-00253](#) **Authorizing submission of grant application to State for automation of police training records**

Resolution authorizing the submission of a grant application in the amount of \$35,000 to the State of Texas, Criminal Justice Division for funding available under the Edward Byrne Memorial Justice Assistance Grant Program to automate Police training records; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

Sponsors: Police Department

45. [14-00240](#) **Agreement for permanent art to be located at the entrance to the Oso Bay Learning Center and Wetland Preserve**

Motion authorizing the City Manager or designee to execute documents necessary to purchase sculpture created by artist Dixie Friend Gay for a work of permanent art created in steel and authorize disbursement of \$100,000 from the Bond Fund 3292 for such purchase.

Sponsors: Parks and Recreation Department

46. [14-00246](#) **Approval of financial advisor for phase 2 of energy projects**

Motion authorizing the appointment of M. E. Allison & Co., Inc. as Financial Advisor for the City of Corpus Christi, Texas Public Property Finance Contractual Obligations, Series 2014.

Sponsors: Financial Services Department

47. [14-00248](#) **Approving financial advisor for Proposed Bond 2014 design work**

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the "City of Corpus Christi, Texas Tax Notes, Series 2014" in an amount not to exceed \$8,000,000.

Sponsors: Financial Services Department

48. [14-00250](#) **Reimbursement resolution for Marina "R" Pier project to allow the City to reimburse itself for costs incurred prior to receipt of bond proceeds**

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements from the proceeds of tax-exempt or taxable obligations to be issued by the City for authorized purposes in an amount not to exceed \$2,600,000; authorizing other matters incident and related thereto; and providing an effective date.

Sponsors: Financial Services Department

49. [14-00251](#) **Amendment No. 1 to architectural design contract for fleet maintenance heavy equipment shop roof replacement**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to an Architectural Design Contract with Solka Nava Torno, LLC from Corpus Christi, Texas in the amount of \$34,620, for a total re-stated fee of \$59,070, for Fleet Maintenance Heavy Equipment Shop Roof for the design, bid, and construction phase services. BOND ISSUE 2012

Sponsors: Facilities Maintenance Services and Capital Programs

50. [14-00252](#) **Amendment No. 1 to architectural design contract for the museum roof replacement**

Motion authorizing the City Manager or designee to execute Amendment

No. 1 to an Architectural Design Contract with Solka Nava Torno, LLC from Corpus Christi, Texas in the amount of \$81,450, for a total re-stated fee of \$130,040, for Museum Roof Replacement for the design, bid, and construction phase services. BOND ISSUE 2012.

Sponsors: Capital Programs

51. [14-00255](#) **Change order authorization for the Mary Rhodes Pipeline Phase 2 pipeline section A, B, and C and pump stations/sedimentation basin**

Motion authorizing the City Manager or designee to execute non routine change orders of up to 5% of the contract value, of (1) the construction contract with Garney Companies, Inc. for the Mary Rhodes Pipeline Phase 2: Pipeline Sections A, B, and C for \$84,121,405, or (2) the construction contract with Oscar Renda Contracting for the Mary Rhodes Pipeline Phase 2: Pump Stations/Sedimentation Basin for \$29,167,288, if changes in plans or specifications are necessary after the performance of the contract has begun or if it is necessary to decrease or increase the quantity of work to be performed or of materials, equipment, or supplies to be furnished, for reasons creating an urgent need for the change, including but not limited to differing site conditions, provided that (I) funding is available for that purpose; (II) the original contract price is not increased by cumulative change orders by more than 5 percent (5%) of the original contract price; (III) a report is provided to City Council as soon as possible afterward; and (IV) the Executive Director of Public Works has conducted a full review of the facts and determines, in writing, that: (a) the change is required and/or unavoidable, and (b) time is of the essence to the extent that immediate action must be taken in order (i) to avoid substantial delay damages from being incurred; or (ii) to prevent significant harm from occurring to the City's property or the City's Mary Rhodes Pipeline Phase 2 Project.

Sponsors: Capital Programs

52. [14-00265](#) **Engineering construction contract for the Bear Lane waterline replacement**

Motion authorizing the City Manager or designee to execute a construction contract with Clark Pipeline Services, J.V. of Corpus Christi, Texas in the amount of \$2,475,922.13, for Bear Lane Waterline Replacement from Navigation Boulevard to Old Brownsville Road.

Sponsors: Maintenance of Lines Department, Street Department and Capital Programs

53. [14-00256](#) **Agreement to accomodate the wheeling of the Colorado River water to the Mary Rhodes pipeline**

Motion to authorize the City Manager or designee to execute a contract with Lavaca-Navidad River Authority (LNRA) for use of the West

Delivery System for delivery of Colorado River water to the City of Corpus Christi.

Sponsors: Maintenance of Lines Department and Legal Department

54. [14-00307](#) **Resolution opposing wind farm development in the City's extra-territorial jurisdiction**

Resolution opposing wind farm development in the City's extra territorial jurisdiction

Sponsors: Intergovernmental Relations and ACM - Business Support Services

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

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

R. ADJOURNMENT