



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, March 10, 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 Minister Eddie Rodriguez, Church of Christ.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Stacie Talbert Anaya, Interim Director of Parks and Recreation.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [15-0228](#) Proclamation declaring March 13th, 20th, and 27th, 2015, "Fill the Boot for Muscular Dystrophy Association Days"**
- 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. EXECUTIVE SESSION: (ITEMS 2 - 8)

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 officer.

- 2. [15-0253](#) **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 negotiations with the U.S. Environmental Protection Agency concerning its proposals regarding the City's sanitary sewer system, with possible action and discussion in open session.**
- 3. [15-0248](#) **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 negotiations for economic development incentives with a commercial retailer; pursuant to Texas Government Code § 551.087 to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations and/or financial or other incentives involving said business prospect, including but not limited to negotiations for economic development incentives with a commercial retailer; with possible action and discussion in open session.**

4. [15-0249](#) **Executive Session pursuant to Texas Government Code § 551.072** concerning the purchase, exchange, lease or value of real property (including areas on or adjacent to McArdle Road) with possible action and discussion in open session.
5. [15-0250](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning SOAH Docket No. 473-15-1931.WS, PUC Docket Number 44050 and wholesale water sales related litigation, with possible action and discussion in open session.
6. [15-0252](#) **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding fire collective bargaining negotiations, the Agreement between the City of Corpus Christi and the Corpus Christi Firefighters Association and/or police association, with possible discussion, resolution(s), and other actions in open session concerning any matters related thereto.
7. [15-0251](#) **Executive session pursuant to Texas Government Code § 551.076** concerning security personnel and devices, with possible discussion, resolution(s), and other actions in open session concerning any matters related thereto.
8. [15-0243](#) **Executive session pursuant to Texas Government Code Section 551.074** Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of all Municipal Court Judges with possible discussion and action in open session.

I. **MINUTES:**

9. [15-0229](#) Regular Meeting of February 24, 2015

J. **BOARD & COMMITTEE APPOINTMENTS: (NONE)**

K. **EXPLANATION OF COUNCIL ACTION:**

For administrative convenience, certain of the agenda items are listed as motions, resolutions, or ordinances. If deemed appropriate, the City Council will use a different method of adoption from the one listed; may finally pass an ordinance by adopting it as an emergency measure rather than a two reading ordinance; or may modify the action specified. A motion to reconsider may be made at this meeting 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 10 - 13)**

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. [15-0128](#) **Authorizing State of Texas, Criminal Justice Division grant application**

Resolution authorizing the submission of a grant application in the amount of \$46,194.48 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 \$19,354.48, an in-kind match of \$5,520, for a total project cost of \$71,068.96; and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

Sponsors: Police Department

11. [15-0136](#) **Authorizing Texas Parks & Wildlife Department grant application for improvements at West Guth Park**

Resolution authorizing the City Manager or designee to apply for a Texas Parks & Wildlife Local Grant Program for West Guth Park in amount of \$400,000 with City matching funds of \$400,000.

Sponsors: Parks and Recreation Department

12. [15-0111](#) **Second Reading Ordinance - Rezoning from commercial with a special permit to light industrial at 10328 Interstate Highway 37 access road (1st Reading 2/24/15)**

Case No. 0115-05 Hayden Partners LLC: A change of zoning from the "CG-2/SP" General Commercial District with a Special Permit for a warehouse use to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan from commercial to industrial uses. The property is described as Lot 2, Block 3, River Square Unit 1, located along the north side of Interstate Highway 37 Access Road at the southeast corner of Turtle Creek Boulevard and River Run Boulevard.

Planning Commission and Staff Recommendation (January 28, 2015): Denial of the change of zoning to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit subject to a site plan and ten conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Hayden Partners LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 2, Block 3, River Square Unit 1, from the "CG-2/SP" General Commercial District with a Special Permit for a warehouse use to the "CG-2/SP" General Commercial District with a Modified Special Permit for a warehouse use; amending the Comprehensive Plan to account for any deviations; and providing for a

repealer clause and publication.

Sponsors: Development Services

13. [15-0104](#) **Second Reading Ordinance - Appropriating reimbursement from Texas State Library and Archives Commission (1st Reading 2/24/15)**

Ordinance appropriating reimbursement received from the Texas State Library and Archives Commission for participation in Interlibrary Loan Program in the amount of \$21,898.50 into the General Fund No. 1020, La Retama Central Library Organization No. 12800, to be used for library technology services; and Changing the FY14-15 Operating Budget adopted by Ordinance No. 030294 by increasing revenue and expenditures by \$21,898.50 each.

Sponsors: Libraries

M. PUBLIC HEARINGS: (ITEMS 14 - 15)

14. [15-0178](#) **Public Hearing and First Reading Ordinance - Amending the Unified Development Code to increase the self-storage use compartment size limitation**

Ordinance amending the Unified Development Code ("UDC") by revising Section 5.2.14.C allowing an increase in self-storage use compartment sizes from 400 square feet to 500 square feet; and providing for severance, penalties, and publication.

Sponsors: Development Services

15. [15-0200](#) **Public Hearing and First Reading Ordinance - Rezoning from Farm Rural to Single-Family on Tract 1 and to Commercial on Tract 2 at 714 FM 2444**

Case No. 0115-06 South Staples LLC: A change of zoning from the "FR" Farm Rural District to the "RS-15" Single-Family 15 District on Tract 1 and from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District on Tract 2. Tract 1 is described as being an 8.57 acre tract out of a 78.76 acre parcel which is out of the East One-Half of the Northwest One-Quarter, Section Thirty, Laureles Farm Tracts. Tract 2 is described as being a 5.22 acre tract out of a 78.76 acre parcel which is out of the East One-Half of the Northwest One-Quarter, Section Thirty, Laureles Farm Tracts. The properties are located at the northwest corner of South Staples Street (FM 2444) and County Road 41A.

Planning Commission and Staff Recommendation (February 11, 2015): Tract 1: Denial of the rezoning from the "FR" Farm Rural District to "RS-15" Single-Family 15 District and, in lieu thereof, approval of the "RS-22/SP" Single-Family 22 District with a Special Permit subject to a

site plan and conditions.

Tract 2: Approval of the rezoning from the "FR" Farm Rural District to "CN-1" Neighborhood Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by South Staples, LLC ("Owner"), by changing the UDC Zoning Map in reference to Tract 1, being an 8.57-acre tract out of a 78.76-acre parcel which is out of the East One-Half of the Northwest One-Quarter, Section Thirty, Laureles Farm Tracts, and Tract 2, being a 5.22-acre tract out of a 78.76-acre parcel which is out of the East One-Half of the Northwest One-Quarter, Section Thirty, Laureles Farm Tracts, from the "FR" Farm Rural District to the "RS-22/SP" Single-Family 22 District with a Special Permit on Tract 1; and from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District on Tract 2; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 16 - 20)

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

16. [15-0054](#) Approving grant funds for the rehabilitation of the La Armada II Public Housing Complex

Motion approving grant funds for the rehabilitation of the La Armada II Public Housing Complex, and authorizing the City Manager or his designee to execute an affordable housing agreement with the Corpus Christi Housing Authority.

Sponsors: Housing and Community Development

17. [15-0160](#) Second Reading Ordinance - Approving termination of RecycleRewards agreement and non-allocation of funds for budget fiscal year 2015-2016 (Tabled on 2/17/15)(1st Reading 2/24/15)

Ordinance approving a termination of the agreement with RecycleRewards and non-allocation of funds due to the necessity to fund improvements to solid waste services in the operating budget for fiscal year 2015-2016; finding that the termination and issuance of certificates of obligation for solid waste services capital improvements are both necessary and prudent; directing that a copy of this ordinance be included with the adopted FY2015-2016 Operating Budget; and providing for severance.

Sponsors: Solid Waste Operations

18. [15-0090](#) Second Reading Ordinance - Lease Agreement with Corpus Christi

Regional Transportation Authority for a Temporary Bus Transfer Station Site (Requires 28 day delay) (1st Reading 2/10/15)

Ordinance authorizing the City Manager or designee to execute a seven (7) month lease agreement with Corpus Christi Regional Transportation Authority for the use of property bounded by Leopard, Sam Rankin, Mestina and Josephine Streets, for a temporary bus transfer station.

Sponsors: Capital Programs and Office of Public Works

19. [14-001442](#) **Second Reading Ordinance - Lease Agreement for the 2015 Fiesta de la Flor event and related activities for April 17-18, 2015 (Requires 28 Day Delay) (1st Reading 1/27/15)**

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Corpus Christi Convention and Visitors Bureau ("CCCVB") for 2015 Fiesta de la Flor event and related activities to be held on April 17, 2015 and April 18, 2015, and allow use of City property including the Bayfront Park located along Shoreline Blvd. between Resaca Street and Power Street.

Sponsors: Parks and Recreation Department

20. [14-001446](#) **Second Reading Ordinance - Lease Agreement with the Corpus Christi Hispanic Chamber of Commerce for Tex Mex Railroad Depot (Requires 28 day delay) (1st Reading 1/27/15)**

Ordinance authorizing the City Manager or designee to execute a five year lease agreement with Corpus Christi Hispanic Chamber of Commerce for the use of Tex Mex Railroad Depot located at 1800 block of Chaparral Street, in consideration of improvements to premises and rental payments of \$450 per month beginning month 37 increased to \$900 per month beginning month 49.

Sponsors: Parks and Recreation Department

O. **FIRST READING ORDINANCES: (ITEMS 21 - 23)**

21. [15-0182](#) **First Reading Ordinance - Closing a portion of a utility easement located east of and at the dead-end of the Lands' End Drive public street right-of-way.**

Ordinance abandoning and vacating a 925-square foot portion of an existing 10-foot wide utility easement out of Lot 32A, Block 16, Rancho Vista Subdivision Unit 8, located east of and at the dead-end of the Lands' End Drive public street right-of-way; and requiring the owner, Yorktown Oso Venture, to comply with the specified conditions.

Sponsors: Development Services

22. [14-001440](#) **First Reading Ordinance - Engineering contract for City of Corpus Christi Regional Water Supply Strategic Sustainability Plan (Tabled)**

on 1/13/15)

Ordinance amending the FY 2015 Capital Improvement Program Budget adopted by Ordinance No. 030303 to add Project No. E14001 City of Corpus Christi Regional Water Supply Strategic Sustainability Plan; transferring and appropriating \$572,365 from the Unreserved Fund Balance in No. 4041 Raw Water Supply Development Fund to and appropriating in the No. 4080 Water CIP Fund for the City of Corpus Christi Regional Water Supply Strategic Sustainability Plan; and authorizing the City Manager or designee to execute a Professional Services Agreement in the amount of \$539,967 with CH2M Hill Engineers, Inc., a Delaware Corporation with a branch office in Corpus Christi, Texas for the City of Corpus Christi Regional Water Supply Strategic Sustainability Plan for technical, public outreach, strategic planning and associated services.

Sponsors: Environmental and Strategic Initiatives, Office of Public Works and Office of Public Utilities

23. [15-0158](#) First Reading Ordinance - Engineering Construction Contract for Cefe Valenzuela Landfill Disposal Sector 1B and 1C Re-Bid

Ordinance amending the FY 2015 Capital Improvement Program Budget adopted by Ordinance No. 030303 by transferring \$580,749.23 from Sanitary Landfill 2006 CIP Fund 3362 project reserves to Project E13035 Cefe Valenzuela Landfill Disposal Sector 1B and 1C; transferring 74,250.77 from Sanitary Landfill 2008 CIP Fund 3365 project reserves to Project E13035 Cefe Valenzuela Landfill Disposal Sector 1B and 1C; increasing the budget by \$655,000; and authorizing the City Manager, or designee, to execute a construction contract with LD Kemp Excavating, Inc. of Fort Worth, Texas in the amount of \$3,425,921.00 for the Cefe Valenzuela Landfill Disposal Sector 1B and 1C Re-Bid for the total Base Bid plus Additive Alternate 1.

Sponsors: Solid Waste Operations and Capital Programs

P. FUTURE AGENDA ITEMS: (ITEMS 24 - 31)

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

24. [15-0129](#) Authorizing a grant application submission for funding available under the Victims of Crime Act Fund

Resolution authorizing the submission of a grant application in the amount of \$90,366.92 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 \$18,592.68 and \$4,000 in-kind services for a total project cost of \$112,959.60; and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

Sponsors: Police Department

25. [15-0130](#) **Authorizing a grant application submission to fund year 3 of the Victim Outreach Program**

Resolution authorizing the submission of a grant application in the amount of \$78,273.18 to the State of Texas, Criminal Justice Division Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit to continue Year 3 of the Victim Outreach Program with a City match of \$13,368.30 and \$6,200 in-kind services, for a total project cost of \$97,841.48; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

Sponsors: Police Department

26. [15-0205](#) **Approving the Purchase of Radar Equipment**

Motion approving the purchase of twenty (20) ProLaser radars for the Corpus Christi Police Department in the amount of \$65,335.60 from Kustom Signals, Inc. Chanute, KS. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funds are available through the Crime Control and Prevention District.

Sponsors: Police Department and Purchasing Division

27. [15-0153](#) **Approving the Lease-Purchase of Aerial Platform Vehicle Unit**

Motion approving the lease-purchase of one (1) aerial platform vehicle unit from Siddons-Martin Emergency Group, Houston, Texas for a total amount of \$1,199,000.00, of which \$21,199.88 is required for the remainder of FY 2014-2015. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Financing for the lease-purchase will be provided through the City's lease-purchase financing contractor.

Sponsors: Purchasing Division and Fire Department

28. [15-0165](#) **Approving the Purchase of the Learning Management Subscription Licenses**

Motion authorizing the City Manager or designee, to approve a five year agreement for the purchase of Learning Management Subscription licenses and consulting hours from INFOR (US), Inc., Alpharetta, GA in the amount of \$257,688. Expenditures for the first year total \$97,688 that includes \$57,688 in consulting hours and an annual subscription licenses of \$40,000. Funds are available in the Human Resources FY2015 budget and the annual subscription licenses of \$40,000 will be requested through the budget process for subsequent years.

Sponsors: Human Resources and Municipal Information Systems

29. [15-0166](#) **Approving the Purchase of Additional Licenses to a Subscription of**

Curated Online Courses through OpenSesame

Motion authorizing the City Manager or designee to execute all documents necessary to approve the purchase of additional subscription service licenses provided sole source from Open Sesame Inc, Portland OR, for a total expenditure of \$74,580 for the subscription service for one (1) year. Funds are available in the Human Resources FY2015 budget.

Sponsors: Human Resources and Municipal Information Systems

30. [15-0162](#) **Engineering Construction Contract for new office building at J. C. Elliott Landfill**

Motion authorizing the City Manager, or designee, to execute a construction contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$1,055,000.00 for the J.C. Elliott Landfill New Office Building for the total Base Bid.

Sponsors: Solid Waste Operations and Capital Programs

31. [15-0212](#) **Approving a resolution opposing a Revenue Cap and Legislative Interference with Local Services**

Resolution of the City of Corpus Christi, Texas, in opposition to a Revenue Cap and Legislative Interference with Local Services.

Sponsors: Intergovernmental Relations

Q. BRIEFINGS: (ITEMS 32 - 35)

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.

32. [15-0144](#) **Drought Update**

Sponsors: Office of Public Utilities and Environmental and Strategic Initiatives

33. [15-0164](#) **Water Rate Discussion No. 1 - Operations & Maintenance**

Sponsors: Office of Public Utilities and Water/Wastewater Treatment

34. [15-0169](#) **Overview of City Code of Ethics**

Sponsors: Legal Department

35. [15-0204](#) **MPO Bicycle and Pedestrian Plan Review**

Sponsors: Street Department and Capital Programs

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