



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final City Council

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Tuesday, August 20, 2013

11:30 AM

Council Chambers

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### **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 Reverend John Hardie, St. Mark's Episcopal Church.**
- C. Pledge of Allegiance to the Flag of the United States.**
- D. City Secretary Armando Chapa to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [13-000767](#) Proclamation declaring August 20, 2013 as "Corpus Christi Metro Ministries Community Partnership Day"  
Proclamation declaring August 26, 2013 as "Women's Equality Day in Honor of the League of Women Voters of Corpus Christi"  
Certificate of Commendations Presented to CC Lifeguard Team Members: Daniel Krause, Kevin Bardwell, Robbie Krause, Chris Lewis  
Certificate of Commendations to the Workforce Solutions of the Coastal Bend "Ramp It Up! Summer Youth Project 2013" Participants  
Certificate of Commendation Presentation to Senator Curtis Ford Jr.  
City Manager's "At Your Service" Award

- 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:

H. EXECUTIVE SESSION: (ITEM 2)

*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.*

2. [13-000765](#) Executive Session pursuant to 551.071 of the Texas Government Code to consult with attorneys regarding Cause No. 2011 DCV-5073-C styled Ex Parte City of Corpus Christi, Texas, presently pending in the 94th District Court of Nueces County, Texas, which involves Aquarius Street issues, with possible discussion and action in open session.

I. MINUTES:

3. [13-000748](#) Regular Council Meeting of July 30, 2013

J. BOARDS & COMMITTEE APPOINTMENTS:

4. [13-000768](#) Airport Board  
Clean City Advisory Committee  
Committee for Persons with Disabilities

Library Board  
Park and Recreation Advisory Committee  
Transportation Advisory Committee

**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 5 - 6)**

*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.*

**5. [13-000664](#) Second Reading Ordinance - Amending the Unified Development Code and Code of Ordinances for sidewalk cafes and streetscape zones (1st Reading 7/30/13)**

Ordinance amending the Unified Development Code by revising subsections 1.11.3 - Defined Terms, subsection, 6.13.1 Streetscape Zone and Pedestrian Amenities; establishing a new subsection 6.13.1 - Permission to Use City Sidewalks; amending the City of Corpus Christi, Texas, Code of Ordinances, by revising Section 49-2 - Obstructions Generally, and Section 49-6 - Gates opening across sidewalks; and providing for severance, penalties, and publication.

**Sponsors:** Development Services and Planning/Environmental Services

**6. [13-000671](#) Second Reading Ordinance - To reimburse Isaac C. Anthony, III and Betty Anthony for the wastewater development fees paid in 1996 (1st Reading 7/30/13)**

Ordinance appropriating \$1,135.31 from the No. 4220 Wastewater Trunk System Trust Fund to refund Isaac C. Anthony, III and Betty Anthony the wastewater lot/acreage fees paid since wastewater services are not available nor will any be available within the next 5 years as related to King Estates Unit 2, Block 7, Lot 3.

**Sponsors:** Development Services

**M. PUBLIC HEARINGS: (ITEMS 7 - 9)**

7. [13-000708](#) **Public Hearing and First Reading Ordinance - Amending the Unified Development Code to create new "RS-22" Single-Family 22 District**

Ordinance amending the Unified Development Code to provide for a new "RS-22" Single-Family 22 District by revising table 1.11.2 - abbreviations, table 4.1.1 - zoning districts, table 4.3.2 - permitted uses (single-family districts), table 4.3.3 - residential development (single-family districts), subsections 5.6.4.A.2.a and 5.6.4.B.3.a - both entitled single-family, two-family, and townhouse residential use districts, and subsection 7.5.13 - signs allowed in the FR, RE, RS-15, RS-10, RS-6, RS-4.5, RS-TH, RS-TF, and RMH districts; and providing for severance, penalties, and publication.

**Sponsors:** Development Services and Planning/Environmental Services

8. [13-000723](#) **Public hearing regarding a "Substantial Amendment" to the FY2013 CAAP and a Motion to amend the programs which include allocation changes.**

Public hearing to consider a motion to amend the 2013 Consolidated Annual Action Plan (CAAP) approved by the U.S. Department of Housing and Urban Development (HUD) to increase the Community Development Block Grant Program by \$265,242, increase the HOME Investment Partnerships Program by \$6,880, and reduce the Emergency Solutions Grant Program by \$62,189; and to authorize the City Manager or designee, following the conclusion of the comment period required by HUD, to amend the FY2013 CAAP by accepting the allocation changes and recommendations by staff; and to execute all necessary documents with HUD and the CAAP grantees.

**Sponsors:** Neighborhood Services

9. [13-000753](#) **Public Hearing on Fiscal Year 2014 Ad Valorem Taxes**

**Sponsors:** Financial Services Department and Office of Management and Budget

**N. REGULAR AGENDA: (ITEMS 10 - 11)**

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

10. [13-000695](#) **Second Reading Ordinance - Calling for Special Election on November 5, 2013 (1st Reading 7/30/13)**

Ordinance ordering a Special Election to be held on November 5, 2013 in the City of Corpus Christi on the question of authorizing one or more series of bonds supported by ad valorem taxes; providing for procedures for holding such election; providing for notice of election and publication; providing for establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County;

making provisions for the conduct of such joint election; and enacting provisions and resolving other matters incident and related to such election.

**Sponsors:** City Secretary's Office

11. [13-000710](#) **Resolution establishing the City's binding intention for Destination Bayfront Bond Issuance**

Resolution establishing the City's binding intention to issue General Improvement Bonds to design, develop, construct, renovate, and improve Destination Bayfront upon obtaining the approval of City voters and upon raising private contributions and other financial support of such Project; authorizing other matters incident and related thereto; and providing an effective date.

**Sponsors:** Engineering Department

O. **FIRST READING ORDINANCES: (ITEMS 12 - 23)**

12. [13-000711](#) **First Reading Ordinance - Appropriating funds for the Texas Automobile Theft Prevention Authority (ATPA) grant**

Ordinance appropriating \$392,474 from the Texas Automobile Theft Prevention Authority (ATPA) in the No. 1061 Police Grants Fund, and appropriating \$7,359 in program income match in the No. 1061 Police Grants Fund to continue the motor vehicle theft enforcement grant within the Police Department.

**Sponsors:** Police Department

13. [13-000713](#) **First Reading Ordinance - Accepting and appropriating local grant for the purchase of two defibrillators**

Ordinance authorizing the City Manager or designee to accept a grant from Christus Spohn Hospital Corpus Christi in the amount of \$64,316.30 for the purchase of two Zoll X-series defibrillators and its accessories; and Appropriating the \$64,316.30 in the Fire Grant Fund No. 1062.

**Sponsors:** Fire Department

14. [13-000735](#) **First Reading Ordinance - Amending the Code of Ordinances regarding Food and Food Establishments**

Ordinance amending Chapter 19, Code of Ordinances, City of Corpus Christi, regarding Food and Food Establishments; providing for penalties, providing for severance; and providing for publication.

**Sponsors:** Health Department

15. [13-000736](#) **First Reading Ordinance - Amending the Reformation of the Cooperative Agreement to Operate a Public Health district to adopt**

**a new pay plan**

Ordinance to authorize the City Manager to execute amendment to the Reformation of the Cooperative Agreement to Operate a Public Health District to adopt new pay plan for the employee assigned to the Corpus Christi-Nueces County Health District.

**Sponsors:** Health Department

16. [13-000740](#) **First Reading Ordinance - Appropriating Program Income from Department of State Health Services (DSHS)**

Ordinance appropriating \$763,000 from the estimated program income revenue in the No. 1066 Health Grants Fund as State fiscal year 2013-2014 program income to fund laboratory and public health services for the period of September 1, 2013 through August 31, 2014.

**Sponsors:** Health Department

17. [13-000714](#) **First Reading Ordinance - Executing Contract and sub-contracts for FY14 Community Youth Development Program and appropriating funds**

Ordinance authorizing the City Manager or designee to execute a contract with the Texas Department of Family and Protective Services for funding for September 1, 2013 through August 31, 2014 in the total amount of \$386,769.67; authorizing appropriation in the Grants Fund No. 1060 for Community Youth Development program contracts for the 78415 Zip Code area; and authorizing execution of subcontracts as follows: \$53,337 to The Boys and Girls Club, \$82,304 to Communities In Schools of the Coastal Bend and \$108,000 to SERCO of Texas for subcontract period September 1, 2013 through August 31, 2014.

**Sponsors:** Parks and Recreation Department

18. [13-000666](#) **First Reading Ordinance - Construction contract and materials testing agreement for Bayfront Development Plan, Phase 3 (BOND 2008) Shoreline Boulevard Realignment**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by adding \$156,637.50 in Gas Capital Improvement Program Reserves; transferring \$218,862.20 from Wastewater CIP Project No. E12204 Unanticipated Wastewater Capital Requirements to the Bayfront Development Plan, Phase 3 Project; increasing expenditures in the amount of \$156,637.50; authorizing the City Manager or designee to execute a construction contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$6,552,042.05, for the Bayfront Development Plan, Phase 3 Project for the total base bid; and authorizing the City Manager or designee to execute a Construction Materials Testing Agreement with Rock Engineering and Testing Laboratory, Inc. for \$57,960.00.

**Sponsors:** Street Department and Engineering Department

19. [13-000683](#) **First Reading Ordinance - Authorizing the acceptance of donated items to settle overdue library fees**

Ordinance authorizing the Corpus Christi Public Libraries to settle overdue fees with the acceptance of donated items to be provided to charitable groups for legitimate public purposes; and providing for an effective date

**Sponsors:** Libraries

20. [13-000688](#) **First Reading Ordinance - To reimburse Marvin and Mary Kinnett for the wastewater lot/acreage fees paid in 2000.**

Ordinance appropriating \$4,707.55 from the No. 4220 Wastewater Trunk System Trust Fund to refund Marvin Kinnett and Mary Kinnett the wastewater lot/acreage fees paid since wastewater services are not available nor will any be available within the next 5 years as related to Kinnett Addition, Block 1, Lots 1, 2 & 3.

**Sponsors:** Development Services

21. [13-000689](#) **First Reading Ordinance - To rename certain areas of the City as "SEA District"**

Ordinance to rename certain areas in the City of Corpus Christi as the "SEA (Sports, Entertainment and Arts) District".

**Sponsors:** ACM - Business Support Services

22. [13-000729](#) **First Reading Ordinance - Amending the Rules and Regulations of the Utility Business Office**

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, Article II, regarding the rules and regulations of the Utilities Billing Office; providing for publication, providing for severance, and providing effective date.

**Sponsors:** Financial Services Department

23. [13-000757](#) **First Reading Ordinance - Authorizing the Issuance of Utility System Revenue Bonds**

Ordinance authorizing the issuance of one or more series of City of Corpus Christi, Texas Utility System Revenue Bonds, in an aggregate principal amount not to exceed \$106,000,000, pursuant to the delegation provisions set forth herein; making provisions for the payment and security thereof of a parity with certain currently outstanding Utility System revenue obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; prescribing the forms, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of each



series of bonds; including the approval and distribution of one or more Official Statements pertaining thereto; authorizing the execution of one or more paying agent/registrar agreements, and one or more purchase contracts; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; establishing the City's intention to reimburse itself from the proceeds of any such series of bonds for the prior lawful expenditure of funds to construct various City improvements; delegating the authority to the Mayor and certain members of the City staff to execute certain documents relating to the sale of each series of bonds; and providing an effective date.

**Sponsors:** Financial Services Department

**P. FUTURE AGENDA ITEMS: (ITEMS 24 - 32)**

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

**24. [13-000756](#) Appointing Financial Advisor for the Issuance of Utility System Revenue Bonds**

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for one or more series of City of Corpus Christi, Texas Utility System Revenue Bonds, in an aggregate principal amount not to exceed \$106,000,000.

**Sponsors:** Financial Services Department

**25. [13-000761](#) Supporting the candidacy of Mayor Nelda Martinez for President-elect of the Texas Municipal League for 2013**

Resolution supporting the candidacy of Mayor Nelda Martinez for the position of President-Elect of the Texas Mynicipal League

**Sponsors:** Intergovernmental Relations

**26. [13-000731](#) Interlocal Agreement - for breath alcohol testing program**

Resolution authorizing the City Manager or his designee to execute an interlocal agreement with San Patricio County in the amount of \$11,000 for the services of a Technical Supervisor to operate the Police Department's breath alcohol testing program for the twelve month period of January 1, 2014 - December 31, 2014.

**Sponsors:** Police Department

**27. [13-000716](#) Engineering Design Contract - for groundwater monitoring and related services at J.C. Elliott**

Motion authorizing the City Manager or designee to execute a Contract for Professional Services with Kleinfelder Central, Inc. of Corpus Christi, Texas in the amount of \$112,200, for JC Elliott Landfill FY 2013-2014



Groundwater Monitoring and Related Services.

**Sponsors:** Solid Waste Operations and Engineering Department

28. [13-000717](#) **Engineering Design Contract - for groundwater monitoring and related services at Cefe Valenzuela Landfill**

Motion authorizing the City Manager or designee to execute a Contract for Professional Services with Kleinfelder Central, Inc. of Corpus Christi, Texas in the amount of \$114,200, for Cefe Valenzuela Landfill FY 2013-2014 Groundwater Monitoring and Related Services.

**Sponsors:** Solid Waste Operations and Engineering Department

29. [13-000724](#) **Engineering Design amendment No. 1 for master channel 31 drainage channel excavation**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 with Freese and Nichols, Inc. from Corpus Christi, Texas in the amount of \$36,587.00, for a re-stated fee not to exceed \$76,324.00 for Master Channel 31 Drainage Channel Excavation

**Sponsors:** Storm Water Department and Engineering Department

30. [13-000720](#) **Engineering Construction Contract for Citywide Street Striping and Pavement Markings**

Motion authorizing the City Manager, or designee, to execute a Construction Contract with Highway Barricades and Services, LLC. of Corpus Christi, Texas for the City-wide Street Striping and Pavement Markings project in the amount of \$129,770.00 for the Base Bid.

**Sponsors:** Street Department and Engineering Department

31. [13-000712](#) **Professional Services Agreement to provide Oracle database administration services**

Motion authorizing the City Manager, or designee, to execute a one year contract with Falcron Solutions, Inc., of Houston, Texas and up to two one year extensions for an estimated expenditure of \$120,000.00 annually. The cost will be paid in monthly payments of \$10,000.00. The purpose is to provide Oracle database administration services for the current Oracle environment.

**Sponsors:** Municipal Information Systems

32. [13-000673](#) **Agreement for Legal Services for water rights and general water law issues**

Motion to authorize the City Manager or designee to execute a legal services agreement with Timothy L. Brown to advise the City on water rights and general water law issues, at monthly rate of \$6,500 plus expenses.

**Sponsors:** Legal Department

**Q. FUTURE CORPORATION MEETING: (ITEM 33)**

- 33. [13-000739](#) Board of Director's Meeting of the Corpus Christi Community Improvement Corporation**

Board of Director's Meeting of the Corpus Christi Community Improvement Corporation

**Sponsors:** Neighborhood Services

**R. BRIEFINGS TO CITY COUNCIL: (ITEMS 34 - 36)**

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

- 34. [13-000719](#) Mary Rhodes Pipeline, Phase 2**

**Sponsors:** Water Department and Engineering Department

- 35. [13-000741](#) Harbor Bridge**

**Sponsors:** Engineering Department

- 36. [13-000773](#) Discussion of hiring process for a City Secretary**

**S. ADJOURNMENT**