



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, July 28, 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 Father Peter Martinez, St. Paul the Apostle Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Police Commander, John Houston.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [15-0780](#) Proclamation declaring August 2015, "Play Ball Month"**
Presentation to Battalion Chief Flores of the Corpus Christi Fire Department for Achievement of the 2015 Mission: Lifeline® EMS Silver Level Recognition Award
Presentation of Honorary Citizen Certificates to Six 2015 Sister City Exchange Students
- 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. STREET OPERATIONS POTHOLE MAINTENANCE
- b. OTHER

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. 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.

2. [15-0779](#) **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.

I. BRIEFINGS: (ITEMS 3 - 4)

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. [15-0794](#) **Funding Options (Part 3) for Residential/Local Street Reconstruction Plan**

Sponsors: Financial Services Department

4. [15-0793](#) **Discussion on Section 7 of the Financial Budgetary Policies**

Sponsors: Office of Management and Budget

J. **MINUTES:**

5. [15-0782](#) Regular Meeting of July 21, 2015

K. **BOARD & COMMITTEE APPOINTMENTS:**

6. [15-0781](#) Food Service Advisory Committee
Parking Advisory Committee

L. **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.

M. **CONSENT AGENDA: (ITEMS 7 - 10)**

NOTICE TO THE PUBLIC: The following items are consent motions, resolutions, and ordinances of a routine or administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

7. [15-0715](#) **Supply Agreement for Food Items**

Motion authorizing the City Manager or designee to execute supply agreements with the following companies in the following amounts in accordance with Coastal Bend Council of Governments Bid Invitation No. CBCOG-15-4 for food items, for an estimated six-month expenditure of \$225,067.49, of which \$75,022.49 is required for the remainder of FY 2014-2015. The terms of the contracts shall be for six months. Funds are available through the Meals on Wheels Grant.

LaBatt Food Service
Corpus Christi, Texas
140 Line Items

Performance Food Group
Victoria, Texas
142 Line Items

\$97,747.03

\$127,320.46

Grand Total: \$225,067.49

Sponsors: Purchasing Division

8. [15-0723](#) **Interlocal Agreement for a volumetric survey of Lake Corpus Christi Reservoir**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with the Texas Water Development Board in the amount of \$43,518 for a volumetric survey of Lake Corpus Christi Reservoir.

Sponsors: Environmental and Strategic Initiatives and Capital Programs

9. [15-0765](#) **Supporting Downtown Management District's application for the Texas Historical Commission's Main Street Program**

Resolution authorizing participation as a Texas Main Street Urban City and designating city participation.

Sponsors: Business Liaison

10. [15-0711](#) **Second Reading Ordinance - Authorizing the City Manager or designee, to execute a surface easement abandonment agreement at 101 Ocean Way (1st Reading 7/21/15)**

Ordinance authorizing the City Manager or designee, to execute a Surface Easement Abandonment Agreement ("Agreement") with Avinash C. Ahuja and Peggy B. Ahuja ("Permittees"), to construct and maintain a masonry brick wall, extending approximately 50-square feet into the public right-of-way while occupying an additional 138-square feet of public right-of-way (approximately 188 total square feet) of the present Ocean Way public street right-of-way, subject to Permittees' compliance with specified conditions.

Sponsors: Development Services

N. **PUBLIC HEARINGS: (ITEM 11)**

11. [15-0767](#) **Public Hearing and First 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**

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

O. ONE READING ACTION ITEM: (ITEM 12)

12. [15-0795](#) **Resolution of authorization to execute the Notification for Additional Funding in 2015 (Street Maintenance Program) from the Regional Transportation Authority (RTA)**

Resolution authorizing the City Manager or designee to execute the "Notification for Additional Funding in 2015 (Street Maintenance Program)" in an amount of \$2,658,487.00 for the Corpus Christi Regional Transportation Authority's fiscal year 2015 allocation to the City's Street Preventative Maintenance Program projects.

Sponsors: Deputy City Manager

P. REGULAR AGENDA: (ITEMS 13 - 14)

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

13. [15-0438](#) **Second Reading Ordinance - Rezoning property located at 10113 Up River Road (Tabled on 5/19/15) (1st Reading 6/16/15)(3/4 Vote Required)**

Case No. 0415-05 AAF-Vantage at Corpus Christi.: A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, resulting in a change to the Future Land Use Plan from commercial and medium density residential to medium density residential. The property is described as being 19.74 acres out of the remainder of a 20.26 acre tract described as Parcel 5, in a Special Warranty Deed from William E. McKinzie, Jr. to William E. McKinzie, Jr. Family Limited Partnership, located on the south side of Up River Road between Deer Run Drive and Carbon Plant Road.

Planning Commission and Staff Recommendation (April 22, 2015): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by AAF-Vantage at Corpus Christi, Inc. ("Owner"), by changing the UDC Zoning Map in reference to 19.74 acres out of the remainder of a 20.26 acre tract described as Parcel 5, in a Special Warranty Deed from William E. McKinzie, Jr. to William E. McKinzie, Jr. Family Limited Partnership, from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and

publication.

Sponsors: Development Services

14. [15-0533](#) **Second Reading Ordinance - Sale of Seven Surplus City Properties (1st Reading 6/23/15)**

Ordinance declaring seven properties listed in the attached "Exhibit A - List of Surplus Property to be Sold" as surplus property, all of which are small in acreage; authorizing the sale of each to the public by sealed bid with minimum bid requirements; and authorizing the City Manager or designee to execute the deeds and any related documents necessary to complete the sales and convey the properties.

Sponsors: Facilities Management Services

Q. **FIRST READING ORDINANCES: (ITEMS 15 - 19)**

15. [15-0790](#) **First Reading Ordinance - Amending the City Code of Ethics complaint procedures**

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](#) **First 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)**

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](#) **First Reading Ordinance - Lease Agreement for hangar and office space for air ambulance and charter flight service**

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](#) **First Reading Ordinance - Appropriating funds for routine airport maintenance**

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

19. [15-0778](#) **First Reading Ordinance - Amending the City Code to create credit access business regulations**

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

R. **FUTURE AGENDA ITEMS: (ITEMS 20 - 23)**

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

20. [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

21. [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

22. [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

23. [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

S. 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.

T. ADJOURNMENT

