

Corpus Christi

1201 Leopard Street Corpus Christi, TX 78401 cctexas.com

Meeting Agenda - Final-revised City Council

Tuesday, August 18, 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 Pastor Linda Morrow, St. Peter's by the Sea United Methodist Church.
- C. Pledge of Allegiance to the Flag of the United States to be led by Brian Butscher, Assistant Director of Treatment Utilities.
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.
- E. Proclamations / Commendations
- Proclamation declaring August 22, 2015, "BUILD Corpus Christi Day" Proclamation declaring September 12, 2015, "Operation K. E. Y. S. -Keeping Every Youth in School Day" Swearing-in Ceremony for Newly Appointed Board, Commission and Committee Members
- 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. <u>CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:</u>
- a. OTHER
- H. BRIEFINGS: (ITEMS 2 -6)

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.

2. <u>15-0809</u> New Broadway Wastewater Treatment Plant

Sponsors: Water/Wastewater Treatment and Capital Programs

3. <u>15-0830</u> Proposed FY2016 Budget for Capital Improvement Program

<u>Sponsors:</u> ACM - Public Works and Utilities, Office of Public Utilites and Office of Public Works

4. <u>15-0864</u> Proposed FY2016 Budget for Enterprise Funds

Sponsors: ACM - Public Works and Utilities and Office of Management and Budget

5. <u>15-0863</u> Proposed FY2016 Budget for Debt Service Funds

<u>Sponsors:</u> Financial Services Department, Office of Management and Budget and ACM - General Government and Operations Support

6. <u>15-0862</u> Proposed FY2016 Budget for Special Revenue Funds

<u>Sponsors:</u> Office of Management and Budget and ACM - General Government and Operations Support

I. EXECUTIVE SESSION: (ITEMS 7 - 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. 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.

- **7.** 15-0910
- Executive Session pursuant to Section 551.071 of the Texas Government Code and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the New Broadway Waste Water Treatment Plant, current and proposed sewer, water, street, bridge, park, and other public infrastructure in or near said Plant, complaints related to any such infrastructure, and claims and change orders related to the construction of the aforementioned Plant.
- **8**. 15-0869
- 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.
- J. MINUTES:
- **9.** 15-0894 Regular Meeting of August 11, 2015
- K. BOARD & COMMITTEE APPOINTMENTS: (NONE)
- 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 10 - 18)

NOTICE TO THE PUBLIC: The following items are consent motions, resolutions, and ordinances of a routine or administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member or a citizen, in which event the item

or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

10. 15-0716 Purchase of Generator

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

Sponsors: Purchasing Division and Office of Public Utilites

11. <u>15-0742</u> Purchase and Installation of HVAC Equipment

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

Sponsors: Purchasing Division and Facilities Management Services

12. <u>15-0770</u> Authorizing the City Manager or designee to enter into an outside city limit water contracts for property at 754 Mckinzie Road

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

Sponsors: Development Services

13. <u>15-0814</u> Interlocal Agreement with the Corpus Christi Metropolitan Planning Organization for technical meeting broadcast services

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

Sponsors: Communications and Media Relations and eGovernment

14. <u>15-0788</u> Second Reading Ordinance - Rezoning property located at 3522 Airline Road (1st Reading 8/11/15)

Case No. 0715-01 Guadalupe Leon and Maria Del Carmen Leon: A change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District. The property to be rezoned is described as

being a 1.523 acre tract of land being out of Lots 22 and 23, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located along the east side of Airline Road between Brooke Road and Wall Street.

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

Ordinance:

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

Sponsors: Development Services

15. <u>15-0811</u>

Second Reading Ordinance - Rezoning property located at 3313 Barthlome Street. (Requires 3/4 vote) (1st Reading 8/11/15)

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

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

Ordinance:

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

Sponsors: Development Services

16. <u>15-0812</u> Second Reading Ordinance - Rezoning property located at 3902 Acushnet Drive (1st Reading 8/11/15)

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

Planning Commission Recommendation (July 15, 2015):

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

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

Ordinance:

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

Sponsors: Development Services

17. <u>15-0813</u> Second Reading Ordinance - Rezoning property located near Rodd Field Road and Siberian Street (1st Reading 8/11/15)

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

Planning Commission and Staff Recommendation (July 15, 2015): Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

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

Sponsors: Development Services

18. <u>15-0843</u> Second Reading Ordinance - Appropriating funds for Judicial Court Improvements (1st Reading 8/11/15)

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

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

N. ONE READING ACTION ITEMS: (ITEMS 19 - 20)

19. <u>15-0879</u> Setting the Council Meeting date to Adopt the Property Tax Rate

Motion setting September 15, 2015, as the date of the adoption of a proposed maximum ad valorem tax rate of \$__* per \$100 valuation.

* The proposed rate will be inserted at the August 18th meeting.

Sponsors: Financial Services Department

20. <u>15-0881</u> Scheduling the Two Public Hearings Related to FY2015-2016 Property Tax

Motion setting a public hearing on the ad valorem tax rate for September 1, 2015 and a second public hearing for September 8, 2015 during the City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

Sponsors: Financial Services Department

O. PUBLIC HEARINGS:(ITEM 21)

21. <u>15-0808</u> Public hearing and future resolution to approve the Corpus Christi Crime Control Budget for FY2015/2016

Public hearing and future resolution approving the FY 2015/2016 budget

for the Corpus Christi Crime Control and Prevention District.

Sponsors: Police Department

P. REGULAR AGENDA: (ITEM 22)

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

22. <u>15-0804</u> Adopting Homeless Solutions Visions & Strategies

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

Sponsors: ACM - Safety and Health and Neighborhoods

Q. <u>FIRST READING ORDINANCES: (ITEMS 23 - 30)</u>

23. <u>15-0822</u> First Reading Ordinance - Appropriating Funds for Increased Wrecker Fees

Ordinance appropriating \$110,000 in General Fund No. 1020 from increased towing fees adopted by City Council in January 2015; and changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing revenue and expenditures in the General Fund No. 1020 by \$110,000 each.

Sponsors: Police Department

24. <u>15-0776</u> First Reading Ordinance - Accepting and appropriating grant funds for Driving While Intoxicated (DWI) and Speed enforcement overtime

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Transportation (TXDOT) in the amount of \$98,082 for the 2016 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for Driving While Intoxicated (DWI) and Speed enforcement overtime, with a city match of \$43,247.57, for a total project cost of \$141,329.57 and appropriating \$98,082 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

25. <u>15-0835</u> First Reading Ordinance - Appropriating grant funds for motor vehicle theft enforcement

Ordinance appropriating \$527,853 from the Texas Automobile Burglary Theft Prevention Authority (ABTPA) in the No. 1061 Police Grants Fund; and appropriating \$6,621 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

26. <u>15-0669</u> First Reading Ordinance - Authorizing contracts and appropriating funds for the Community Youth Development Program

Ordinance ratifying execution of Community Youth Development program contracts with Texas Department of Family and Protective Services from March 1, 2015 to August 31, 2015 in the amount of \$207,233.47 and September 1, 2015 to August 31, 2016 in the amount of \$396,765.44; authorizing appropriation in the No. 1060 Grants Fund for the Community Youth Development Program; and authorizing extension of subcontracts with Youth Odyssey, SERCO of Texas, Communities in Schools, and Boys & Girls Club of Corpus Christi.

Sponsors: Parks and Recreation Department

27. <u>15-0816</u> First Reading Ordinance - Amending City Code regarding Technical Construction Boards

Ordinance amending the Corpus Christi Code of Ordinances, Chapter 14 "Development Services," Article II "City of Corpus Christi Technical Construction Codes," Division 1, "Scope and Administration of Technical Construction Codes," Section 14-206, "Technical construction boards," by amending the licensing requirements for members of the Electrical Advisory Board and Mechanical/Plumbing Advisory Board; providing for severance; and providing for effective date.

Sponsors: Development Services

28. <u>15-0821</u> First Reading Ordinance - Agreement for Traffic Signal Improvements for Park Road 22 and Aquarius Drive Intersection

Ordinance amending the FY 2015 Capital Improvement Budget adopted by Ordinance No. 030303 by appropriating \$420,000 in Developer contributions from TBD-Q Packery Pointe, LP (Developer), increasing expenditures by \$420,000 in the FY 2015 Capital Improvement Budget, and authorizing the City Manager, or designee, to execute a Traffic Signal Improvement Agreement between the City of Corpus Christi and Developer for the Park Road 22 and Aquarius Drive intersection and roadway improvements.

Sponsors: Office of Public Works and Capital Programs

29. <u>15-0896</u> First Reading Ordinance - Authorizing the Issuance of Certificates of Obligation for Facility Improvements (Senior Centers)

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Taxable Series 2015" in an amount not to exceed \$2,000,000 for the purpose of financing costs associated with making permanent public improvements within the City; providing for the payment of said Certificates by the levy of an ad valorem tax upon all

taxable property within the City and further securing said Certificates by a lien on and pledge of the pledged revenues of the Solid Waste System; providing the terms and conditions of said Certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said Certificates, including the approval and distribution of an Official Statement; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the requirements of the letter of representations on file with the depository trust company; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the Certificates; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing an effective date.

Sponsors: Financial Services Department and Facilities Management Services

30. <u>15-0899</u> First Reading Ordinance - Adopting the 2015 Tax Increment Reinvestment Zone #3 Amended Project and Financing Plan

Ordinance approving the Project & Financing Plan as proposed by the Board of Directors of Reinvestment Zone Number Three, Corpus Christi, Texas

Sponsors: Business Liaison

R. FUTURE AGENDA ITEMS: (ITEMS 31 - 36)

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

31. <u>15-0679</u> Lease-Purchase of 8 CNG Trucks, 3 Diesel Trucks and 2 Trailers for Solid Waste Operations

Motion approving the lease-purchase of eight compressed natural gas garbage trucks, one cab and chassis, two retriever side loaders, and two trailers from the following companies for the amounts below for a total cost of \$3,413,907.30. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Government (H-GAC) and the Texas Local Government Purchasing Cooperative (TLGPC). Funding is available from the city's lease purchase financing contractor.

Rush Truck Center

of Texas, L.P.	Heil of Texas	Corpus Christi Freightliner
Houston, Texas	Houston, Texas	Corpus Christi, Texas
\$2,737,724.84	\$188,302.00	\$291,975.00
Daniel and Daie	#0.040.004.04	
Purchase Price	\$3,218,001.84	
Interest for Lease	<u>\$195,905.46</u>	
Total Cost	\$3 413 907 30	

Sponsors: Purchasing Division and Solid Waste Operations

32. <u>15-0539</u> Replacement Mobile Computers for Police and Fire Vehicles

Motion authorizing the City Manager, or designee, to approve a 48-month lease agreement with CSI Leasing, Inc. of Saint Louis, Missouri, DIR-SDD-1880, for two hundred thirty-five (235) Datalux T5 Integrated Mobile Data Computer (MDT) systems from Austin Ribbon & Computer of Austin, Texas, for a total expenditure of \$1,186,571.89. Funds are available in the Municipal Information Systems Department FY2014-2015 budget and will be requested in future budget years.

Sponsors: Municipal Information Systems

33. <u>15-0885</u> City Council Construction Change Order Policy

Resolution establishing City Council policy for construction change orders.

Sponsors: Office of Public Works, Capital Programs and Business Liaison

34. <u>15-0786</u> Engineering Monitoring Contract Amendment No. 2 for Nueces Bay System Salinity and Freshwater Inflow Monitoring 2015-2016

Motion authorizing the City Manager or designee to execute Amendment No. 2 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$96,428 for a total restated fee not to exceed \$288,720 for the Nueces Bay System Salinity and Freshwater Inflow Monitoring 2015-2016.

Sponsors: Environmental and Strategic Initiatives and Capital Programs

35. 15-0787 Engineering Monitoring Contract Amendment No. 5 for Nueces River Water Quality, Oso Creek Water Level & City of Corpus Christi Meteorological Monitoring 2015-2016

Motion authorizing the City Manager or designee to execute Amendment No. 5 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$99,593 for a total restated fee not to exceed \$654,674 for the Nueces River Water Quality, Oso Creek Water Level & City of Corpus Christi Meteorological Monitoring 2015-2016.

Sponsors: Environmental and Strategic Initiatives and Capital Programs

36. <u>15-0903</u> Change Order No. 9 for the New Broadway Wastewater Treatment Plant

Motion authorizing the City Manager or designee to execute Change Order No. 9 with Graham Construction Services, Inc. of Eagan, Minnesota in the amount of \$668,515.36 for a total restated fee of \$51,403,936.57 for the New Broadway Wastewater Treatment Plant.

<u>Sponsors:</u> Office of Public Utilites, Water/Wastewater Treatment and Capital Programs

S. <u>LEGISLATIVE UPDATE:</u>

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. <u>ADJOURNMENT</u>