



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, November 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 Pastor David Beirne, Travis Baptist Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Pastor Rick Milby, Abundant Life Fellowship.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [15-1278](#)** Proclamation declaring November 17, 2015, "Annual World Wide GIS Day of the Coastal Bend 2015 - Discovering the World through GIS". Korean Chamber of Commerce Check Presentation to the Sister City Committee and to the City of Corpus Christi. The Texas Mayors of Military Communities Presents "Legislative Champion of the Year 2015" Award to Senator Juan "Chuy" Hinojosa. National Veteran Senior Corps Pinning Ceremony.

- 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. MINUTES:

2. [15-1281](#) Regular Meeting of October 27, 2015

I. BOARD & COMMITTEE APPOINTMENTS: (NONE)

J. 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.

K. CONSENT AGENDA: (ITEMS 3 - 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.

3. [15-1173](#) **Engineering Construction Contract for Southern Minerals Road from Up River Road to IH37 BOND 2014**

Motion authorizing the City Manager, or designee, to execute a construction contract with Haas-Anderson, Inc. of Corpus Christi, Texas in the amount of \$3,060,904.65 for the Southern Minerals Road from Up River Road to IH 37 for the total Base Bid. (Bond 2014)

Sponsors: Engineering Services and Water/Wastewater Treatment

4. [15-1197](#) **Engineering Construction Contract for Development & Improvements at HEB Tennis Center and Al Kruse Tennis Center**

Motion authorizing the City Manager, or designee, to execute a construction contract with Safenet Services, LLC. of Corpus Christi, Texas in the amount of \$1,809,131 for the HEB and Al Kruse Tennis Centers (Rebid) for the Base Bid, Part A only for repairs to the tennis centers. (Bond 2012)

Sponsors: Office of Public Works, Parks and Recreation Department and Engineering Services

5. [15-1140](#) **Expand Solid Waste Operations' DriveCam Program to reduce preventable vehicle accidents within the fleet**

Resolution finding that competitive bids are not required for procurement from Lytx, Inc., and authorizing the City Manager, or designee, to execute agreements with Lytx, Inc., totaling \$133,225.26 for the purchase of additional hardware and software to expand the vehicle-mounted camera program for the Solid Waste Operations Department.

Sponsors: Purchasing Division and Solid Waste Operations

6. [15-1228](#) **Assessment of the Efficiency and Effectiveness of the City of Corpus Christi's Financial Services Department**

Motion authorizing the City Manager or designee to execute a consultant agreement with Weaver and Tidwell, L.L.P to assess the efficiency and effectiveness of the Financial Services Department for an amount not to exceed \$228,500. Funding is available in the Financial Services Department Budget for fiscal year 2015/2016.

Sponsors: ACM - General Government and Operations Support and Office of Strategic Management

7. [15-0963](#) **Second Reading Ordinance - Amending the Civil Service Board Rules and Regulations (1st Reading 10/27/15)**

Ordinance amending the Civil Service Board Rules and Regulations in its entirety as recommended by the Civil Service Board; providing for severance; and providing an effective date.

Sponsors: Human Resources

8. [15-1146](#) **Second Reading Ordinance - Ordinance authorizing a use privilege agreement with the Tulo-so-Midway Independent School District located at 2653 McKinzie Road (1st Reading 10/27/15)**

Ordinance authorizing the City Manager to execute a use privilege agreement with the Tulo-so-Midway Independent School District ("Permittee") to install, operate, maintain, and remove a private eight-inch PVC wastewater sanitary sewer main ("Wastewater Line") across the Haven Drive Public street right-of-way, located west of McKinzie Road public right-of-way, subject to the Permittee's compliance with specified conditions.

Sponsors: Development Services

9. [15-1170](#) **Second Reading Ordinance - Authorizing the Tax Increment Reinvestment Zone #3 Board to expend funds and approve reimbursement agreements (1st Reading 10/27/15)**

Ordinance authorizing the Tax Increment Reinvestment Zone #3 (TIRZ #3) Board to expend funds and approve reimbursement agreements in accordance with the Project and Financing Plan.

Sponsors: Business Liaison

10. [15-1171](#) **Second Reading Ordinance - Appropriating funds for Tax Increment Reinvestment Zone (TIRZ) #3 Project Plan (1st Reading 10/27/15)**

Ordinance appropriating \$1,597,564 from the unreserved fund balance in Fund 1112 Reinvestment Zone No. 3 Fund (Downtown TIF) to fund approved projects in FY2016 and changing the FY2016 Operating Budget adopted by ordinance 030620 by increasing expenditures by \$1,597,564.

Sponsors: Business Liaison

L. EXECUTIVE SESSION: (ITEMS 11 - 13)

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.

11. [15-1252](#) **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.
12. [15-1280](#) **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 potential economic development agreements involving Park Road 22, Gulf Shores Joint Venture, the Packery Channel Tax Increment Reinvestment Zone, and unexpended proceeds from prior debt issuance and pursuant to Texas Government Code **§ 551.087** to discuss or deliberate regarding commercial or financial information relating to the aforementioned matters and entities 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
13. [15-1279](#) **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 involving administrative orders and/or potential litigation from the U.S. Environmental Protection Agency, U.S. Department of Justice, and/or Texas Commission on Environmental Quality related to the City's wastewater treatment plants, sanitary sewer overflows, and the City's Sanitary Sewer Collection System.

M. PUBLIC HEARINGS: (ITEMS 14 - 15)

14. [15-1249](#) **Public Hearing and First Reading Ordinance - Rezoning Property located at 9001 Leopard Street**

Case No. 0915-07 City of Corpus Christi: A change of zoning from the interim "FR" Farm Rural District after annexation to the permanent zoning district of "IH" Heavy Industrial District. The property is described

as being a 70.25 acre tract of land, described in Nueces County Deed Records by Warranty Deed Document # 2013016625, owned by SKB Acquisition Company, LLC (formerly Sam Kane Beef Processors) and located on the southwest corner of Leopard Street and North Clarkwood Road.

Planning Commission and Staff Recommendation (September 23, 2015):

Approval of the change of zoning from the "FR" Farm Rural District to the "IH" Heavy Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by the City of Corpus Christi for property owned by SKB Acquisition Company, LLC (formerly Sam Kane Beef Processors), by changing the UDC Zoning Map in reference to a 70.25 acre tract of land, described in Nueces County Deed Records by Warranty Deed Document # 2013016625, from the interim "FR" Farm Rural District after annexation to the permanent zoning district of "IH" Heavy Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

15. [15-1250](#) **Public Hearing and First Reading Ordinance - Rezoning of seven newly annexed properties in Industrial District No. 1**

Case No. 0915-08 City of Corpus Christi: A change of zoning from the Interim "FR" Farm Rural District after annexation to the "IH" Heavy Industrial District. The properties to be rezoned are described as **Tract 1:** Being a 1.095-acre tract of land, more or less, being out of a 34.54 acre tract out of Survey 421, Abstract No. 572 in Nueces County, Texas, such 34.54 acre tract recorded at Volume 1482, Page 1029, Deed Records of Nueces County, Texas owned by ABTEX Brinkerhoff Oil Company and said landlocked tract generally located between IH-37 and Hearn's Ferry Road and east of Carbon Plant Road; **Tract 2:** Being a tract of land containing 42,000 square feet (0.96 acre) of land out of a 3.23 acre tract recorded in Volume 1722, Page 552 of the Deed Records of Nueces County, Texas, owned by Coastal States Petroleum and said landlocked tract generally located east of North Navigation Boulevard and north of Up River Road; **Tract 3:** Being a tract of land containing 25,185 square feet (0.58 acre) of land out of a 3.23 acre tract recorded in Volume 1722, Page 552 of the Deed Records of Nueces County, Texas, owned by Coastal States Petroleum and said landlocked tract generally located east of North Navigation Boulevard and north of

Up River Road; **Tract 4:** Being a 0.095 acre tract of land situated in the Rincon Del Oso Grant, Nueces County, Texas and being out of that certain 6.985 acre tract of land described in a Warranty Deed to Valero Energy Corporation recorded in Volume 2327, Page 543, Nueces County Deed Records and owned by Coastal Liquids Partners, LP and said landlocked tract generally located east of North Navigation Boulevard and north of Up River Road; **Tract 5:** Being a 0.92 acre tract of land situated in the Rincon Del Oso Grant, Nueces County, Texas and being out of that certain 6.985 acre tract of land described in a Warranty Deed to Valero Energy Corporation recorded in Volume 2327, Page 543, Nueces County Deed Records and owned by Coastal Liquids Partners, LP and said landlocked tract generally located east of North Navigation Boulevard and north of Up River Road; **Tract 6:** Being a 0.187 acre (8,138.134 square feet) out of Lot 7-B of the Oak Lawn Subdivision as recorded in Volume 33, Page 63 of the Map Records of Nueces County, Texas and owned by Exxon Pipeline Company and located on the south corner of Buddy Lawrence Drive and Oak Park Avenue; and **Tract 7:** Being a 0.25 acre tract of land out of Lot 7-B of the Oak Lawn Subdivision as recorded in Volume 33, Page 63 of the Map Records of Nueces County, Texas and owned by Koch Gathering Sys, Inc. and located between Oak Park Avenue and Buddy Lawrence Drive and north of Huisache Street.

Planning Commission and Staff Recommendation (September 23, 2015):

Approval of the re-zoning from the Interim "FR" Farm Rural District after annexation to the "IH" Heavy Industrial District on Tracts 1-7.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by the City of Corpus Christi for seven tracts of land described and owned as follows: **Tract 1:** ABTEX Brinkerhoff Oil Co. (1.09 acres); **Tracts 2 and 3:** Coastal State Petroleum Co. (0.96 and 0.58 acres); **Tracts 4 and 5:** Coastal Liquids Partners LP (0.10 and 0.92 acres); **Tract 6:** Exxon Pipeline Co. (0.18 acres); and **Tract 7:** Koch Gathering Sys Inc. (0.25 acres), by changing the UDC Zoning Map in reference to the seven tracts encompassing 4.08 acres of land, more specifically described by City Council Ordinance 030640, from the interim "FR" Farm Rural District after annexation to the permanent zoning district of "IH" Heavy Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

N. ONE-READING ACTION ITEMS: (ITEM 16)

16. [15-1254](#) **One-Reading Action Item - Amending the Ordinances for the Victims Of Crime Act (VOCA) grants to comply with grant requirements**

Ordinance amending Ordinance 030636 which accepted a grant from the State of Texas, Criminal Justice Division in the amount of \$84,795.95 for the 3rd project year of the Victims of Crime Act (VOCA) Outreach Program and Ordinance 030637 which accepted a grant in the amount of \$188,264.42 to continue the Victims of Crime Act (VOCA) grant within the Police Department for the 16th and 17th project years, to add a section regarding return of funds in event of loss or misuse of funds in order to comply with grant requirements.

Sponsors: Police Department

O. REGULAR AGENDA: (NONE)

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

P. FIRST READING ORDINANCES: (ITEMS 17 - 24)

17. [15-1244](#) **First Reading Ordinance - Accepting and appropriating State grant funds for the 16th program year of the Violence Against Women Act (VAWA) program within the Police Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$34,645.86 for the 16th program year of the Violence Against Women Act (VAWA) Program within the Police Department with a City match of \$27,800.14 and an in-kind match of \$5,520 from the No. 1020 Police General Fund; appropriating the \$34,645.86 in the No. 1061 Police Grants Fund for the VAWA grant in the Police Department; and authorizing the transfer of \$27,800.14 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$67,966.00.

Sponsors: Police Department

18. [15-1196](#) **First Reading Ordinance - Accepting and appropriating grant funds for CPR training of graduating seniors within Corpus Christi Independent School District (CCISD)**

Ordinance authorizing the City Manager or designee to accept a grant from NuStar Energy L.P. in the amount of \$2,500 to support a joint pilot program between CCFD and CCISD to provide CPR training to all graduating seniors; and appropriating \$2,500 from NuStar Energy L.P.

into the No .1062 Fire Grant Fund to be used specifically to purchase any equipment and/or supplies to directly benefit Fire Departments' CPR Pilot Program.

Sponsors: Fire Department

19. [15-1214](#) **First Reading Ordinance - Reimbursement agreement for the construction of water arterial transmission and grid main line located along North Oso Parkway, east of Ennis Joslin Road and north of Wooldridge Road**

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, L.P., ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$79,747.60 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

20. [15-1216](#) **First Reading Ordinance - Closing a portion of a utility easement located east of Fort Worth Street and South of Campbell Street**

Ordinance abandoning and vacating a 1,094-square foot portion of an existing 10-foot wide utility easement out of a part of Lot 1B, Hospital Tracts Subdivision, located east of the Fort Worth Street and south of Campbell Street; and requiring the owner, Driscoll Children's Hospital to comply with the specified conditions.

Sponsors: Development Services

21. [15-1217](#) **First Reading Ordinance - Appropriating funds to continue construction/safety enhancements/safety modification for Runway 17/35 at Corpus Christi International Airport**

Ordinance appropriating \$665,021 from the Federal Aviation Administration Grant No. 3-48-0051-049-2012 Amendment No. 1 in the No. 3020 Airport Capital Improvement Fund for the Runway 17/35 600-ft Extension Displacement and Associated Taxiways and the Runway 13/31 Connecting Taxiway Projects; amending the FY2015-2016 Capital Budget adopted by Ordinance No. 030621 by increasing revenues and expenditures by \$665,021 each. With a 10% match with Airport Fund Reserves.

Sponsors: Aviation Department

22. [15-1218](#) **First Reading Ordinance - Appropriating funds to continue construction/runway safety for Runways 17/35 and 13/31 at Corpus Christi International Airport**

Ordinance appropriating \$1,733,597 from the Federal Aviation

Administration Grant No. 3-48-0051-050-2013 Amendments No. 2 and 3 in the No. 3020 Airport Capital Improvement Fund for Runway 13/31, 1,000-ft extension displacement and connecting taxiways, reconstruct and expand north general aviation apron, reconstruct air carrier taxiway, extend Taxiway F, Runway 17/35, NAVAIDS site work, and Gate 10B projects; amending the FY2015-2016 Capital Budget adopted by Ordinance No. 030621 by increasing revenues and expenditures by \$1,733,597 each. With a 10% match from the Airport Fund Reserves.

Sponsors: Aviation Department

23. [15-1239](#) First Reading Ordinance - Approving the Proposed 2016 Annual Audit Plan

Ordinance to approve the 2016 Annual Audit Plan

Sponsors: City Auditor

24. [15-1293](#) First Reading Ordinance - Accepting and Appropriating Partial Reimbursement for Election Services Overbilling

Ordinance accepting payment from Nueces County in the amount of \$73,616.52 as partial reimbursement for election services overbilling and appropriating in the No. 1020 General Fund; changing the FY2015-2016 operating budget adopted by Ordinance 030620 to increase revenues and expenditures by \$73,616.52.

Sponsors: City Secretary's Office

Q. FUTURE AGENDA ITEMS: (ITEMS 25 - 30)

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

25. [15-1067](#) Purchase of Emulsified Polymerized Asphalt for use in street sealcoating

Motion authorizing the City Manager, or designee, to enter a supply agreement with Ergon Asphalt & Emulsions, Inc., Austin, Texas for emulsified polymerized asphalt in accordance with Bid Event 75, based on only bid, for an estimated 6-month expenditure of \$349,450.00. The term of the agreement shall be for six (6) months with options to extend for up to five (5) additional six-month periods, subject to the approval of the supplier and the City Manager or designee. Funds are available in the Material Inventory Fund by the Street Operations Department in FY 2015-2016.

Sponsors: Purchasing Division and Street Department

26. [15-1213](#) Resolution approving a Developer Participation Agreement for the City's cost to extend North Oso Parkway located east of Ennis Joslin and north of Wooldridge Road

Resolution authorizing the City Manager or designee to execute a developer participation agreement with MPM Development, L.P., ("Developer"), to reimburse the Developer up to \$304,508.60 for the City's share of the cost to extend North Oso Parkway, in accordance with the Unified Development Code.

Sponsors: Development Services

27. [15-1187](#) **Engineering Contract for McBride Lift Station and Force Main Improvements**

Motion authorizing the City Manager or designee to execute an engineering contract with Coym, Rehmet & Gutierrez of Corpus Christi, Texas in the amount of \$391,870 for the McBride Lift Station and Force Main Improvements for design, bid and construction phase services.

Sponsors: Engineering Services and Water/Wastewater Treatment

28. [15-1247](#) **Resolution to approve repair and completion of preventative maintenance of the LED lighting system on the Harbor Bridge**

Resolution finding that competitive bids are not required for procurement from Pfeiffer & Son, Ltd, and authorizing the City Manager, or designee, to execute an agreement with Pfeiffer & Son, Ltd. in the amount of \$69,064.50 for the repair and preventative maintenance of the LED lighting system on the Harbor Bridge.

Sponsors: ACM - General Government and Operations Support

29. [15-1266](#) **Resolution requesting Corpus Christi Regional Transportation Authority Forensic Audit**

Resolution authorizing issuance of a letter to the Corpus Christi Regional Transportation Authority requesting a forensic audit of the Corpus Christi Regional Transportation Authority's finances and accounting practices.

Sponsors: Legal Department

30. [15-1267](#) **Resolution authorizing the submission of a grant application to the Governor's office for the Defense Economic Adjustment Assistance Grant (DEAAG) program**

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of up to five million dollars (\$5,000,000) to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program.

Sponsors: Intergovernmental Relations

R. BRIEFINGS: (ITEMS 31 - 32)

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.

31. [15-1056](#) **Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Economic Update**

Sponsors: Economic Development

32. [15-1199](#) **Housing Workshop #4**

Sponsors: ACM - Safety, Health and Neighborhoods, ACM - Public Works and Utilities and Housing and Community Development

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