



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, February 24, 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 Elder Jimmy Perez, The Summit Church.
- C. Pledge of Allegiance to the Flag of the United States to be led by Wes Pierson, Assistant City Manager.
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.
- E. Proclamations / Commendations
 - 1. [15-0183](#) Proclamation declaring March 2015, "American Red Cross Month".
- F. **PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.**

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

- 1. MAKE A STATEMENT OF FACTUAL INFORMATION.**
- 2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.**
- 3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.**

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

G. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

a. OTHER

H. EXECUTIVE SESSION: (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 officer.

- 2. [15-0186](#)** Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding fire collective bargaining negotiations and the Agreement between the City of Corpus Christi and the Corpus Christi Firefighters Association and term(s) thereof with possible discussion, resolution(s), and other actions in open session concerning any matters related thereto.

I. MINUTES:

- 3. [15-0184](#)** Regular Meeting of February 17, 2015

J. BOARD & COMMITTEE APPOINTMENTS:

- 4. [15-0185](#)** Crime Control and Prevention District
Mayor's Fitness Council
Mechanical/Plumbing Advisory Board
Reinvestment Zone No. Three Board
Tree 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 5-7)

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. [15-0115](#) Purchase and installation of an alerting system

Motion approving the purchase and installation of an Alerting System from Daily-Wells Communications, San Antonio, Texas based on sole source for a total amount of \$117,584. Funds have been budgeted by the Fire Department in FY 2014-2015.

Sponsors: Purchasing Division and Fire Department

6. [15-0101](#) Second Reading Ordinance - Appropriating grant funds for the Local Emergency Planning Committee (LEPC) grant (1st Reading 2/17/15)

Ordinance appropriating \$27,674.58 from the Texas Department of Public Safety, Governor's Division of Emergency Management, in the No. 1062 Fire Grants Fund for FY 2015 Hazardous Materials Emergency Preparedness grant program, phase II & III, to conduct a detailed hazardous materials vulnerability assessment to increase effectiveness in safety and efficiently handling hazardous materials accidents and incidents and to further enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986, with a hard match of \$6,918.64.

Sponsors: Fire Department

7. [15-0098](#) Second Reading Ordinance - Purchase and installation of replacement boat crane at the Marina (1st Reading 2/17/15)

Ordinance appropriating \$260,000 from the unreserved fund balance of the No. 4700 Marina Fund for the replacement of a boat crane; changing the FY2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing appropriations by \$260,000; approving the purchase and installation of a boat crane from 1st On-Site Services, LLC, based on sole source, for a total amount of \$252,150; and

providing for severance.

Sponsors: Purchasing Division and Municipal Marina

M. PUBLIC HEARINGS: (ITEM 8)

8. [15-0111](#) Public Hearing and First Reading Ordinance - Rezoning from commercial with a special permit to light industrial at 10328 Interstate Highway 37 access road

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

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

Ordinance:

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

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 9-11)

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

9. [15-0087](#) Second Reading Ordinance - Rezoning from single-family to multifamily at 5409 Lipes Boulevard (1st Reading 2/10/15) (Requires 3/4 vote)

Case No. 0115-01 The Convent Academy of the Incarnate Word: 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 low density residential to medium density residential uses. The property is described as being 26.32 acres out of Lots 6 and 7, Section

6, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Lipes Boulevard approximately 650 feet west of South Staples Street.

Planning Commission and Staff Recommendation (January 14, 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 The Convent Academy of the Incarnate Word ("Owner"), by changing the UDC Zoning Map in reference to 26.32 acres out of Lots 6 and 7, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, 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

10. [14-001428](#) **Second Reading Ordinance - Authorizing issuance of solid waste certificates of obligation (1st Reading 2/17/15)**

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 \$14,500,000 for the purpose of financing costs associated with making permanent public improvements to the City's Solid Waste System; 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 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 Solid Waste Operations

11. [15-0004](#) **Second Reading Ordinance - Modifying and clarifying parade and special event permit ordinance (1st Reading 2/17/15)**

Ordinance repealing Chapter 49, Article 1, Division 2. "Temporary Closure of Streets"; amending Chapter 53, Article VII "Parades and Marches" in its entirety to modify and clarify parades, marches, and

street events permit procedures and requirements; providing an effective date; providing for severance; providing for penalty; and providing for publication.

Sponsors: Police Department and Parks and Recreation Department

O. ONE READING ACTION ITEM: (ITEM 12)

12. [15-0154](#) Authorizing issuance of tax notes related to Texas Military Preparedness Commission

Ordinance by the City of Council of the City of Corpus Christi, Texas authorizing the issuance of "City of Corpus Christi, Texas Tax Notes, Series 2015" in an amount not to exceed \$5,090,000, levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the obligations; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the obligations; authorizing the execution of paying agent/registrar agreement and a loan agreement; complying with the provisions of the depository trust company's letter of representations; and providing an effective date.

Sponsors: Financial Services Department and Intergovernmental Relations

P. FIRST READING ORDINANCES: (ITEMS 13-15)

13. [15-0160](#) First Reading Ordinance - Approving termination of RecycleRewards agreement and non-allocation of funds for budget fiscal year 2015-2016 (Tabled on 2/17/15)

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

Sponsors: Solid Waste Operations

14. [14-001440](#) First Reading Ordinance - Engineering contract for City of Corpus Christi Regional Water Supply Strategic Sustainability Plan (Tabled on 1/13/15)

Ordinance amending the FY 2015 Capital Improvement Program Budget adopted by Ordinance No. 030303 to add Project No. E14001 City of Corpus Christi Regional Water Supply Strategic Sustainability Plan; transferring and appropriating \$572,365 from the Unreserved Fund Balance in No. 4041 Raw Water Supply Development Fund to and

appropriating in the No. 4080 Water CIP Fund for the City of Corpus Christi Regional Water Supply Strategic Sustainability Plan; and authorizing the City Manager or designee to execute a Professional Services Agreement in the amount of \$539,967 with CH2M Hill Engineers, Inc., a Delaware Corporation with a branch office in Corpus Christi, Texas for the City of Corpus Christi Regional Water Supply Strategic Sustainability Plan for technical, public outreach, strategic planning and associated services.

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

15. [15-0104](#) First Reading Ordinance - Appropriating reimbursement from Texas State Library and Archives Commission

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

Sponsors: Libraries

Q. FUTURE AGENDA ITEMS: (ITEMS 16-17)

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

16. [15-0128](#) Authorizing State of Texas, Criminal Justice Division grant application

Resolution authorizing the submission of a grant application in the amount of \$46,194.48 to the State of Texas, Criminal Justice Division, for funding available under the Violence Against Women Act (VAWA) fund for the Police Department's Family Violence Unit with a city match of \$19,354.48, an in-kind match of \$5,520, for a total project cost of \$71,068.96; and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

Sponsors: Police Department

17. [15-0136](#) Authorizing Texas Parks & Wildlife Department grant application for improvements at West Guth Park

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

Sponsors: Parks and Recreation Department

R. BRIEFINGS : (ITEMS 18-20)

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.

18. [15-0144](#) **Drought Update**

Sponsors: Office of Public Utilities and Environmental and Strategic Initiatives

19. [15-0164](#) **Water Rate - Operations & Maintenance**

Sponsors: Office of Public Utilities and Water/Wastewater Treatment

20. [15-0176](#) **Debt Presentation**

Sponsors: Financial Services Department

S. **LEGISLATIVE UPDATE: (NONE)**

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**