



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, December 17, 2013

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 Bill Banda, Love and Grace Church of God
- 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. [13-001190](#) Swearing-in Ceremony for Newly Appointed Board and Commission 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. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

- a. **City Performance Report - Development Services**
- b. **Other**

H. EXECUTIVE SESSION: (NONE)

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.

I. MINUTES:

2. [13-001188](#) Regular Council Meeting of December 10, 2013.

J. BOARDS & COMMITTEE APPOINTMENTS:

3. [13-001189](#) Corpus Christi Regional Economic Development Corporation

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 or 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 4 - 35)

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.

4. [13-001301](#) Agreement for delivery of electricity and related services

Motion authorizing the City Manager to execute a Commercial Energy Sales Agreement for deliveries of electricity and necessary, related services at a fixed energy price per kilowatt hour (kWh) not to exceed the current contract rate for 2011-2013 plus standard delivery services charges effective January 1, 2014, for 48 months ending December 31, 2017, for certain electric accounts in the area served by Nueces Electric Cooperative.

Sponsors: Intergovernmental Relations

5. [13-001139](#) Adopting the federal legislative priorities

Resolution adopting the City of Corpus Christi's federal legislative priorities for 113th U.S. Congress.

Sponsors: Intergovernmental Relations

6. [13-001097](#) Lease purchase of freightliner truck for chipped tree transport

Motion approving the lease purchase of one (1) Freightliner truck with Knapheide Forestry Body from Freightliner of Houston, Houston, Texas for a total amount of \$90,870.00 of which \$7,014.06 is required in FY 2013-2014. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funding is available from the City's lease-purchase financing contractor.

Sponsors: Purchasing Division and Parks and Recreation Department

7. [13-001115](#) Lease purchase of freightliner truck with aerial lift body for traffic signal maintenance

Motion approving the lease-purchase of one (1) Freightliner truck with aerial lift body from Freightliner of Houston, Houston, Texas for a total amount of \$131,620.00. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funding is available from the city's lease-purchase financing contractor.

Sponsors: Purchasing Division and Engineering Department

8. [13-001117](#) **Lease purchase of dump trucks for landfill**

Motion approving the lease purchase of three (3) Freightliner trucks with Warren 18-yard dump body from Freightliner of Houston, Houston, Texas for a total amount of \$366,832.00 of which \$25,860.44 is required in FY 2013-2014. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funding is available from the City's lease-purchase financing contractor.

Sponsors: Purchasing Division and Solid Waste Operations

9. [13-001113](#) **Purchase of freightliner truck with cement mixer body for concrete repair by water distribution crews**

Motion approving the purchase of one (1) Freightliner truck with cement mixer body from Houston Freightliner, Inc., Houston, Texas for a total amount of \$230,205.00. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). Funding is available in the FY 2013-2014 Capital Outlay Budget of the Water Fund.

Sponsors: Purchasing Division and Water Department

10. [13-001099](#) **Supply agreement for pipe repair clamps**

Motion approving a supply agreement with Ferguson Enterprises, Corpus Christi, Texas for pipe repair clamps in accordance with Bid Invitation No. BI-0037-14 based on lowest responsible bid for an estimated annual expenditure of \$223,313.50, of which \$148,875.66 is required for the remainder of FY 2013-2014. The term of the agreement shall be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Water Department in FY 2013- 2014.

Sponsors: Purchasing Division and Water Department

11. [13-001114](#) **Purchase of emergency standby pump for the Wooldridge lift station**

Motion approving the purchase of one (1) emergency standby pump from Xylem Dewatering Solutions, Inc., dba Godwin Pumps, Bridgeport, New Jersey for a total amount of \$162,989.32. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). Funding is available in the FY 2013-2014 Wastewater System Fund.

Sponsors: Purchasing Division and Wastewater Department

12. [13-001134](#) **Supply agreement for sodium bisulfite solution, a chemical used for dechlorination at the wastewater treatment plants**

Motion approving a supply agreement with Calabrian Corporation, Port Neches, Texas for approximately 1,973,368 pounds of sodium bisulfite solution for use at the Wastewater Treatment Plants in accordance with Bid Invitation No. BI-0065-14, based on lowest responsible bid for an estimated twelve month expenditure of \$600,890.56 of which \$400,593.68 is required for the remainder of FY 2013-2014. The term of the supply agreement will be for twelve months with an option to extend for up to two additional twelve-month periods subject to the approval of the supplier and the City Manager or designee. Funds are available in the Wastewater Operations Budget in FY2013-2014.

Sponsors: Purchasing Division and Wastewater Department

13. [13-001118](#) **Supply Agreement for reformulated gasoline and ultra-low sulfur diesel fuel**

Motion approving a supply agreement with Oil Patch Petroleum, Inc., Corpus Christi, Texas for reformulated gasoline and ultra-low sulfur diesel fuel in accordance with Bid Invitation No. BI-0030-14, based on lowest local bid for an estimated twelve month expenditure of \$4,635,554.65 of which \$3,090,369.77 is required for the remainder of FY 2013-2014. The term of the agreement will be for twelve months with options to extend for up to two additional twelve-month periods, subject to the approval of the suppliers and the City Manager, or designee. Funds have been budgeted by Maintenance Services and the Aviation Department in FY 2013-2014.

Sponsors: Purchasing Division, Fleet Maintenance Services and Aviation Department

14. [13-001133](#) **Service agreement for installation, maintenance and repair of roadway illumination and traffic signals**

Motion approving a service agreement with Star Operations, Inc., Corpus Christi, Texas for installation, maintenance & repair of roadway illumination and traffic signals in accordance with Bid Invitation No. BI-0031-14 based on only bid for an estimated twelve-month expenditure of \$529,591.00 of which \$308,928.06 is required for the remainder of FY 2013-2014. The term of the service agreement will be for twelve-months with an option to extend for up to two additional twelve-month periods subject to the approval of the service provider and the City Manager or designee. Funds are available in the General Fund in FY 2013-2014.

Sponsors: Purchasing Division and Engineering Department

15. [13-001091](#) **Interlocal agreement for storage of supply trailer to be used in an emergency**

Resolution authorizing the City Manager or his designee, the Director of

the Corpus Christi-Nueces County Health District ("Health District"), to execute an interlocal agreement between the Health District and Robstown Fire/EMS for the purpose of storing a trailer with supplies at a Robstown facility to be used in case of a natural or man-made emergency.

Sponsors: Health Department

16. [13-001106](#) **Construction contract for Corpus Christi ship channel gas main crossing**

Motion authorizing the City Manager, or designee, to execute a construction contract with Alcott, Inc. dba TCH from Friendswood, Texas in the amount of \$548,600, for Corpus Christi Ship Channel Gas Main Crossing for the base bid.

Sponsors: Gas Department, Municipal Information Systems and Engineering Department

17. [13-001128](#) **Construction contract for Americans with Disabilities Act (ADA) improvements in Community Development Block Grant (CDBG) areas from FY 2012**

Motion authorizing the City Manager or designee to execute a Construction Contract with CAS Companies, LP of Corpus Christi, Texas in the amount of \$228,552.06, for ADA Improvements in CDBG Areas for the Base Bid only.

Sponsors: Neighborhood Services and Engineering Department

18. [13-001094](#) **Contribution-In-Aid-Of Construction agreement for relocating and raising a transmission line that crosses the sedimentation basin of Mary Rhodes Pipeline Phase 2**

Motion approving a Contribution-In-Aid-Of-Construction Agreement with American Electric Power (AEP) Texas Central Company in the amount of \$1,450,000.00 for raising AEP's 69 KV transmission line that crosses the sedimentation basin of Mary Rhodes Pipeline Phase 2

Sponsors: Water Department and Engineering Department

19. [13-001152](#) **Reservation agreement for recycled water**

Motion authorizing the City Manager or designee to execute an Agreement for Exclusive Reservation of Recycled Water (the "Reservation") with Valero Refining - Texas, L.P. (Valero) for 4 million gallons per day (mgd) of recycled water.

Sponsors: Water Department and Engineering Department

20. [13-001156](#) **Interlocal cooperation agreement with University of North Texas for air quality planning**

Resolution authorizing the City Manager or City Manager's designee to execute an Interlocal Cooperation Agreement with University of North Texas in the amount of \$339,400 for an air quality research and planning program, which includes air quality monitoring and modeling projects, and development of an emissions inventory for the Nueces and San Patricio Counties area.

Sponsors: Planning/Environmental Services

21. [13-001157](#) **Interlocal cooperation agreement with Texas A&M University - Corpus Christi for pollution prevention and air quality educational outreach**

Resolution authorizing the City Manager or City Manager's designee to execute an Interlocal Cooperation Agreement with Texas A&M University-Corpus Christi in the amount of \$211,530 for the Pollution Prevention Partnership and educational outreach program, which includes small business assistance and public education on pollution prevention and air quality in Nueces and San Patricio Counties.

Sponsors: Planning/Environmental Services

22. [13-001103](#) **Type A grant renewal for Del Mar Procurement Technical Assistance Center**

Resolution approving the renewal of the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College Procurement Technical Assistance Center (PTAC) to provide grant up to \$37,500 to assist small businesses.

Sponsors: Economic Development

23. [13-001159](#) **Agreement with Texas A&M University recognizing the City as a sub-recipient for a Federal grant for fiber connectivity to permit finalization of grant activities**

Motion authorizing the City Manager, or designee, to execute an agreement with Texas A&M University for an expenditure of \$144,000.00 to replace disallowed in-kind funding for a BTOP (Broadband Technology Opportunity Program) federal grant awarded to Texas A&M University in the amount of \$1,000,000.00 and to recognize the City as a sub-recipient for funding from that grant.

Sponsors: Municipal Information Systems

24. [13-001149](#) **Contract for collection of delinquent special assessments, demolitions, liens, and Risk Management claims**

Motion to authorize the City Manager or his designee to execute a contract for the collection of delinquent special assessments levied in connection with paving liens and liens filed under Chapter 342 of the

Health and Safety Code (including demolition, clean-up, and mowing) and for the collection of Risk Management claims with Linebarger, Goggan, Blair & Sampson, LLP for a fee of 20% of principal and interest collected on delinquent accounts turned over to the law firm.

Sponsors: Financial Services Department

25. [13-000994](#) **Second Reading Ordinance - Rezoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District, on property located at 5621 Corisca Road and 6940 South Staples Street (FM 2444) (1st Reading 12/10/13)**

Case No. 1013-02 Mokry Family: Rezoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District, resulting in a change to the Future Land Use Plan from medium density residential to low density residential. The property to be rezoned is described as being a 4.01-acre tract of land, more or less, out of Lot 31, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, located on both sides of Corsica Road and approximately 620 feet east of South Staples Street (FM 2444).

Planning Commission and Staff Recommendation (October 23, 2013): Approval of the rezoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by the Mokry Family, i.e., Tim J. Mokry, Gerard L. Mokry, Catherine J. Mokry, Edmund J. Mokry, Loraine Mokry Nemec, Leona Mokry Williams, Thelma Eugenia Mokry, and Estate of Louis V. Mokry, Deceased ("Owners"), by changing the UDC Zoning Map in reference to a 4.01-acre tract of land, more or less, out of Lot 31, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services and Planning/Environmental Services

26. [13-001096](#) **Second Reading Ordinance - Accepting and appropriating a State grant for the Senior Companion Program (SCP) (1st Reading 12/10/13)**

Ordinance authorizing the City Manager, or designee, to execute all documents necessary to accept and appropriate a Grant from The Corporation for National and Community Service in the amount of \$5,756.00 to the No. 1067 Parks and Recreation Funds - for funding of a national service project -- Senior Companion Program.

Sponsors: Parks and Recreation Department

27. [13-001100](#) **Second Reading Ordinance - Accepting and appropriating a local grant for the Retired Senior Volunteer Program (RSVP) (1st Reading 12/10/13)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$18,059 grant awarded by the Corporation for National and Community Service for the Retired Senior Volunteer Program; appropriating the \$18,059 grant in the No. 1067 Parks and Recreation Grants Fund.

Sponsors: Parks and Recreation Department

28. [13-001069](#) **Second Reading Ordinance - Lease agreement with Coinmach Corporation for operation of laundry facilities (1st Reading 10/17/13)**

Ordinance authorizing the City Manager, or designee, to execute a five year Lease Agreement with Coinmach Corporation for operation of laundry facilities at Sunrise Beach RV Park in consideration of fifty percent of gross receipts.

Sponsors: Water Department

29. [13-001129](#) **Second Reading Ordinance - Amending City code titled "Streets and Sidewalks" related to street cuts (1st Reading 12/10/13)**

Ordinance amending Chapter 49 of the Code of Ordinances titled "Streets and Sidewalks" in order to provide requirements and prohibitions related to street cuts.

Sponsors: Street Department and Engineering Department

30. [13-001150](#) **Second Reading Ordinance - Continuing Texas Municipal Retirement System (TMRS) updated service credits for participants and increases for prior and current annuities (1st Reading 12/10/13)**

Ordinance authorizing and allowing, under the Act governing the Texas Municipal Retirement System, "Updated Service Credits" in said system for service performed by qualifying members of such system who presently are members of the City of Corpus Christi; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; establishing an effective date for such actions; and providing for severance.

Sponsors: Human Resources

31. [13-001090](#) **Second Reading Ordinance - Purchase of Community Development and Regulation (CDR) module of Infor software (1st Reading 12/10/13)**

Ordinance appropriating \$1,648,183 from the Unreserved Fund Balance

in the Development Services Fund No. 4670 for the purchase of the Infor Community Development and Regulation (CDR) module; changing the FY 2013-2014 Budget adopted by Ordinance No. 029915 to increase appropriations by \$1,648,183; authorizing the City Manager, or designee, to execute amendment to Master Contract with Infor, Inc. for CDR module, with an initial three-year service agreement and initial one-year hosting and maintenance agreements, each with automatically annual renewal terms upon payment of annual fees, with the total amount of the fixed price agreement of \$1,648,183, which includes the recurring support costs for years one and two, and additional recurring support costs of \$64,820 per year for years three through five.

Sponsors: Municipal Information Systems and Development Services

32. [13-001137](#) Second Reading Ordinance - Appropriating funds for the purchase of court case management software (1st Reading 12/10/13)

Ordinance authorizing participation in the National Joint Powers Alliance Cooperative Purchasing program; appropriating \$1,300,000 from the Unreserved Fund Balance in the No. 1020 General Fund for court case management software and data conversion services; authorizing execution of contract with Tyler Technologies in amount of \$777,044; changing the FY 2013-2014 Budget adopted by Ordinance No. 029915 to increase expenditures by \$1,300,000 in the No. 1020 General Fund.

Sponsors: Municipal Information Systems and Municipal Court Administration

33. [13-001119](#) Second Reading Ordinance - Appropriating funds for safety vestibule at City Detention and Magistration Center (1st Reading 12/10/13)

Ordinance appropriating and transferring \$50,000.00 from the Unreserved Fund Balance in the No. 1020 General Fund for the remodeling of the City Detention and Magistration Center to create a safety vestibule; and changing the FY 2013-2014 Adopted Annual Operating Budget adopted by Ordinance No 029915 by increasing expenditures by \$50,000 in the No. 1020 General Fund.

Sponsors: Municipal Court Administration

34. [13-001086](#) Second Reading Ordinance - Appropriating Passenger Facility Charge (PFC) funds for debt service payment associated with airport terminal and roadway improvements (1st Reading 12/10/13)

Ordinance appropriating \$1,138,856 from the Unreserved Fund Balance in the Passenger Facility Charge Fund No. 4621 and transferring \$823,854 to the Airport 2012A Debt Service Fund No. 4640 and \$315,002 into Airport 2012A Debt Service Fund No. 4641 for debt service on Airport Improvements; amending the FY 2013-2014 Capital Budget adopted by Ordinance No. 029916 to increase appropriations by \$1,138,856.

Sponsors: Aviation Department

35. [13-001087](#) **Second Reading Ordinance - Appropriating Federal grant for funding airport upgrades to security and perimeter road systems (1st Reading 12/10/13)**

Ordinance appropriating \$62,249 from the Federal Aviation Administration Grant No. 3-48-0051-048-2011 in the No. 3020 Airport Capital Improvement Fund to upgrade security and perimeter road systems at Corpus Christi International Airport; changing the FY 2013-2014 Capital Budget adopted by Ordinance No. 029916 by increasing revenues and expenditures by \$62,249.

Sponsors: Aviation Department

M. PUBLIC HEARINGS: (ITEMS 36 - 37)

36. [13-001014](#) **Public Hearing and First Reading Ordinance - Rezoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District, on property located at 4050 Acushnet Drive.**

Case No. 1113-01 Luxury Spec Homes, Inc.: A rezoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District, resulting in a change to the Future Land Use Plan from commercial to low-density residential uses. The property is described as Lot 13, Block 2, Country Club Estates Unit 20, located on the north side of Acushnet Drive, approximately 525 feet east of Weber Road (FM 43).

Planning Commission and Staff Recommendation (November 20, 2013):

Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Luxury Spec Homes, Inc., acting as agent behalf of Mihail Chryssos and Nikolaos Hrisos ("Owners"), by changing the UDC Zoning Map in reference to Lot 13, Block 2, Country Club Estates Unit 20 from the "CN-1" Neighborhood Commercial 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 and Planning/Environmental Services

37. [13-001074](#) **Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District, on property located at 1201, 1217, 1225 and 1233 Barton Street.**

Case No. 1113-03 Robert Bryan Johnson: Rezoning from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District, resulting in a change to the Future Land Use Plan from low density residential to medium density residential uses. The property being rezoned is described as Lots 20, 21, 22, 23, Block 5, Flour Bluff Center, located on the northeast corner of Barton and O'Neill Streets.

Planning Commission and Staff Recommendation (November 20, 2013):

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Robert Bryan Johnson, by changing the UDC Zoning Map in reference to Lots 20, 21, 22, and 23, Block 5, Flour Bluff Center, from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services and Planning/Environmental Services

N. REGULAR AGENDA: (ITEMS 38 - 41)

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

38. [13-001098](#) Supply Agreement for Single Port Meter Transmission Units

Motion approving a supply agreement with Aclara Technologies LLC, Hazelwood, Missouri for approximately 5,376 single port meter transmission units (MTU's). The award is based on sole source, for an estimated annual expenditure of \$473,088 of which \$336,512 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve months with an option to extend the contract for up to two additional twelve month periods, subject to the approval of the City Manager or designee. Funds have been budgeted by the Water Department in FY 2013-2014.

Sponsors: Purchasing Division and Water Department

39. [13-001127](#) Approval of the Street Preventive Maintenance Program Year One - Annual Work Plan

Resolution approving the concepts, direction, and general work plan for the first year of the Street Preventative Maintenance Program (SPMP) -- the 2014 SPMP Work Plan (Year-1).

Sponsors: Street Department and Engineering Department

40. [13-001126](#) Construction contracts for the citywide street and sealcoat

**indefinite delivery/indefinite quantity program - pilot program;
amendment no. 2 to design contract; testing agreement**

Motion authorizing the City Manager, or designee, to execute a construction contract with Berry Contracting, LP, dba, Bay LTD. in the amount of \$6,147,094.05 for the Citywide Street Overlay and Sealcoat Indefinite Delivery/Indefinite Quantity (IDIQ) Pilot Program for Total Base Bid #1; and to execute a construction contract with Haas Anderson Construction, Inc. in the amount of \$11,920,961.00 for the Citywide Street Overlay and Sealcoat Indefinite Delivery/Indefinite Quantity (IDIQ) Pilot Program for Total Base Bid #2; and to execute Amendment No. 2 to an engineering design contract with R.H. Shackelford, Inc. in the amount of \$548,513.00 for a re-stated total fee of \$743,360.00 for development of remaining pilot program delivery orders; and to execute a testing agreement with Rock Engineering and Testing Laboratory in the amount \$73,099.00 for the Citywide Street Overlay and Sealcoat Indefinite Delivery/Indefinite Quantity Program-Pilot Program for construction material testing.

Sponsors: Street Department and Engineering Department

41. [13-001101](#) Extending lease agreement for City Detention and Magistration Center

Motion authorizing the City Manager, or designee, to execute an amendment to extend a lease agreement for two years with an option for three one year extensions, with Wilson Plaza Associates, L.P., for approximately 4,710 square feet at the Wilson Plaza Building, 606 N. Carancahua, Suite 113-A, for \$6,086.97 monthly rental payment, to house the City Detention and Magistration Center.

Sponsors: Municipal Court Administration

O. FIRST READING ORDINANCES: (ITEM 42)

42. [13-001143](#) First Reading Ordinance - Closing a portion of a 15-foot wide utility easement out of Lot 1, Incarnate Word Subdivision located south of Lipes Boulevard and west of South Staples Street

Ordinance abandoning and vacating a portion of a 15-foot wide utility easement out of Lot 1, Incarnate Word Subdivision and requiring the owner, The Convent Academy of the Incarnate Word, to comply with the specified conditions.

Sponsors: Development Services

P. FUTURE AGENDA ITEMS: (ITEMS 43 - 44)

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

43. [13-001177](#) **Resolution requesting the Texas Commission on Environmental Quality (TCEQ) to adopt language in the environmental flow standards for the Nueces River Basin to clarify that rules are to be applied prospectively and not affect an existing water right**

Resolution requesting the Texas Commission on Environmental Quality (TCEQ) clearly and conclusively state that Senate Bill 3 environmental flow standards are to be applied prospectively and environmental flow standards for the Nueces River Basin not affect an appropriation of or an authorization to store, take, or divert water under a permit or amendment to a water right issued before September 1, 2007

Sponsors: Intergovernmental Relations

44. [13-001175](#) **Ratifying Federal grant for Marina replacement dock for boat slips**

Resolution ratifying grant application to US Fish and Wildlife Service through Texas Parks and Wildlife Department for \$502,496.00 Boating Infrastructure Grant for Marina boat slips including 35 transient boat slips.

Sponsors: Municipal Marina

Q. BRIEFINGS TO CITY COUNCIL: (ITEM 45 - 46)

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

45. [13-001173](#) **Fiscal Year Change**

Sponsors: ACM - General Government & Operations Support, Financial Services Department and Office of Management and Budget

46. [13-001200](#) **Conceptual Discussion about a Regional Youth Sports Complex**

Sponsors: ACM - Business Support Services

R. ADJOURNMENT