



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, September 30, 2014

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 Henry Williams, Corpus Christi Christian Fellowship.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Donna James-Spruce, Safety & Risk Manager.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [14-001100](#) Proclamation declaring September 17, 2014 as, "Mission of Mercy Mobile Medical Program Clinic Day"
Proclamation declaring October 3-9, 2014 as, "Ideas Week Corpus Christi"
Proclamation declaring October 5-11, 2014 as, "National Fire Prevention Week"
Proclamation declaring October 15, 2014 as, "Pregnancy and Infant Loss Awareness & Remembrance Day"

- 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: (ITEMS 2-3)

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.

2. [14-001097](#) Executive session pursuant to Section 551.071 of the Texas Gov't Code for consultation with attorneys regarding *Scorpio Development, LLC v. City of Corpus Christi*, with possible discussion and action in open session.
3. [14-001098](#) Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding fire collective bargaining negotiations with possible discussion and action in open session.

I. MINUTES:

4. [14-001099](#) Regular Meeting of September 23, 2014

J. BOARD & COMMITTEE APPOINTMENTS:

- 5 [14-001101](#) Advisory Committee on Community Pride
Corpus Christi Convention and Visitors Bureau
Ethics Commission
Food Service Advisory Committee
Mayor's Fitness Council
Regional Health Awareness Board
Reinvestment Zone No. Three Board
Retired and Senior Volunteer Program Advisory Committee
Transportation Advisory Committee
Watershore and Beach 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 6 - 17)

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.

6. [14-00923](#) **Approving a construction contract and an engineering contract for construction observation services for the Wastewater Service Line Repair and Clean-out Installation and Man-hole Ring and Cover Adjustment Program FY 2014-2015**

Motion authorizing the City Manager or designee to execute a construction contract with RCM Constructors, Inc. of Corpus Christi, Texas in the amount of \$657,391 for the Wastewater Service Line Repair and Clean-out Installation and Manhole Ring and Cover Adjustment Program FY 2014-2015 for the base bid and to execute an engineering contract with Engineering & Construction Management Services, LLC of Corpus Christi, Texas in the amount of \$69,300, for the Wastewater Service Line Repair and Clean-out Installation and Manhole Ring and Cover Adjustment Program FY 2014-2015 for construction observation services.

Sponsors: Water/Wastewater Treatment and Capital Programs

7. [14-001029](#) **Purchase Six Months End of Lease Extension from ePlus for Mobile Data Terminals used by Public Safety**

Motion authorizing the City Manager or designee to execute all documents necessary to purchase six months end of lease extension from ePlus of Herndon, Virginia for 207 Public Safety mobile data terminals in the amount of \$31,643.43 per month for a total cost of \$189,860.58. Funds are available in the MIS FY2013-2014 budget.

Sponsors: Municipal Information Systems

8. [14-001041](#) **Purchase of Localizer Array System for the Corpus Christi International Airport**

Motion approving the purchase of a localizer array system for the Corpus Christi International Airport (CCIA) with Thales ATM, U.S., Overland Park, Kansas, based on sole source for the total amount of \$268,612.00. Ninety (90) percent of the project is funded through a Federal Administration Grant with a ten (10) percent local match.

Sponsors: Purchasing Division and Aviation Department

9. [14-001065](#) **Installation of Monitors for the Multi-User Flight Information Display System**

Motion approving the installation of twenty nine (29) monitors and related materials at the Corpus Christi International Airport (CCIA) for the Multi-User Flight Information Display System (MUFIDS) from MCFSA LTD., San Antonio, Texas in accordance with the State of Texas Cooperative Purchasing Program for a total expenditure of \$155,050.00. Funds have been budgeted in the Airport Fund No. 4610 in FY 2013- 2014.

Sponsors: Purchasing Division and Aviation Department

10. [14-001062](#) **Approving a legal services contract with Tim Brown for general water issues**

Motion to authorize the City Manager or designee to execute a legal services agreement with Timothy L. Brown to advise the City on water rights and general water law issues, at monthly rate of \$7,000 plus expenses.

Sponsors: Legal Department and Environmental and Strategic Initiatives

11. [14-001079](#) **Approval of Tax Abatement Guidelines**

Resolution adopting the City's Guidelines and Criteria for Granting Tax Abatements

Sponsors: Economic Development

12. [14-00988](#) **Second Reading Ordinance - Rezoning from Single-Family to Neighborhood Commercial and Multi-family at 7901 South Padre Island Drive (1st Reading 9/23/14)**

Case No. 0814-01 Gladys Mattie Smith Marital Trust, Patricia Peterson Nuss and Chris Ann Peterson Brown: A change of zoning from "RS-6" Single Family 6 to "CN-1" Neighborhood Commercial District on Tract 1 and "RM-3" Multifamily 3 District on Tract 2 resulting in a change to the Future Land Use Plan. The property is described as being 14.24 acres out of Lots 23 and 24, Section 28, Flour Bluff and Encinal Farm and Garden Tracts, located south of Williams Drive between Ennis Joslin Road and Paul Jones Avenue.

Planning Commission and Staff Recommendation (August 13, 2014): Approval of the rezoning from the "RS-6" Single-Family 6 District to "CN-1" Neighborhood Commercial District on Tract 1 and "RM-3" Multifamily 3 District on Tract 2.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Gladys Mattie Smith Marital Trust, Patricia Peterson Nuss and Chris Ann Peterson Brown ("Owners"), by changing the UDC Zoning Map in reference to a 14.24-acre tract of land out of Lots 23 and 24, Section 28, Flour Bluff and Encinal Farm and Garden Tracts, from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District on Tract 1 and to the "RM-3" Multifamily 3 District on Tract 2; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

13. [14-001058](#) **Second Reading Ordinance - Appropriating fund proceeds in the City's Capital Improvement Program Funds (1st Reading 9/23/14)**

Ordinance appropriating funds as detailed in Attachment 1 summarized as follows:

\$19,293.27 in AIRPORT interest earnings for the City's match for future FAA Grant Projects; \$201,380.61 in BOND PROCEED interest earnings for Bayfront, Public Facilities, Fire, Police, Public Health and Safety, Sanitary Landfill, Convention Center, Parks, and Streets for the stated bond projects not yet complete, similar projects to be approved by City Council or the payment of debt service; \$272,814.59 in UTILITY REVENUE BOND interest earnings for the support of the City's approved Capital Improvement Program; \$135,529.63 in SPECIALTY BOND PROCEED interest earnings for Sales Tax Bonds for the Seawall, Packery Channel Bonds, and Energy Efficiency Bonds for the stated bond projects not yet complete, the support of the City's

approved Capital Improvement Program, specific military supported projects and as determined by the Type A Board; and appropriating \$239,234.33 in OTHER UNAPPROPRIATED FUNDS for Street Assessments, Construction Yard Lease Rental, Sale of Scrap, and Texas Department of Transportation Refund for the repair of city street due to private construction and other street expenses to be approved by City Council; and Changing the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to increase expenditures by total of \$868,252.43.

Sponsors: Capital Programs and Financial Services Department

14. [14-001053](#) **Second Reading Ordinance - Appropriating funds for Corpus Christi Downtown Revitalization Alliance (CCDRA) Development Director (1st Reading 9/23/14)**

Ordinance appropriating \$30,000 in the Parking Improvement Fund 1040 from Parking Meter Collection revenue for payment to the Corpus Christi Downtown Revitalization Alliance and changing the FT2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing expenditures in the Parking Improvement Fund by \$30,000.

Sponsors: Police Department

15. [14-001075](#) **Second Reading Ordinance - Appropriating funds to pay for emergency repairs to Police Department roof. (1st Reading 9/23/14)**

Ordinance appropriating \$267,214.82 from the unreserved fund balance in the No. 1020 General Fund for emergency repairs to the roof of the Police Department; and changing the FY 2013-2014 operating budget adopted by Ordinance No. 029915 by increasing expenditures by \$267,214.82.

Sponsors: Office of Management and Budget, Police Department and Capital Programs

16. [14-00964](#) **Second Reading Ordinance - Appropriating funds to refund wastewater lot/acreage fees paid (1st Reading 9/23/14)**

Ordinance appropriating \$5,928.97 from the No. 4220 Wastewater Trunk System Trust Fund to refund Jack R. Day, Jr., the wastewater lot/acreage fee paid since wastewater services are not available nor will it be available within the next 5 years as related to Oak Terrace Unit 2, Block 4, Lot 6A.

Sponsors: Development Services

17. [14-001032](#) **Second Reading Ordinance - Approving a wastewater reimbursement agreement and appropriating funds for property located on the south side along Holly Road, east of Rodd Field Road (SH 357) and west of Encino Drive. (1st Reading 9/23/14)**

Ordinance authorizing execution of a wastewater collection line extension construction and reimbursement agreement ("Agreement") with Palm Land Investment, Inc. ("Developer"), for the construction of a wastewater collection line and appropriating \$243,846.90 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

M. PUBLIC HEARINGS: (NONE)

N. REGULAR AGENDA: (ITEMS 18 - 21)

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

18. [14-001027](#) Second Reading Ordinance - Approving the Southside FM2444 Annexation (1st Reading 9/16/14)

Ordinance annexing Laureles Farm Tracts adjacent to the City limits located along and on both sides of FM 2444, areas south of FM 2444 and west of County Road 41, commonly referred to as a portion of the Chapman Ranch and a portion of the proposed APEX Wind Farm; providing for a Municipal Services Plan for the annexed tracts of land; providing that the owner and inhabitants are entitled to all rights, privileges, and burdens of other citizens and property owners of the City of Corpus Christi and are subject to and bound by the City Charter, Ordinances, Resolutions and Rules; providing for amendment of the official maps of the City of Corpus Christi; designating area to be added to City Council District number 5; providing for severance; and providing an effective date.

Sponsors: Development Services

19. [14-001107](#) Approving the funding of utility improvements in the Southside FM2444 Annexation Area

Resolution regarding the funding of utility improvements in the Southside FM2444 Annexation Area with property taxes from the area.

Sponsors: ACM - General Government & Operations Support

20. [14-001045](#) Development Agreements for Property Owners with Exemptions in the Southside FM 2444 Annexation Area

Resolution granting a Development Agreement for properties in the Proposed Southside FM 2444 Annexation Area where the property contains an agricultural, wildlife management, or timber land exemption established by the Nueces County Appraisal District and where the property owner has requested the City grant a development agreement in lieu of annexation on their qualifying property; providing for a 15 year time limit; providing that the City will not annex land that is the subject of

a Development Agreement; providing that the development agreement authorizes the City to enforce all regulations and planning authority of the municipality provided the authority does not interfere with the use of the area for agriculture, wildlife management, or timber land uses; providing that the area under the Development Agreement is considered adjacent or contiguous to the city; providing that the agreement is automatically terminated if the landowner files any type of subdivision plat or related development document regardless of how the property is appraised by the Nueces County Appraisal District; providing that the agreement will be filed with the Nueces County Clerk; providing for severance; and providing an effective date.

Sponsors: Development Services

21. [14-00979](#) **Second Reading Ordinance - Approving the Capital Improvement Budget for fiscal year 2014-2015 (1st Reading 9/23/14)**

Ordinance approving the Fiscal Year 2014 - 2015 Capital Budget and Capital Improvement Planning Guide in the amount of \$265,257,900.

Sponsors: Capital Programs and Office of Management and Budget

O. **FIRST READING ORDINANCES: (ITEMS 22 - 23)**

22. [14-001070](#) **First Reading Ordinance - Amending City Code to implement cost of living increase for City employees**

Ordinance amending the Corpus Christi Code of Ordinances, Chapter 39, Personnel, Article III Employee Classification and Compensation System to revise Section 39-303, adjusting the pay grades and steps to implement a one and a half percent (1.5%) cost of living increase as approved in the Fiscal Year 2015 Budget and to add new pay grades 401 and 402; repealing conflicting ordinances and rules; providing for effective date and providing for severance.

Sponsors: Human Resources

23. [14-001057](#) **First Reading Ordinance - Appropriating program income revenue for laboratory and public health services**

Ordinance appropriating \$459,000 from the estimated program income revenue in the No. 1066 Health Grants Fund as State fiscal year 2014-2015 program income to fund laboratory and public health services for the period of September 1, 2014 through August 31, 2015.

Sponsors: Health Department

P. **FUTURE AGENDA ITEMS: (ITEMS 24 - 26)**

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

24. [14-00978](#) **Supply agreement for lease of computers, servers and other**

computer peripherals and related products

Motion approving a supply agreement with CSI Leasing, Inc., Saint Louis, Missouri for lease of approximately 300 desktop computers, 200 laptop computers, 20 servers, and other computer peripherals and related products in accordance with the State of Texas cooperative purchasing program and the City's Master Lease Agreement No. 1880CCC for an estimated expenditure of \$1,398,138.27, of which \$30,503.23 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve months with an option to extend for up to three additional twelve month periods subject to the approval of the supplier and the City Manager or designee.

Sponsors: Purchasing Division and Municipal Information Systems

25. [14-00921](#) **Engineering construction contract for the Schanen Ditch Improvements Phase 2 Project**

Motion authorizing the City Manager, or designee, to execute a construction contract with Saenz Brothers Construction, LLC, in the amount of \$678,276.00 for the Schanen Ditch Improvements Phase 2 project for Total Base Bid.

Sponsors: Storm Water Department and Capital Programs

26. [14-001088](#) **Type A Grant for Acción Texas Loan Buy Down Program for Fiscal Year 2014-2015**

Resolution approving the renewal of a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Acción Texas, Inc. ("Acción") to provide grant amount up to \$250,000 for the interest buy down and grant programs for small businesses.

Sponsors: Economic Development

Q. BRIEFINGS TO CITY COUNCIL: (ITEM 27)

The following items are 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.

27. [14-001102](#) **Texas State Aquarium Lease Agreement**

Sponsors: ACM - General Government & Operations Support

R. ADJOURNMENT