



Corpus Christi

1201 Leopard St
Corpus Christi, TX 78401
CCtexas.com

Meeting Agenda - Final City Council

Tuesday, October 30, 2012

12:00 PM

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 4:00 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 Joe Adame to call the meeting to order.**
- B. **Invocation to be given by Pastor David Srygley, Arlington Heights Church of Christ.**
- 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 [12-00755](#) Proclamation declaring November 2012 as "Pulmonary Hypertension Awareness Month:
Proclamation declaring November 10-17, 2012 as "Corpus Christi Recycles Week"
Presentation to Mayor Adame by Pride/Clean/Fitness Committee
- F. **SPECIAL PRESENTATION:**
 - 2 [12-00742](#) BoldFuture Final Presentation
 - Sponsors:** ACM - General Government & Operations Support

G. **MINUTES:**

- 3 [12-00756](#) Approval of Meeting Minutes - October 23, 2012.

H. **BOARDS & COMMITTEE APPOINTMENTS: (NONE)**

I. **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.

J. **CONSENT AGENDA: (ITEMS 4 - 9)**

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 [12-00732](#) **Interlocal agreement for engineering students senior undergraduate design course at water treatment plant (Requires 2/3 vote)**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with Texas A&M University - Kingsville for evaluation and recommendation of various processes at the O.N.Stevens Water Treatment Plant.

Sponsors: Water Department

- 5 [12-00739](#) **Resolution of support to reduce air emissions and maintain ambient air quality standards**

Resolution by the City Council of the City Corpus Christi supporting the Corpus Christi Air Quality Groups participation in the EPA Ozone Advance Program to promote local actions to reduce ozone precursors in the community and continue to maintain National Ambient Air Quality Standards for ozone.

Sponsors: Planning/Environmental Services

- 6 [12-00549](#) **Professional services contract for design and construction of improvements at wastewater treatment plant (Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute a professional services contract with Urban Engineering of Corpus Christi,

Texas in the amount of \$359,620 for the Laguna Madre Wastewater Treatment Plant 2013 Improvements.

Sponsors: Wastewater Department and Engineering Department

- 7 [12-00712](#) **Second Reading Ordinance - Utility easement closure to develop property located east of Port Avenue and north of Morgan Avenue (1st Reading 10/23/12) (Requires 2/3 vote)**

Ordinance abandoning and vacating the five-foot wide utility easement out of Portmoor Addition, Block 1, Lot 8; and requiring the owner, Bill Miller Bar B Q, to comply with the specified conditions.

Sponsors: Development Services

- 8 [12-00721](#) **Second Reading Ordinance - Utility easement closure to develop property located east of Ennis Joslin Road and north of South Padre Island Drive (1st Reading 10/23/12) (Requires 2/3 vote)**

Ordinance abandoning and vacating a 10-foot wide utility easement out of Lot 5, Block 1, Joslin Tracts; and requiring the owner, The Alexan Resort on the Bay, LLC, to comply with the specified conditions.

Sponsors: Development Services

- 9 [12-00728](#) **Second Reading Ordinance- Amending capital improvement budget and amending professional services contract for airport improvements (1st Reading 10/23/12) (Requires 2/3 vote)**

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to accelerate Project No. E12156 Rehabilitate East General Aviation (EGA) Apron from Fiscal Year 2015 to 2013; increasing expenditures in the amount of \$121,050; and authorizing the City Manager or designee to execute Amendment No. 13 to a Professional Services Agreement with KSA Engineers, Inc. of Longview, Texas, in the amount of \$121,050 for the rehabilitation of the East General Aviation (EGA) Apron.

Sponsors: Aviation Department and Engineering Department

K. EXECUTIVE SESSION: (ITEM 10)

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.

- 10 [12-00758](#) Executive session pursuant to Section 551.072 to deliberate the purchase, exchange, lease, or value of real property where deliberation in an open meeting would have a detrimental effect on the position of

the City of Corpus Christi in negotiations with a third person with possible discussion and action in open session.

L. PUBLIC HEARINGS: (ITEM 11)

- 11 [12-00724](#) **Public Hearing and First Reading Ordinance - A change of zoning from the "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District, at 4222 South Staples Street (Requires 2/3 vote)**

Case No. 0812-04 International Resistive Company Advanced Film Division: A change of zoning from the "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District, resulting in a change of future land use from commercial to light industrial. The property to be rezoned is described as South Staples Center, Lot B-4, located on the northeast corner of South Staples Street and Gollihar Road between Everhart Road and Caddo Street.

Planning Commission and Staff Recommendation (August 15, 2012): Denial of the change of zoning from the "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a modified Special Permit subject to the specified conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by International Resistive Company of Texas, LLC ("Owner"), by changing the UDC Zoning Map in reference to South Staples Center, Lot B-4, from a "CG-2/SP" General Commercial District with a Special Permit to a "CG-2/SP" General Commercial District with a modified Special Permit; amending the Comprehensive Plan to account for any deviations; providing a repealer clause; and providing for penalties and publication.

Sponsors: Development Services and Planning/Environmental Services

M. REGULAR AGENDA: (ITEM 12)

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

- 12 [12-00723](#) **Renaming Northwest Library**

Resolution authorizing the name change of the Northwest Library to the Owen R. Hopkins Public Library.

Sponsors: Libraries

N. FIRST READING ORDINANCES: (ITEMS 13 - 16)

- 13 [12-00737](#) **First Reading Ordinance - Accepting and appropriating a State grant to support local Emergency Management Programs (Requires 2/3 vote)**
- Ordinance ratifying acceptance of a grant from the Texas Department of Public Safety, Governor's Division of Emergency Management, in the amount of \$77,693.08 for the Emergency Management Performance Grant (EMPG); and appropriating \$77,693.08 from the Emergency Management Performance Grant Program in the no. 1063 Emergency Management Grants Fund to improve mitigation, preparedness, response, and recovery capabilities for the City of Corpus Christi.
- Sponsors:** Fire Department
- 14 [12-00740](#) **First Reading Ordinance - Accepting and appropriating a State grant for detection capabilities of threats, man-made or natural disasters, and acts of terrorism (Requires 2/3 vote)**
- Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA) in the amount of \$45,221.80 for FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP); and appropriating \$45,221.80 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA), FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out homeland security projects that will significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities.
- Sponsors:** Fire Department
- 15 [12-00741](#) **First Reading Ordinance - Accepting and appropriating a State grant to provide emergency response and security capabilities for deterrence of potential threats and acts of terrorism. (Requires 2/3 vote)**
- Ordinance Authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA) in the amount of \$57,254.20 for FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP) Law Enforcement Terrorism Prevention Activity (LETPA); and appropriating \$57,254.20 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA), FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out law enforcement terrorism prevention and

protection-oriented activities (LETPA) such as planning, organization, training, exercises, and purchase needed equipment.

Sponsors: Fire Department

- 16 [12-00746](#) **First Reading Ordinance - Accepting and appropriating a State grant for Women, Infants, and Children (WIC) program (Requires 2/3 vote)**

Ordinance authorizing the City Manager, or his designee, to execute all documents necessary to accept and appropriate a grant in the amount of \$442,380 from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to provide funds for the Women, Infants, and Children (WIC) program; and to ratify acceptance of the grant to begin as of October 1, 2012.

Sponsors: Health Department

O. FUTURE AGENDA ITEMS: (NONE)

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

P. UPDATES TO CITY COUNCIL: (NONE)

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

- Q. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 4:00 P.M., OR AT THE END OF THE COUNCIL MEETING, WHICHEVER IS EARLIER. 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.

R. CITY MANAGER'S COMMENTS:

- * Update on City Operations

S. ADJOURNMENT