



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final City Council

---

Tuesday, August 26, 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.**

- A. Mayor Nelda Martinez to call the meeting to order.
- B. Invocation to be given by Pastor Greg Hackett, First United Methodist Church.
- C. Pledge of Allegiance to the Flag of the United States to be led by Arlena Sones, City Auditor.
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.
- E. Proclamations / Commendations
  - 1. [14-00962](#) Proclamation declaring August 26, 2014 as, "2014 United States Jr. League World Series National Champions, Oil Belt Junior League Baseball Day"  
Proclamation declaring September 5, 2014 as, "Stand Up to Finish the Fight Day"  
Swearing-in Ceremony for Newly Appointed Board, Commission and Committee 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. Other

H. EXECUTIVE SESSION: (ITEMS 2-3)

2. [14-00946](#) Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code to consult with attorneys regarding Cause No. 2014-DCV-1755-G, styled City of Corpus Christi and Corpus Christi Community Improvement Corporation vs. Texas League of United Latin American Citizens (LULAC) Apartments of the Village, et al, for discussion and possible action in open session
3. [14-00961](#) 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. [14-00963](#) Regular Meeting of August 19, 2014

J. BOARD & COMMITTEE APPOINTMENTS: (NONE)

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 5 - 11)

5. [14-00875](#) Second Reading Ordinance - Rezoning from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay, on property located at 14106 and 14118 Ambrosia Street (1st Reading 8/19/14)

Case No. 0714-03 Brite Star Remodeling, LLC: A change of zoning from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property is described as Lots 2B, 3B, 4B and 5B, Block 1, Padre Island-Corpus Christi No. 1, located along the west side of Ambrosia Street, southwest of South Padre Island Drive (PR 22) and north of Marina Drive.

Planning Commission and Staff Recommendation (July 16, 2014):

Approval of the change of zoning from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay, subject to nine development conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC") upon application by Brite Star Remodeling, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Lots 2B, 3B, 4B and 5B, Block 1, Padre Island-Corpus Christi, No. 1, from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

Sponsors: Development Services

6. [14-00876](#)

**Second Reading Ordinance - Rezoning from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay, on property located at 14845 South Padre Island Drive (1st Reading 8/19/14)**

Case No. 0714-05 Gabriele Stauder-Hilpold: A change of zoning from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay. The property to be rezoned is described as a 6.28 acre tract of land out of a portion of Lot 1, Block 27B and all of Lots 3, 4 and 5, Block 41, Padre Island - Corpus Christi Island Fairway Estates, located at the southwest corner of South Padre Island Drive (PR 22) and Compass Street.

Planning Commission and Staff Recommendation (July 16, 2014):

Approval of the change of zoning from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Gabriele Stauder-Hilpold, Trustee ("Owner"), by changing the UDC Zoning Map in reference to a 6.28 acre tract of land out of a portion of Lot 1, Block 27B and all of Lots 3, 4 and 5, Block 41, Padre Island - Corpus Christi Island Fairway Estates, from the "RM-AT"

Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

7. [14-00865](#) **Second Reading Ordinance - Authorizing City to participate in the Texas Enterprise Zone Program (1st Reading 8/19/14)**

Ordinance authorizing the City Of Corpus Christi to participate in the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (The "Act"), providing tax incentives; Designating a liaison for overseeing Enterprise Projects and communicating with interested Parties

Sponsors: Economic Development

8. [14-00895](#) **Second Reading Ordinance- Approving a waterline reimbursement agreement and appropriating funds for property located at the southeast corner of Yorktown Boulevard and Boston Drive (1st Reading 8/19/14)**

Ordinance authorizing execution of a distribution main extension construction and reimbursement Agreement ("Agreement") with The John G. and Marie Stella Kenedy Memorial Foundation ("Developer"), for the construction of a distribution waterline and appropriating \$21,331.74 from the No. 4030 Water Distribution Main Trust Fund to reimburse the developer in accordance with the agreement.

Sponsors: Development Services

9. [14-00896](#) **Second Reading Ordinance- Approving a wastewater reimbursement agreement and appropriating funds for property located at the southeast corner of Yorktown Boulevard and Boston Drive (1st Reading 8/19/14)**

Ordinance authorizing execution of a wastewater collection line extension construction and reimbursement agreement ("Agreement") with The John G. and Marie Stella Kenedy Foundation ("Developer"), for the construction of a wastewater collection line and appropriating \$12,819.36 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

10. [14-00897](#) **Second Reading Ordinance- Approving a waterline reimbursement agreement and appropriating funds for property located at the southside of Safety Steel Drive, west of Rodd Field Road and south of Yorktown Boulevard (1st Reading 8/19/14)**

Ordinance authorizing execution of a distribution main extension construction and reimbursement Agreement ("Agreement") with MPM

Development, L.P., ("Developer"), for the construction of a distribution waterline and appropriating \$22,691.12 from the No. 4030 Water Distribution Main Trust Fund to reimburse the developer in accordance with the agreement.

**Sponsors:** Development Services

11. [14-00869](#) **Second Reading Ordinance - Approving an engineering construction contract and amendment no. 2 of a professional services contract for construction inspection services for Horne Road from Ayers Street to Port Avenue (Bond 2012) (1st Reading 8/19/14)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by adding \$25,000 in Gas Capital Improvement Program Reserves from Fund 4551 Gas 2009 CIP Fund; transferring \$650,000 from Bond 2012 Project #E12103 Leopard Street from Crosstown to Palm from FY 2015 to Bond 2012 Project E12100 Horne Road from Ayers Street to Port Avenue; increasing expenditures in the amount of \$25,000; and authorizing the City Manager or designee to execute a construction contract with Salinas Construction Technologies, Ltd. from Pleasanton, Texas in the amount of \$1,884,600.57, for the Bond 2012 Project Horne Road from Ayers Street to Port Avenue for the total base bid and executing Amendment No. 2 to a Professional Services Contract with Naismith Engineering, Inc. of Corpus Christi, Texas in the amount of \$104,000 for restated total price of \$365,362.50 for the Bond 2012 Project Horne Road from Ayers Street to Port Avenue for Construction Inspection Services.

**Sponsors:** Street Department and Capital Programs

**M. PUBLIC HEARINGS: (ITEMS 12 - 16)**

12. [14-00883](#) **Second Public Hearing- Southside FM 2444 Annexation (1st Public Hearing 8/19/14)**

***NOTICE TO THE PUBLIC: This item is scheduled to be heard at 12:30 pm.***

Local Government Code, Chapter 43.063(a) requires the City to conduct two public hearings prior to First Reading of an Annexation Ordinance for the proposed Southside FM 2444 Annexation area commonly referred to as a portion of the Chapman Ranch / proposed APEX Wind Farm generally located along and on both sides of FM 2444, areas South of FM 2444 and west of County Road 41.

**Sponsors:** Development Services

13. [14-00912](#) **Public Hearing and First Reading Ordinance - Rezoning from the "RM-3" Multifamily 3 District to the "RM-AT" Multifamily Apartment Tourist District, on property located at 14202 Ambrosia Street.**

Case No. 0714-07 Masterpiece Holdings, Inc.: A change of zoning from the "RM-3" Multifamily 3 District to the "RM-AT" Multifamily AT. The property is described as Lot 1C, Block 2, Padre Island No. 1, located on the north side of Ambrosia Street, southeast of South Padre Island Drive (PR 22) and east of Marina Drive.

Planning Commission and Staff Recommendation (July 30, 2014):  
Approval of the change of zoning from the "RM-3" Multifamily 3 District to the "RM-AT" Multifamily Apartment Tourist District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Masterpiece Holdings, Inc., ("Owner"), by changing the UDC Zoning Map in reference to Lot 1C, Block 2, Padre Island No. 1, from the "RM-3" Multifamily 3 District to the "RM-AT" Multifamily AT; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

14. [14-00913](#)

**Public Hearing and First Reading Ordinance - Rezoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, on property located at 14822 Leeward Drive.**

Case No. 0714-04 Ocean Harbor, Inc.: A change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay. The property is described as Lot 17A, Block 52, Padre Island - Corpus Christi, Section B, located along the east of Leeward Drive, approximately 270 feet south of St. Bartholomew Avenue.

Planning Commission and Staff Recommendation (July 30, 2014):  
Approval of the change of zoning from "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, subject to 10 conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC") upon application by Ocean Harbor, Inc. ("Owner"), by changing the UDC Zoning Map in reference to 17A, Block 52, Padre Island-Corpus Christi, Section B, from the "RM-AT/IO" Multifamily AT District with Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay; amending the

Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

Sponsors: Development Services

15. [14-00914](#) **Public Hearing and First Reading Ordinance - Rezoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District, on property located at 7201 Yorktown Boulevard**

Case No. 0714-06 Related Investors, Ltd.: A change of zoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property is described as being a 12.28 acre tract of land out of Lots 1 and 2, Section 24 and Lots 31 and 32, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located along the east side of Rodd Field Road, approximately 2,200 feet south of Yorktown Boulevard.

Planning Commission & Staff Recommendation (July 30, 2014): Approval of the change of zoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”) upon application by Related Investors, Ltd. (“Owner”), by changing the UDC Zoning Map in reference to a 12.28 acre tract of land out of Lots 1 and 2, Section 24 and Lots 31 and 32, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the “FR” Farm Rural 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, penalties, and publication.

Sponsors: Development Services

16. [14-00934](#) **First Public Hearing on Fiscal Year 2015 Ad Valorem Tax Rate**

Public Hearing on Fiscal Year 2015 Ad Valorem Tax Rate.

Sponsors: Financial Services Department

**N. REGULAR AGENDA: (ITEMS 17 - 21)**

17. [14-00857](#) **Approving the extension and modified terms of the management agreement for the Corpus Christi Museum of Science and History**

Motion authorizing the City Manager or his designee to extend and modify terms of Professional Services Management Agreement with CCMJV for the operation of the Corpus Christi Museum of Science and History.

Sponsors: ACM - General Government & Operations Support

18. [14-00944](#) **Amending the Financial Budgetary Policies**

Resolution amending Financial Budgetary Policies adopted by Resolution 029848 and providing financial policy direction on preparation of the annual budgets.

Sponsors: Office of Management and Budget and Financial Services Department

19. [14-00871](#) **Second Reading Ordinance - Approving a construction contract for the Hike and Bike Trail Development - Bear Creek Trail project (Bond 2012) (1st Reading 8/19/14)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by adding \$74,969.52 from Fund 4526 Storm Water 2009 Revenue Bond Project Reserves to the Hike and Bike Trail Development Project (Bond 2012); increasing expenditures in the amount of \$74,969.52; and authorizing the City Manager, or designee, to execute a construction contract with Gourley Contracting, LLC. of Corpus Christi, Texas in the amount of \$1,047,070.40 for the Hike and Bike Trail Development - Bear Creek project for the base bid only (Bond 2012).

Sponsors: Parks and Recreation Department and Capital Programs

20. [14-00874](#) **Second Reading Ordinance - Rezoning from the "CR-2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, on property located at 14702, 14714, 14726, 14734 Compass Street (1st Reading 8/19/14)**

Case No. 0714-02 Compass Revenge, Inc.: A change of zoning from the "CR-2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property is described as Lots 23, 24, 25 and 26, Block 42, Padre Island - Corpus Christi Island Fairway Estates, located along the east side of Compass Street, approximately 520 feet south of Commodores Drive.

Planning Commission and Staff Recommendation (July 16, 2014): Approval of the change of zoning from "CR-2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, subject to 10 conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC") upon application by Compass Revenge, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Lots 23, 24, 25, and 26, Block 42, Padre Island - Corpus Christi, Island Fairway Estates from the "CR- 2/IO"



Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

Sponsors: Development Services

21. [14-00786](#) **Second Reading Ordinance - Rezoning from the "RE" Residential Estate District to the "RE/SP" Residential Estate District with a Special Permit, on property located at 822 Graham Road (Tabled 7/29/14)**

Case No. 0614-03 CCSemloh Partnership, Ltd.: A change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District. The property to be rezoned is described as a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Compton Road between the intersections with First National Boulevard and Waldron Road.

Staff Recommendation:

Denial of the change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District and in lieu thereof, approval of a Special Permit for a boat storage facility subject to a site plan and ten conditions.

Planning Commission:

Approval of the change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District.

Ordinance passed on first reading:

Ordinance amending the Unified Development Code ("UDC"), upon application by CCSemloh Partnership, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, from the "RE" Residential Estate District to the "RE/SP" Residential Estate District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

- O. **FIRST READING ORDINANCES: (NONE)**
- P. **FUTURE AGENDA ITEMS: (NONE)**
- Q. **BRIEFINGS TO CITY COUNCIL: (ITEMS 22 - 24)**

22. [14-00948](#) **Proposed FY2015 Enterprise Funds Budget**

**Sponsors:** ACM - Public Works & Utilities, Office of Management and Budget and  
ACM - General Government & Operations Support

23. [14-00949](#) **Proposed FY2015 Special Revenue Funds Budget**

**Sponsors:** Office of Management and Budget and ACM - General Government &  
Operations Support

24. [14-00950](#) **Proposed FY2015 Debt Service Funds Budget**

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

R. **ADJOURNMENT**