



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, July 22, 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 Priest Lakshmi Srinivasacharyulu Anikepalle, Sri Venkateswara Temple.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Esther Velazquez, Assistant to the City Manager .**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [14-00826](#) Proclamation declaring July 26, 2014 as, "Feria De Las Flores Day" Certificate of Commendation Presentation to Judge Rodolfo Tamez 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. City Performance Report - Utilities - Maintenance of Lines
- b. CIP - Encantada
- c. Other

H. EXECUTIVE SESSION: (ITEMS 2 - 4)

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. [14-00799](#) 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
3. [14-00832](#) Executive session pursuant to Section 551.071 of the Texas Government Code to consult with attorneys regarding wastewater matters involving U.S. Environmental Protection Agency and Texas Commission on Environmental Quality with possible discussion and action in open session.
4. [14-00833](#) Executive session pursuant to Sections 551.071 and 551.072, Texas Government Code, and Rule 1.05 Texas Disciplinary Rules of Professional Conduct, to consult with attorneys regarding possible litigation related to the Mary Rhodes Pipeline Phase II, with possible discussion and action in open session

I. MINUTES:

5. [14-00825](#) Regular Meeting of July 15, 2014

J. BOARDS & COMMITTEE APPOINTMENTS:

6. [14-00824](#) Ethics Commission
Leadership Committee for Senior Services
Planning Commission

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: (NONE)

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.

M. PUBLIC HEARINGS: (ITEM 7)

7. [14-00786](#) **Public Hearing and First Reading Ordinance - Rezoning from the "RE" Residential Estate District to the "CG-2" General Commercial District, on property located at 822 Graham Road**

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.

Planning Commission (June 18, 2014):

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

Ordinance:

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 "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 8 - 9)

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

8. [14-00706](#) Second Reading Ordinance - Lease agreement with Coastal Bend Friends of Aquatics for Parker pool (1st Reading 6/24/14)

Ordinance authorizing the City Manager or designee to execute a lease agreement for the Parker Pool with the Coastal Bend Friends of Aquatics for a term of five years.

Sponsors: Parks and Recreation Department

9. [14-00682](#) Second Reading Ordinance - Ratifying lease assignment and approving amendment of lease agreement for additional office space at the airport (1st Reading 6/24/14)

Ordinance ratifying lease assignment to WDFG North America, LLC ("WDFG"), and authorizing the City Manager to execute a first amendment to the long-term lease agreement with WDFG to provide additional space for the operation of a news and gift concession at the Corpus Christi International Airport; providing for publication; providing for severance.

Sponsors: Aviation Department

O. FIRST READING ORDINANCES: (ITEMS 10 - 19)

10. [14-00755](#) First Reading Ordinance - Accepting and appropriating State grant for the 2015 Selective Traffic Enforcement Program (STEP)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Transportation (TXDOT) in the amount of \$98,082.00 for the 2015 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for Driving While Intoxicated (DWI) and Speed enforcement overtime, with a city match of \$40,266.75, for a total project cost of \$138,348.75 and appropriating \$98,082.00 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

11. [14-00741](#) **First Reading Ordinance - Amending City Code to modify the peddler permit and unlawful solicitation sections of the code**
- Ordinance amending Chapter 38, Section 22 of the Corpus Christi Code to modify the hours soliciting is allowed and to prohibit soliciting at homes with no soliciting or trespass signs; amending Chapter 38, Section 6 of the Corpus Christi Code to require proof of identification and background checks for peddler, commercial solicitor and itinerant merchant permittees and deny permits to applicants convicted of any felony or of any offense involving moral turpitude; amending Chapter 38, Section 4 of the Corpus Christi Code to require the displaying of permit; amending Chapter 38, Section 3 and Section 2 of the Corpus Christi Code to exempt local youth organizations from permitting process; amending Chapter 38, ARTICLE II. SOLICITATIONS FOR CHARITABLE PURPOSES of the Corpus Christi Code in its entirety; providing for severance; providing for publication; providing for penalty; and providing an effective date.
- Sponsors:** Police Department and Development Services
12. [14-00761](#) **First Reading Ordinance - Accepting and appropriating additional funding for the Women, Infants and Children (WIC) grant program**
- Ordinance authorizing the City Manager, or his designee, to execute all documents necessary to accept and appropriate a grant amendment in the amount of \$141,003.00 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 this grant amendment to begin as of June 6, 2014.
- Sponsors:** Health Department
13. [14-00776](#) **First Reading Ordinance - Accepting and appropriating funds for park improvements**
- Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate \$658,416.54 in developer contributions and \$220.93 in interest earnings for a sum of \$658,637.47 in the No. 4720 Community Enrichment Fund for park improvements, and other related projects.
- Sponsors:** Parks and Recreation Department
14. [14-00813](#) **First Reading Ordinance - Closing a portion of a utility easement located west of the South Padre Island Drive (Park Road 22) state right-of-way, and north of the Encantada Avenue public right-of-way**
- Ordinance abandoning and vacating a 1,361-square foot portion of an existing utility easement out of a part of Lot 10A and Lot 12, Blk. 16,

Padre Island Number 1, located west of the South Padre Island Drive (Park Road 22) state right-of-way, and north of the Encantada Avenue public right-of-way; and requiring the owner, Island Foundation, Inc., to comply with the specified conditions.

Sponsors: Development Services

15. [14-00812](#) **First Reading Ordinance - Closing a portion of a utility easement located north of the Encantada Avenue public right-of-way, and east of the Palmira Avenue public right-of-way**

Ordinance abandoning and vacating a 2,130-square foot portion of a 10-foot wide utility easement out of a part of Lots 7B, 8B, 9B, 10A, 10B, and 12, Blk. 16, Padre Island Number 1, located north of the Encantada Avenue public right-of-way, and east of the Palmira Avenue public right-of-way; and requiring the owner, Island Foundation, Inc., to comply with the specified conditions.

Sponsors: Development Services

- 16 [14-00783](#) **First Reading Ordinance - Engineering construction contract for Navigation Boulevard from Up River Road to Leopard Street; amendment no. 1 to an agreement for construction observation services; construction materials testing contract (BOND 2012)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by adding capital reserves in the amounts of \$1,425,000 from Storm Water CIP Fund 3494, \$65,650 from Water CIP Fund 4088, \$60,847 from Gas CIP Fund 4551, \$1,661,514 from Wastewater CIP Fund 4249, transferring \$555,557.73 from Street Project 170371 Holly Road from Greenwood to State Highway 286, \$1,174,386.14 from Street Project E12102 Twigg from Shoreline to Broadway, \$1,575,148.09 from Street Project E12103 Leopard from Crosstown to Palm to the Bond 2012 Street Project Navigation Boulevard from Up River Road to Leopard Street; increasing expenditures in the amount of \$3,213,011; authorizing the City Manager or designee to execute a construction contract with Reytec Construction Resources, Inc. from Houston, Texas in the amount of \$14,480,215 for Navigation Boulevard from Up River Road to Leopard Street for the Base Bid and Additive Alternate #3, to execute Amendment #1 to an Engineering Agreement with LNV, Inc. of Corpus Christi, Texas in the amount of \$269,818 for a restated fee of \$1,062,168, for Navigation Boulevard from Up River Road to Leopard Street for construction observation services, and to execute a Construction Materials Testing Contract with Rock Engineering of Corpus Christi, Texas in the amount of \$62,044 for Navigation Boulevard from Up River Road to Leopard Street. (Bond 2012)

Sponsors: Street Department and Capital Programs

17. [14-00737](#) **First Reading Ordinance - Amending City Code for Utilities to**

extend utility rates to coordinate with extended fiscal year

Ordinance amending the City Code of Ordinances, Chapter 55, Utilities, to continue the current water, gas, and wastewater utility rates adopted by Ordinance 029917 through September 30, 2014, to coordinate with the extended fiscal year for FY 2013-2014, and changing the annual wastewater winter averaging usage to apply to wastewater service after August 31.

Sponsors: Office of Public Utilities, Water/Wastewater Treatment, Maintenance of Lines and Gas Department

18. [14-00781](#) **First Reading Ordinance - Amending the City code to convert portions of streets as one way during school hours as indicated by signs to relieve traffic congestion near Oak Park Elementary**

Ordinance amending Section 53-250(b) of the Code of Ordinances to designate all traffic shall move only in the direction indicated during the school hours, indicated by signs, on Elmore Drive and Macleod Drive.

Sponsors: Street Department and Capital Programs

19. [14-00770](#) **First Reading Ordinance - Amending City Code for Self-Insurance; Claims Settlement to reflect current practices and modify authority to settle claims**

Ordinance amending Chapter 17, Section 17-18 Self-Insurance; claims settlement, of the Corpus Christi Code of Ordinances in its entirety; providing for severance; providing for publication; and providing an effective date

Sponsors: Legal Department

P. FUTURE AGENDA ITEMS: (ITEMS 20 - 32)

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

20. [14-00590](#) **Supply agreement for non-shear flexible couplings**

Motion approving a supply agreement with Ferguson Enterprises, Corpus Christi, Texas for non-shear flexible couplings in accordance with Bid Invitation No. BI-0147-14 based on lowest local bid for an estimated annual expenditure of \$80,291.09, of which \$13,381.85 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. These items are purchased into the Warehouse Inventory and charged out to the Utilities Department.

Sponsors: Purchasing Division and Office of Public Utilities

21. [14-00591](#) **Supply agreement for meter box lids**

Motion approving a supply agreement with Ferguson Enterprises, Corpus Christi, Texas for meter box lids in accordance with Bid Invitation No. BI-0154-14 based on lowest responsible bid for an estimated annual expenditure of \$52,397.50, of which \$17,465.83 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 Utilities Department in FY 2013-2014.

Sponsors: Purchasing Division and Office of Public Utilities

22. [14-00596](#) **Service agreement for custodial services for nine (9) outlying police buildings**

Motion approving a service agreement with Martin's Janitorial Service, Corpus Christi, Texas for Custodial Services for Outlying Police Buildings in accordance with Bid Invitation No. BI-0176-14, based on only bid for an estimated annual expenditure of \$100,644.00, of which \$25,161.00 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the Contractor and the City Manager or designee. Funds have been budgeted by the Police Department in FY 2013-2014.

Sponsors: Purchasing Division and Police Department

23. [14-00754](#) **Purchase of spare Patterson pump rotating assembly for the Bloomington Pump Station**

Motion approving the purchase of one (1) spare Patterson pump rotating assembly from The Scruggs Co., Houston, Texas based on sole source for a total amount of \$65,290.00. Funds have been budgeted by the Utilities Department in FY 2013-2014.

Sponsors: Purchasing Division and Office of Public Utilities

24. [14-00751](#) **Service agreement for preservation of historical documents**

Motion approving the purchase of historical document preservation services from Kofile Preservation, Inc., Dallas, Texas, in accordance with the State of Texas Cooperative Purchasing Program for a total expenditure of \$147,545.73, of which approximately \$41,724.64 is required for the remainder of FY 2013-2014. Funds have been budgeted by the Office of the City Secretary in FY 2014-2015 and will be requested in future fiscal years.

Sponsors: City Secretary's Office and Purchasing Division

25. [14-00733](#) **Amending interlocal agreement to include Nueces County Emergency District #4 as a participant in the Radio**

Communications System

Resolution authorizing the City Manager, or his designee, to execute an amendment to the Radio Communications System Interlocal Agreement between the City of Corpus Christi, the Regional Transportation Authority and Nueces County to include the Nueces County Emergency Services District #4 as a participant.

Sponsors: Police Department

26. [14-00734](#) **Amending interlocal agreement to include the Nueces Jim Wells County Emergency Services District #5 as a participant in the Radio Communications System**

Resolution authorizing the City Manager, or his designee, to execute an amendment to the Radio Communications System Interlocal Agreement between the City of Corpus Christi, the Regional Transportation Authority and Nueces County to include the Nueces Jim Wells County Emergency Services District #5 as a participant.

Sponsors: Police Department

27. [14-00730](#) **Change order no. 4 for head works (Phase 1) and grit system (Phase 2) for Allison Wastewater Treatment Plant**

Motion authorizing the City Manager or designee to execute Change Order No. 4 with R.M. Wright Construction Company of El Paso, Texas in the amount of \$348,897.89, for a total restated fee of \$3,281,860.89, for the Allison Wastewater Treatment Plant Head Works (Phase 1) and Grit System (Phase 2).

Sponsors: Office of Public Works and Office of Public Utilities

28. [14-00469](#) **Interlocal agreement for research services for the City's water distribution system**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with the University of Texas at Austin for research services for the City's water distribution system, with City's cost to be \$49,547.

Sponsors: Office of Public Utilities and Water/Wastewater Treatment

29. [14-00784](#) **Amendment no. 1 to engineering monitoring contract for Periodic Corrosion Monitoring Survey 2015 for Mary Rhodes Pipeline**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the engineering contract with Russell Corrosion Consultants, LLC of Simpsonville, Maryland in the amount of \$46,095, for a total restated fee not to exceed \$75,825 for Mary Rhodes Pipeline Periodic Corrosion Monitoring Survey 2015.

Sponsors: Water/Wastewater Treatment and Capital Programs

30. [14-00782](#) **Amendment no. 1 to engineering contract for the Nueces River Raw Water Pump Station**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the engineering contract with Urban Engineering of Corpus Christi, Texas in the amount of \$1,688,299, for a total restated fee not to exceed \$1,738,035 for Nueces River Raw Water Pump Station for preliminary, design, bid, and construction administration services.

Sponsors: Water/Wastewater Treatment and Capital Programs

31. [14-00817](#) **Purchase consulting hours from Infor (US), Inc. for duration of Infor Enterprise Resource Planning (ERP) project**

Motion approving the purchase of additional consulting hours from Infor (US), Inc., Alpharetta, GA, for a total expenditure of \$349,400. The acquisition of these consulting hours is available only from Infor (US), Inc. Contingency funds from the Infor ERP Project will be used for this purpose.

Sponsors: Municipal Information Systems

32. [14-00785](#) **Renewal of State and Federal external legislative consultant contracts**

Motion authorizing the City Manager to execute 26-month renewal agreements for governmental relation services with Focused Advocacy for state governmental relations services for \$102,000 per year plus reasonable expenses and with Meyers & Associates for federal governmental relations services for \$78,000 per year plus reasonable expenses.

Sponsors: Intergovernmental Relations

Q. **BRIEFINGS TO CITY COUNCIL: (ITEMS 33 - 34)**

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.

33. [14-00793](#) **Padre Island Seawall Vehicle Restrictions**

Sponsors: Parks and Recreation Department

34. [14-00788](#) **Barisi Village Development project overview and timeline**

Sponsors: Development Services

R. **ADJOURNMENT**