



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, April 8, 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 Rabbi Kenneth D. Roseman, Congregation Beth Israel.**
- C. Pledge of Allegiance to the Flag of the United States.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [14-00389](#) Proclamation declaring April 6-12, 2014, as "National Crime Victims' Rights Week"
Proclamation declaring April 7-11, 2014, as "Human Trafficking Awareness Week"
Proclamation declaring April 24, 2014, as "Pay It Forward Day"
Proclamation declaring April 2014, as "Corpus Christi Safe Digging Month"
Proclamation declaring April 2014, as "Sexual Assault Awareness & Prevention Month"

- 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 - Health Department
- b. 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. [14-00385](#) Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys to seek advice on contract matters, with possible action and discussion in open session.
3. [14-00386](#) Executive Session pursuant to Texas Government Code Section 551.071 to consult with attorneys regarding contemplated litigation related to the city wastewater systems, with possible discussion and action in open session.

I. MINUTES:

4. [14-00390](#) City Council Retreat of March 4, 2014 and Regular Meeting of March 25,

2014

J. BOARD & COMMITTEE APPOINTMENTS: (NONE)**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 5 - 10)

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.

5. [14-00291](#) Service Agreements for Storm Water Improved ROW Strip Mowing and Bayfront Parks and Medians Turf and Grounds Maintenance

Motion approving service agreements with the following companies, in the following amounts for Storm Water Improved ROW Strip Mowing and Bayfront Parks and Medians Turf and Grounds Maintenance in accordance with Bid Invitation No. BI-0079-14, based on lowest responsible bid for an estimated annual expenditure of \$673,540.40 of which \$336,770.20 is required for the remainder of FY 2013-2014. The terms of the contracts 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 Contractors and the City Manager or designees. Funds have been budgeted by the Utilities and Parks and Recreation Departments in FY 2013-2014.

**Storm Water Improved ROW
Strip Mowing**

Aspen Lawn Care
Corpus Christi, TX.
\$109,399.90

D-Bar Contractors
San Benito, TX
\$52,186.40

**Bayfront Parks & Medians
Turf & Grounds Maintenance**

D-Bar Contractors
San Benito, TX
\$152,423.60

Maldonado Nursery &
Landscape, Inc.
Corpus Christi, TX

\$211,131.90

Dorame General Repair & Lawn, LLC
 Corpus Christi, TX
 \$101,346.00

Maldonado Nursery & Landscape, Inc.
 Corpus Christi, TX
 \$47,052.60

Total: \$309,984.90Total: \$363,555.50**Grand Total \$673,540.40****Sponsors:** Purchasing Division and Parks and Recreation Department

6. [14-00297](#) **Supply agreement for liquid aluminum sulfate for use at the O. N. Stevens water treatment plant**

Motion approving a supply agreement with General Chemical Performance Products LLC, Parsippany, New Jersey for liquid aluminum sulfate in accordance with Bid Invitation No. BI-0090-14 based on lowest responsible bid for an estimated annual expenditure of \$1,248,390.00, of which \$624,195.00 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

7. [14-00308](#) **Supply agreement for hot tap fittings for repairing or adding lines for new gas service**

Motion approving a supply agreement with M.T. Deason Company, Inc., Birmingham, Alabama for hot tap fittings in accordance with Bid Invitation No. BI-0093-14 based on only bid for an estimated annual expenditure of \$90,264.00, of which \$45,132.00 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

8. [14-00288](#) **Second Reading Ordinance - Amending the Unified Development Code by increasing time limit for Council action on applications (1st Reading 3/25/14)**

Ordinance amending the Unified Development Code by revising subsections 3.3.3.C and 3.4.2.D regarding City Council final action on

Zoning Map amendments (rezonings), and historic overlay districts or landmark designations; and providing for severance, penalties, and publication.

Sponsors: Development Services

9. [14-00117](#) **Second Reading Ordinance - Amending the Fiscal Year 2013-14 Operating Budget to extend it by two months (1st Reading 3/25/14)**

Ordinance amending the Fiscal Year 2013-2014 Operating Budget adopted by Ordinance No. 029915 to extend fiscal year 2013-2014 two months, by increasing total revenues by \$111,715,725 and total expenditures by \$106,187,250 in the General Fund, Internal Service Funds, Enterprise Funds, and Special Revenue Funds.

Sponsors: Office of Management and Budget

10. [14-00236](#) **Second Reading Ordinance - Type A Agreement for Hausman Foods, LLC (1st Reading 3/25/14)**

Ordinance Approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Hausman Foods, LLC ("Hausman") to provide a grant of up to \$205,920, for the creation of jobs and authorizing the City Manager, or designee, to execute a Business Incentive Project Service Agreement with the Type A Corporation regarding implementation and administration of the Hausman Business Incentive Agreement for the creation of jobs; and appropriating \$205,920 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for said business incentive grant from the Type A Corporation to Hausman; and changing the FY 2013-2014 operating budget, adopted by Ordinance No. 029915, by increasing proposed expenditures by \$205,920.

Sponsors: Economic Development

M. **PUBLIC HEARINGS: (ITEMS 11 - 12)**

11. [14-00361](#) **Public hearing regarding a "Substantial Amendment" to the FY2013-2014 Consolidated Annual Action Plan to extend the current Fiscal Year**

Public hearing to inform the general public of the extension of the FY2013-2014 Consolidated Annual Action Plan which will be August 1, 2013 to September 30, 2014 and to allow for public comment.

Sponsors: Housing and Community Development

12. [14-00303](#) **Public Hearing and First Reading Ordinance - Exempting The Grand Reserve Subdivision Unit 2, located between Glenoak and Caribbean Drives and East of Flour Bluff Drive, from the wastewater lot/acreage fees**

Ordinance exempting The Grand Reserve Subdivision Unit 2, a subdivision located between Glenoak and Caribbean Drives, East of Flour Bluff Drive, from the payment of wastewater lot/acreage fees under Section 8.5.2.G.1 of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Sponsors: Development Services

N. REGULAR AGENDA: (NONE)

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

O. FIRST READING ORDINANCES: (ITEMS 13 - 20)

13. [14-00217](#) First Reading Ordinance - Participation agreement for the bridge on South Oso Parkway

Ordinance authorizing the City Manager, or his designee, to execute a Participation Agreement with VOJO Ventures, LLC, Developer of The Coves at Lago Vista Unit 3B, in the amount of \$171,451.95 for the City's portion of the cost of the South Oso Parkway Bridge over King Estates Ditch, in accordance with the Unified Development Code.

Sponsors: Development Services

14. [14-00319](#) First Reading Ordinance - Appropriating funds for replacement of Gulf beach lifeguard stand

Ordinance appropriating \$11,500 from additional revenue in Fund No. 1020 General Fund, Parks and Recreation operating budget for the replacement of Gulf beach lifeguard stand; changing FY2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing revenues and appropriations by \$11,500 each.

Sponsors: Parks and Recreation Department

15. [14-00320](#) First Reading Ordinance - Accepting and appropriating Regional partial grant for the Elderly Nutrition Program

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a \$219,808 partial grant from the Area Agency on Aging of the Coastal Bend in the No. 1067 Parks and Recreation grants fund for the FY 2014 Senior Community Services, Elderly Nutrition Program.

Sponsors: Parks and Recreation Department

16. [14-00322](#) First Reading Ordinance - Accepting and appropriating State grant for home delivered meals for the elderly

Ordinance authorizing the City Manager or designee to execute all

documents necessary to accept and appropriate a \$62,142.63 grant from the Texas Department of Agriculture Texans Feeding Texans Program in the No. 1067 Parks and Recreation Grants Fund for the FY 2014 Senior Community Services - Texans Feeding Texans.

Sponsors: Parks and Recreation Department

17. [14-00335](#) **First Reading Ordinance - Engineering design contract for Old Robstown Road from State Highway 44 to Leopard Street (Proposed 2014 Bond Election)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$127,540.00 from Storm Water CIP Fund 3494, \$66,320.80 from Wastewater CIP Fund 4510, and \$61,219.20 from Water CIP Fund 4479 to the Bond 2014 Street Project Old Robstown Road from State Highway 44 to Leopard Street; increasing expenditures in the amount of \$255,080.00; and authorizing the City Manager, or designee, to execute an engineering design contract with CH2M Hill Engineers, Inc., a Delaware Corporation with Branch office in Corpus Christi, Texas in the amount of \$554,390.00 for Old Robstown Road from State Highway 44 to Leopard Street.

Sponsors: Street Department and Capital Programs

18. [14-00345](#) **First Reading Ordinance - Construction contract for Runway 13-31 Extension/Displacement and Connecting Taxiway**

Ordinance appropriating \$23,277,531 from the Federal Aviation Administration Grant No. 3-48-0051-050-2013 in the No. 3020 Airport Capital Improvement Fund for the following projects: 13/31 Runway Extension Displacement and Connecting Taxiway, 1,000 ft Extension Displacement and Connection of Taxiways, Expansion of the North GA Apron, Reconstruction of the East GA Apron, Reconstruction of the Air Carrier Taxilane, Extension of Taxiway F, and Runway 18-36, NAVIDS' Site Work and Installation of Gate 10B; changing the FY 2013-2014 Capital Budget adopted by Ordinance No. 029565 to increase revenues and expenditures by \$23,277,531; and authorizing the City Manager or designee to execute a construction contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$34,766,637.10 for the 13/31 Runway Extension Displacement and Connecting Taxiway Project for the Base Bid plus Additive Alternates 1 - 8.

Sponsors: Aviation Department and Capital Programs

19. [14-00360](#) **First Reading Ordinance - Lease agreement with Brooks Chapel for property located at 1517 Winnebago**

Ordinance authorizing the City Manager or designee to execute a lease

with Brooks Chapel for property located at 1517 Winnebago for a term of one year, with a four year renewal option.

Sponsors: Housing and Community Development

20. [14-00347](#) **First Reading Ordinance - Appropriating funds for marketing and co-promotion expenditures at the American Bank Center**

Ordinance appropriating \$100,000 from the unreserved fund balance in the No. 1130 Arena Facility Fund and transferring to and appropriating in the No. 4710 Visitors Facilities Fund for American Bank Center Marketing and Co-Promotion Expenditures; changing the FY 2013-2014 Operating Budget adopted by Ordinance No. 029915 to increase revenue by \$100,000 and expenditures by \$200,000.

Sponsors: ACM - Business Support Services

P. **FUTURE AGENDA ITEMS: (ITEMS 21 - 24)**

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

21. [14-00213](#) **Agreement for Bond Counsel Services**

Motion authorizing the City Manager to enter into an agreement with Fulbright & Jaworski, LLP of San Antonio, Texas to perform bond counsel services for the City of Corpus Christi.

Sponsors: Purchasing Division, Financial Services Department and Legal Department

22. [14-00334](#) **Authorizing forensics building to be constructed at an alternate location due to excessive cost at planned location (Bond 2012)**

Resolution determining that to construct a portion of the Police Vehicle Impound Yard and Garage Phase 2 - a Bond 2012 Project (Project) at its originally proposed location would be unwise and unnecessary; authorizing the City Manager or designee to proceed with construction of the forensics building portion of the Project at an alternate, more suitable, and less costly location.

Sponsors: Police Department and Capital Programs

23. [14-00344](#) **Engineering design contract amendment no. 1 for Greenwood Wastewater Treatment Plant Process Rehabilitation/Replacement Project**

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 \$32,710, for a total restated fee not to exceed \$82,550 for the Greenwood Wastewater Treatment Plant Process Rehabilitation/Replacement for additional design, bid, and construction phase services.

Sponsors: Capital Programs and Office of Public Utilities

24. [14-00321](#) **Approving agreement and purchase of permanent art for Fire Station #5**

Motion authorizing the City Manager or designee to execute documents necessary to purchase sculpture created by artist Lynda Jones for a work of permanent art created in glass tile and authorize disbursement of \$17,770 from the Bond Fund 3191 for such purchase.

Sponsors: Parks and Recreation Department

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

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.

R. ADJOURNMENT