



Corpus Christi

1201 Leopard St
Corpus Christi, TX 78401
CCtexas.com

Meeting Agenda - Final City Council

Tuesday, October 9, 2012

1:30 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 Buddy Stevens, Bay Area Fellowship Church.**
- 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** [12-00717](#) Proclamation declaring October 12, 2012 as "Pink Mustache for Josie Day"
 - Proclamation declaring October 2012 as "Employment Alliance for Persons with Disabilities Month"
 - Proclamation declaring October 8 - 13, 2012 as "The 237th United States Navy Week"
 - Swearing-in for all newly appointed Board, Commission and Committee Members
 - "At Your Service" Award, City Employee Recognition

F. MINUTES:

- 2 [12-00718](#) Approval of Meeting Minutes - September 25, 2012.

G. BOARDS & COMMITTEE APPOINTMENTS: (NONE)

H. 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.

I. CONSENT AGENDA: (ITEMS 3 - 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.

- 3 [12-00631](#) **Second Reading Ordinance - Extending a State lease agreement to enable the boy scouts to finance and construct improvements on their permanent encampment. (1st Reading - 9/11/12) (Requires 2/3 vote)**

Ordinance authorizing the City Manager, or designee, to execute an extension of the Lease Agreement with Texas Parks and Wildlife Department for the use of an approximately 14,106 acre tract adjacent to Lake Corpus Christi through December 31, 2052; providing for severance; providing for publication; and providing an effective date.

Sponsors: Water Department

- 4 [12-00654](#) **Second Reading Ordinance - Amending the Comprehensive Plan of the City of Corpus Christi and adopting the Corpus Christi Parks and Recreation Master Plan (1st reading 9/25/12)**

Ordinance amending the Comprehensive Plan of the City of Corpus Christi by adoption of the Corpus Christi Parks and Recreation Master Plan; providing for repeal of conflicting ordinances; and providing for severance.

Sponsors: Parks and Recreation Department

- 5 [12-00660](#) **Second Reading Ordinance - Accepting and appropriating a State grant; transferring and appropriating City/InKind match to fund advocacy for victims of domestic violence (1st reading 9/25/12)**

(Requires 2/3 vote)

Authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$94,705.39 to continue the Violence Against Women Formula Grant (VAWA) grant within the Police Department for Year 13, with a City match of \$47,165.68, in-kind match of \$7,200 in the No. 1020 Police General Fund; and appropriating the \$94,705.39 in the No. 1061 Police Grants Fund to continue the VAWA grant in the Police Department and authorizing the transfer of \$47,165.68 from the No. 1020 Cash Contribution to and appropriating in the No. 1061 Police Grants Fund as grant matching funds for a total project cost of \$149,071.07

Sponsors: Police Department

6 [12-00650](#) **Second Reading Ordinance - Repealing/reenacting ordinance creating the Corpus Christi Museum Advisory Board (1st reading 9/25/12)**

Ordinance repealing and reenacting section 2-90 "created; membership; terms; filling vacancies" of the code of ordinances, dissolving the Corpus Christi Museum of Science and History Advisory Board and creating a new Corpus Christi Museum of Science and History Advisory Board; amending section 2-92 "Meetings; function" of the code of ordinances by modifying the meeting from monthly to quarterly; providing an effective date; providing for severance; and providing for publication.

Sponsors: ACM - Business Support Services and Museum of Science and History

7 [12-00688](#) **Second Reading Ordinance - Appropriating funds for marketing and co-promotion expenditures at the American Bank Center (1st reading 9/25/12) (Requires 2/3 vote)**

Ordinance appropriating \$600,000 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; appropriating \$115,999.96 from the reserved fund balance in the No. 4710 Visitors Facilities Fund for American Bank Center Marketing and Co-Promotion Expenditures; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase revenues by \$600,000 and expenditures by \$ 1,315,999.96.

Sponsors: ACM - Business Support Services and Financial Services Department

8 [12-00685](#) **Second Reading Ordinance - State lease agreement to store materials for offshore artificial reef construction (1st reading 9/25/12) (Requires 2/3 vote)**

Ordinance authorizing the City Manager or designee to execute a

Coastal Surface Lease with the State of Texas to lease approximately 3.0 acres of filled submerged land for the storage of reefing material for use in constructing an offshore artificial reef, for a term of four years, for \$500 per month for the first two years, and \$833.33 per month for the last two years.

Sponsors: Engineering Department

9 [12-00653](#) **Second Reading Ordinance - Professional service contract to improve operations of the J. C. Elliott landfill gas collection system (1st reading 9/25/12) (Requires 2/3 vote)**

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to add Project No. E12108 J.C. Elliott Landfill Gas Collection and Control System Repairs; transferring budgeted funds in the amount of \$108,432 from the Citizens Collection Center Flour Bluff / Padre Island Area Project to the J.C. Elliott Landfill Gas Collection and Control System Repairs Project; and authorizing the City Manger or designee to execute a contract for professional services with SCS Field Services of Bedford, Texas in the amount of \$100,400 for the J.C. Elliott Landfill Gas Collection and Control System Repairs Project.

Sponsors: Solid Waste Operations and Engineering Department

10 [12-00652](#) **Second Reading Ordinance - Amending the Capital Improvement Budget to transfer funds and execute a construction contract for street improvements including utilities from Leopard Street to Maple Leaf Drive and offsite Storm Water improvements from Lois Drive to Turkey Creek along Leopard Street (BOND 2008) (1st reading 9/25/12) (Requires 2/3 vote)**

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to transfer \$41,928 in budgeted wastewater project savings and \$16,450 in budgeted water project savings from the TXDOT Participation Project and \$267,499 in budgeted storm water project savings from the Staples Street Outfall Project to the Charles Drive from Leopard to Maple Leaf Project; increasing expenditures in the amount of \$325,877; authorizing the City Manager or designee execute a construction contract with Jhabores Construction Company of Corpus Christi, Texas in the amount of \$1,735,439.03 for the Charles Drive from Leopard Street to Maple Leaf Drive Project for the base bid.

Sponsors: Street Department and Engineering Department

J. **EXECUTIVE SESSION: (ITEM 11)**

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.

- 11 **12-00719** Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code for consultation with attorneys regarding contemplated litigation with a construction contractor with possible discussion and action in open session.

K. PUBLIC HEARINGS: (NONE)

L. REGULAR AGENDA: (ITEM 12)

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

- 12 [12-00676](#) **Agreement for temporary tax abatement for future mixed use development located at 401 N Chaparral Street (Requires 2/3 vote)**

Resolution authorizing the execution of an agreement with Cosmopolitan Corpus Ltd providing for temporary property tax abatement.

Sponsors: Economic Development

M. FIRST READING ORDINANCES: (ITEMS 13 - 14)

- 13 [12-00706](#) **First Reading Ordinance - Appropriating funds for equipment, cadets, and trainee intern program (Requires 2/3 vote)**

Ordinance appropriating \$430,000 from the unreserved fund balance in No. 9010 Crime Control District Fund for "one-time" expenditures in the FY 2012-2013 operating budget, and changing the FY 2012-2013 operating budget adopted by Ordinance No. 029577 by increasing appropriations by \$430,000.

Sponsors: Police Department

- 14 [12-00702](#) **First Reading Ordinance - Amending the Capital Improvement Budget transferring funds; rescinding/executing contract for North Beach archway (Requires 2/3 vote)**

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to transfer \$40,000 in budgeted project savings from the Heritage Park Cultural Center Renovation Project to the North Beach Entry Development Project; increasing expenditures in the amount of \$40,000; rescinding the award of the North Beach Entry Development (Bond 2008) Re-Bid contract to Largin Construction Services, LLC. awarded on June 26, 2012 by Motion M2012-119; and authorizing the City Manager, or designee, to execute a construction

contract with Barcom Commercial, Inc. of Corpus Christi, Texas in the amount of \$427,609.49 for the North Beach Entry Development (Bond 2008) Re-Bid for the Base Bid.

Sponsors: Parks and Recreation Department and Engineering Department

N. FUTURE AGENDA ITEMS: (ITEMS 15 - 28)

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

15 [12-00668](#) **Professional services agreement for transporting liquid waste and sludge to wastewater treatment plant for disposal**

Motion approving a service agreement with Stump Enterprises, LLC, Rockport, Texas for the hauling of liquid waste and sludge in accordance with Bid Invitation No. BI-0201-12, based on lowest responsible bid, for an estimated annual expenditure of \$86,250 of which \$71,875 is required for the remainder of FY 2012-2013. The term of the contract shall be for twelve months with an option to extend for up to two additional twelve month periods, subject to the approval of the supplier, and the City Manager or designee. Funds have been budgeted by the Wastewater Department in FY 2012-2013.

Sponsors: Purchasing Division and Wastewater Department

16 [12-00671](#) **Supply Agreement For material to be used for traffic sign manufacturing and installation program**

Motion approving supply agreements with the following companies in the following amounts for traffic sign blanks, sheeting/roll goods, and traffic sign posts/anchors in accordance with Bid Invitation No. BI-0216-12, based on lowest responsible bidder, for an estimated annual expenditure of \$146,232.89 of which \$121,860.74 is required for the remainder of FY 2012-2013. The terms of the agreements 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 suppliers and the City Manager or designee. Funds have been budgeted by Traffic Engineering in FY 2012-2013.

Sponsors: Purchasing Division and Engineering Department

17 [12-00696](#) **Purchase of furniture for offices at water treatment plant**

Motion approving the purchase of furniture for the O.N. Stevens Facility Alteration Project from Business Interiors by Staples, Houston, Texas in the amount of \$98,422.94. The award is in accordance with the State's Cooperative Purchasing Program (TXMAS). Funds are available in the Water Department Fund No. 4088 - 2012 Capital Improvement Program (CIP) Fund.

Sponsors: Purchasing Division and Water Department

- 18 [12-00679](#) **Service Agreement for City departments to utilize dump truck hauling of miscellaneous materials to designated areas throughout the city**
- Motion approving a service agreement with Tahoe Trucking, Inc., Corpus Christi, Texas for dump truck hauling in accordance with Bid Invitation No. BI-0217-12, based on only bid, for an estimated annual expenditure of \$270,000.00 of which \$225,000.00 is required for the remainder of FY 2012-2013. 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 Water, Storm Water, Street Operations and Solid Waste Operations Departments in FY 2012-2013.
- Sponsors:** Purchasing Division, Storm Water Department, Solid Waste Operations and Water Department
- 19 [12-00669](#) **Purchase agreement for four (4) Ford F-150 Crew Cab 4 x 4 Pickup Trucks to be used for beach rescue operations**
- Motion approving the purchase of four (4) Ford F-150 Crew Cab 4 X 4 pickup trucks from Philpott Motors, Nederland, Texas for a total amount of \$114,173.00. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds for the purchase of the Ford F-150 Crew Cab 4 X 4 pickup trucks are available in the Capital Outlay Budget of the Park and Recreation Department in FY 2012-2013.
- Sponsors:** Purchasing Division and Parks and Recreation Department
- 20 [12-00675](#) **Payment authorization for Mary Rhodes Pipeline emergency repair**
- Motion to authorize payment of \$95,512.04 for Mercer Construction Company for emergency repair to Mary Rhodes Pipeline.
- Sponsors:** Water Department and Purchasing Division
- 21 [12-00692](#) **Lease Agreement with Boy Scout Troop sponsor for property located near McKenzie Rd. and Allison Drive**
- Ordinance authorizing the City Manager, or designee, to execute a three-year Lease Agreement with West Corpus Christi Rotary Club for the use of property near McKenzie Road and Allison Drive by Boy Scout troop sponsored by the Rotary Club, in consideration of the Rotary Club maintaining the premises and improvements; providing for severance; and declaring an emergency.
- Sponsors:** Parks and Recreation Department and Wastewater Department
- 22 [12-00693](#) **Authorization for application to State reimbursement program for beach maintenance expenditures**

Resolution authorizing the City Manager or designee to execute all documents necessary to request continued financial assistance for beach cleaning and maintenance on North Padre Island and Mustang Island during FY 2012-2013 under the Texas General Land Office's Beach Cleaning and Maintenance Assistance Program.

Sponsors: Parks and Recreation Department

23 [12-00694](#) **Amendment to interlocal agreement for latchkey program**

Resolution authorizing the City Manager or designee to execute an Amended Interlocal Agreement with the Corpus Christi Independent School District to operate the latchkey program with term of approximately five years.

Sponsors: Parks and Recreation Department

24 [12-00690](#) **State Interlocal agreement for failure to appear at Municipal Court**

Resolution authorizing the City Manager to execute an Interlocal Cooperation Agreement with the Texas Department of Public Safety relating to the Failure To Appear Program

Sponsors: Municipal Court Administration

25 [12-00697](#) **Professional services contract for wastewater permitting process assistance**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with RPS Espey of Austin, Texas in the amount of \$70,000.00 for the Wastewater Permit Assistance FY 2012.

Sponsors: Wastewater Department and Engineering Department

26 [12-00703](#) **Ratification of change order for improvements at the airport**

Motion authorizing the City Manager, or designee, to ratify Change Order No. 2 with Beecroft Construction, LTD of Corpus Christi, in the amount of \$168,499.36 for the CCIA Communication Center, Perimeter Security, Standby Generator and Commercial Aviation Apron Lighting Upgrades - Rehabilitate Terminal Building FIS.

Sponsors: Aviation Department and Engineering Department

27 [12-00691](#) **Resolution adopting the City of Corpus Christi's State legislative priorities for the 83rd Texas Legislature in 2013.**

Sponsors: Intergovernmental Relations

28 [12-00722](#) **Agreement to manage the American Bank Center**

Motion authorizing the City Manager or his designee to execute a new

five year agreement with SMG to manage the American Bank Center under new fees, terms and conditions, including a new base management fee and incentive fee formula, new performance requirements, and new food and beverage service provisions.

Sponsors: ACM - Business Support Services

O. 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.

P. 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.

Q. CITY MANAGER'S COMMENTS:

* Update on City Operations

R. ADJOURNMENT