



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final City Council

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Tuesday, January 14, 2014

11:30 AM

Council Chambers

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**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 Deacon Michael Mantz, Diocese of Corpus Christi**
- 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. [14-00040](#) Proclamation declaring January 17, 2014 as "Dr. Hector P. Garcia's 100th Birthday Celebration"  
Proclamation declaring January 20, 2014 as "Martin Luther King Holiday Celebration and Commemorative March"  
Presentation of Mayor's Clean & Green Awards  
Swearing-in Ceremony for City Secretary Rebecca L. Huerta
- 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 - Airport
- b. 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. [14-00014](#) Executive Session pursuant to Texas Government Code Section 551.071 to consult with attorneys regarding contemplated litigation related to the city wastewater treatment plants, with possible discussion and action in open session.
3. [14-00015](#) Executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, and Section 551.087, Deliberations regarding economic development negotiations with possible discussion and action in open session.
4. [14-00024](#) Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code for consultation with attorneys about pending or contemplated litigation regarding a HOME funds agreement with possible discussion and action in open session.

**I. MINUTES:**

5. [14-00039](#) Regular Meeting of December 17, 2013

**J. BOARDS & COMMITTEE APPOINTMENTS:**

6. [14-00041](#) Clean City Advisory Committee  
Corpus Christi Downtown Management District  
Museum of Science and History Advisory Board

**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 7 - 11)**

*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.*

7. [13-001177](#) **Resolution requesting the Texas Commission on Environmental Quality (TCEQ) to adopt language in the environmental flow standards for the Nueces River Basin to clarify that rules are to be applied prospectively and not affect an existing water right**

Resolution requesting the Texas Commission on Environmental Quality (TCEQ) clearly and conclusively state that Senate Bill 3 environmental flow standards are to be applied prospectively and environmental flow standards for the Nueces River Basin not affect an appropriation of or an authorization to store, take, or divert water under a permit or amendment to a water right issued before September 1, 2007

**Sponsors:** Intergovernmental Relations

8. [13-001175](#) **Ratifying Federal grant for Marina replacement dock for boat slips**

Resolution ratifying grant application to US Fish and Wildlife Service through Texas Parks and Wildlife Department for \$502,496.00 Boating Infrastructure Grant for Marina boat slips including 35 transient boat slips.

**Sponsors:** Municipal Marina

9. [13-001014](#) **Second Reading Ordinance - Rezoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District, on property located at 4050 Acushnet Drive (1st**

**Reading 12/17/13)**

Case No. 1113-01 Luxury Spec Homes, Inc.: A rezoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District, resulting in a change to the Future Land Use Plan from commercial to low-density residential uses. The property is described as Lot 13, Block 2, Country Club Estates Unit 20, located on the north side of Acushnet Drive, approximately 525 feet east of Weber Road (FM 43).

Planning Commission and Staff Recommendation (November 20, 2013):

Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Luxury Spec Homes, Inc., acting as agent behalf of Mihail Chryssos and Nikolaos Hrisos ("Owners"), by changing the UDC Zoning Map in reference to Lot 13, Block 2, Country Club Estates Unit 20 from the "CN-1" Neighborhood Commercial 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 and publication.

Sponsors: Development Services and Planning/Environmental Services

**10. [13-001074](#)****Second Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District, on property located at 1201, 1217, 1225 and 1233 Barton Street (1st Reading 12/17/13)**

Case No. 1113-03 Robert Bryan Johnson: Rezoning from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District, resulting in a change to the Future Land Use Plan from low density residential to medium density residential uses. The property being rezoned is described as Lots 20, 21, 22, 23, Block 5, Flour Bluff Center, located on the northeast corner of Barton and O'Neill Streets.

Planning Commission and Staff Recommendation (November 20, 2013):

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Robert Bryan Johnson, by changing the UDC Zoning Map in reference to Lots 20, 21, 22, and 23, Block 5, Flour Bluff Center, from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District;

amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Sponsors:** Development Services and Planning/Environmental Services

11. [13-001143](#) **Second Reading Ordinance - Closing a portion of a 15-foot wide utility easement out of Lot 1, Incarnate Word Subdivision located south of Lipps Boulevard and west of South Staples Street (1st Reading 12/17/13)**

Ordinance abandoning and vacating a portion of a 15-foot wide utility easement out of Lot 1, Incarnate Word Subdivision and requiring the owner, The Convent Academy of the Incarnate Word, to comply with the specified conditions.

**Sponsors:** Development Services

**M. PUBLIC HEARINGS: (NONE)**

**N. REGULAR AGENDA: (ITEM 12)**

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

12. [14-00052](#) **Appointment of City Attorney**

Motion confirming the City Manager's appointment of Roxann Pais Cotroneo to serve as City Attorney effective February 3, 2014.

**Sponsors:** City Manager's Office

**O. FIRST READING ORDINANCES: (ITEMS 13 - 27)**

13. [13-001017](#) **First Reading Ordinance - Appropriating competition proceeds from American Society for the Prevention of Cruelty to Animals (ASPCA) Rachel Ray Challenge**

Ordinance appropriating \$30,000 from ASPCA Rachel Ray Challenge in the No. 1020 General Fund to support the trap-neuter-return of feral cats in the community, targeted spay and neuter, and humane housing of animals at the animal care facility; and amending Ordinance No. 029915, which adopted the FY 2013-2014 Budget, by increasing revenue and expenditures in the General Fund No. 1020 by \$30,000 each.

**Sponsors:** Police Department

14. [13-001208](#) **First Reading Ordinance - Accepting and appropriating a State grant for prevention of internet crimes against children**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Office of Juvenile

Justice and Delinquency Prevention Internet Crimes Against Children (ICAC) Task Force program, in the amount of \$4,084 to purchase equipment for the ICAC program within the Police Department; and appropriating the \$4,084 in the No. 1061 Police Grants Fund.

**Sponsors:** Police Department

15. [13-001214](#) **First Reading Ordinance - Appropriating utility bill donations for the Arts & Cultural Commission (ACC)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to appropriate \$11,480.08 in City utility customer donations in General Fund No. 1020 for use by programs coordinated through the City Arts and Cultural Commission.

**Sponsors:** Parks and Recreation Department

16. [13-001215](#) **First Reading Ordinance - Accepting and appropriating State grant amendment for Americans with Disabilities Act (ADA) water access improvements and promenade expansion at North Beach**

Ordinance authorizing the City Manager, or designee, to execute all documents necessary to accept and appropriate an amended grant in the No. 1067 Parks and Recreation Grant Fund in the amount of \$35,724.22 from the Texas General Land Office-Coastal Management Program (CMP) for the construction of ADA water access improvements and promenade expansion.

**Sponsors:** Parks and Recreation Department

17. [13-001216](#) **First Reading Ordinance - Accepting and appropriating State grant for the after school snack program and entering into an Interlocal Agreement with Corpus Christi Independent School District (CCISD) to provide snacks**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$203,608 from the Texas Department of Agriculture; appropriating grant in the No. 1067 Parks and Recreation Grants Fund for the Latchkey After School Snack Program; to execute an Interlocal Agreement with the Corpus Christi Independent School District to provide snacks services for the after school snack program for five years.

**Sponsors:** Parks and Recreation Department

18. [13-001219](#) **First Reading Ordinance - Amending the Code of Ordinances regarding membership of the Tree Advisory Committee**

Ordinance amending the City Code of Ordinances regarding membership of the Tree Advisory Committee of Corpus Christi, Texas.

**Sponsors:** Parks and Recreation Department

19. [13-001220](#) **First Reading Ordinance - Lease agreement with kickball league for Bill Witt Park**
- Ordinance authorizing City Manager or designee to execute a 60 month lease agreement with C.C. United Kickball League for 6869 Yorktown, Bill Witt Park, in the City, Lessee agrees to operate and maintain the premises according to City standards.
- Sponsors:** Parks and Recreation Department
20. [13-001224](#) **First Reading Ordinance - Lease agreement with baseball league for Price Park**
- Ordinance authorizing the City Manager or designee to execute a 60 month lease agreement with Southside Pony Baseball League for Price Park, in the City, Lessee agrees to operate and maintain the premises according to City standards.
- Sponsors:** Parks and Recreation Department
21. [13-001222](#) **First Reading Ordinance - Lease agreement with soccer league for Labonte Park**
- Ordinance authorizing City Manager or designee to execute a 60 month lease agreement with Great Western Soccer League for Labonte Park, in the City, Lessee agrees to operate and maintain the premises according to City standards.
- Sponsors:** Parks and Recreation Department
22. [13-001223](#) **First Reading Ordinance - Lease agreement with soccer league for North and South Pope Park**
- Ordinance authorizing City Manager or designee to execute a 60 month lease agreement with Santa Fe Soccer League for North and South Pope Park, in the City, Lessee agrees to operate and maintain the premises according to City standards.
- Sponsors:** Parks and Recreation Department
23. [13-001206](#) **First Reading Ordinance - Appropriating funds for safety vestibule at detention center**
- Ordinance appropriating \$50,000 from the Unreserved Fund Balance in the No. 1020 General Fund for remodeling the City Detention Center to create a safety vestibule; and changing the FY 2013-2014 Adopted Annual Operating Budget adopted by Ordinance No 029915 by increasing expenditures by \$50,000 in the No. 1020 General Fund.
- Sponsors:** Municipal Court Administration
24. [13-001162](#) **First Reading Ordinance - Approving Seawall Maintenance Capital Improvement Program**

Ordinance amending the FY 2014 Capital Improvement Program Budget adopted by Ordinance No. 029916 to add the Seawall Maintenance projects approved by the Type A Board and City Council as listed in Attachment A; appropriating \$6,500,000 from the Unreserved Fund Balance in No. 1120 Seawall Improvement Fund and transferring and appropriating into Seawall CIP Fund 3272 for the Fiscal Year 2014 projects as listed in Attachment A; changing the FY 14 Operating Budget adopted by Ordinance 029915 to increase expenditures by \$6,500,000.

**Sponsors:** Engineering Department

25. [13-001072](#) **First Reading Ordinance - Reimbursement to General Fund for funds borrowed and expended for the Aquarius Street Project (Bond 2008)**

Ordinance approving the transfer of funds in the amount of \$950,000 from the Street CIP Fund 3530 for the budgeted expenditures, including construction, of the Aquarius Street Project from Dasmarrinas to Commodores into the No. 1020 General Fund; changing the FY2013-2014 Operating Budget adopted by Ordinance No. 022915 by increasing revenue by \$950,000 in the No. 1020 General Fund; and changing the FY2013-2014 Capital Budget adopted by Ordinance No. 022916 by increasing appropriations by \$950,000.

**Sponsors:** Engineering Department and Financial Services Department

26. [13-001209](#) **First Reading Ordinance - Changing the fiscal year**

Ordinance changing the City of Corpus Christi's fiscal year from August 1st through July 31st to October 1st through September 30th.

**Sponsors:** Financial Services Department

27. [13-001210](#) **First Reading Ordinance - Amending City code relating to administration of liens**

Ordinance amending the Code of Ordinances by revising Section 17, Finance and Taxation; revising Section 17-4, Release of Liens-Execution; and revising Section 17-5, Same-Certificates; providing for effective date and providing for severance.

**Sponsors:** Financial Services Department

P. **FUTURE AGENDA ITEMS: (ITEMS 28 - 35)**

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

28. [13-001234](#) **Purchase of ten traffic signal cabinet assemblies**

Motion approving the purchase of ten (10) traffic signal cabinet assemblies from Paradigm Traffic Systems, Inc., Arlington, Texas for a



total amount of \$82,240. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds have been budgeted by the Engineering Department in FY 2013-2014.

**Sponsors:** Purchasing Division and Engineering Department

29. [13-001211](#) **Supply agreement for single port meter transmission units**

Motion approving a supply agreement with Aclara Technologies LLC, Hazelwood, Missouri for approximately 5,376 single port meter transmission units (MTUs). The award is based on sole source, for an estimated annual expenditure of \$473,088 of which \$275,968 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve months with an option to extend the contract for up to two additional twelve month periods, subject to the approval of the City Manager or designee. Funds have been budgeted by the Water Department in FY 2013-2014.

**Sponsors:** Purchasing Division and Water Department

30. [13-001207](#) **Grant application for Speed and Driving While Intoxicated (DWI) overtime enforcement**

Resolution authorizing the City Manager, or designee, to submit a grant application to the Texas Department of Transportation (TXDOT) in the amount of \$98,082 for the 2015 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for overtime Driving While Intoxicated (DWI) and Speed enforcement, with a city match of \$40,266.75, for a total project cost of \$138,348.75, and authorizing the City Manager or designee to accept, reject, alter, or terminate the grant.

**Sponsors:** Police Department

31. [13-001213](#) **Interlocal agreement for sharing of juvenile records**

Resolution authorizing the City Manager, or designee, to execute an interlocal cooperation agreement with Corpus Christi Independent School District regarding sharing of juvenile records.

**Sponsors:** Parks and Recreation Department

32. [13-001196](#) **Purchase for upgrading Intergraph Computer Aided Dispatch (I/CAD), Mobile to Mobile Public Safety (MPS), and Intergraph Law Enforcement Agencies Data and Records Management System (I/LEADS-RMS) software**

Motion authorizing the City Manager, or designee, to approve the purchase of Intergraph Computer Aided Dispatch, Mobile to Mobile Public Safety and Intergraph Law Enforcement Agencies Data and Records Management System software upgrade services from

Intergraph Corporation Security, Government and Infrastructure of Madison, Alabama for an estimated expenditure of \$439,135.00 including first year maintenance. Maintenance will automatically renew upon payment of annual fee. Funds have been budgeted by Municipal Information Systems Department in FY 2013-2014.

**Sponsors:** Municipal Information Systems

**33. [13-001205](#) Purchase of server licenses necessary for Intergraph upgrade**

Motion authorizing the City Manager, or designee, to approve the purchase of Microsoft SQL Server 2012 Enterprise Core Edition licenses, for the Intergraph upgrade, from SHI Government Solutions for \$142,441.60. SHI Government Solutions is a State of Texas authorized Department of Information Resources certified vendor, contract DIR-SDD-2503. Funds have been budgeted by Municipal Information Systems Department in FY 2013-2014.

**Sponsors:** Municipal Information Systems

**34. [13-001176](#) Purchase of twelve months of monthly access fees for current SunGard applications**

Motion authorizing the City Manager or designee to purchase from SunGard Public Sector, Inc. of Lake Mary, Florida, twelve months of Monthly Access Fees, providing continued hosting services for all current SunGard applications, in the amount of \$345,258.12 over the twelve month period. Following the initial term, Services will be provided on a year-to-year basis provided the City exercises the option and pays the then current Monthly Access Fee.

**Sponsors:** Municipal Information Systems

**35. [14-00011](#) Contracts for storage area networks and information technology backup system replacement with disaster recovery solution**

Motion authorizing the City Manager, or designee, to execute contracts with three companies: Freeit Data Solutions of Austin, Texas (DIR-SDD-2035) for \$1,428,006.34; Sigma Solutions of San Antonio, Texas (DIR-SDD-1385) for \$297,997.82; and Computer Solutions of San Antonio, Texas (DIR-SDD-1382) for \$150,610.11. The purchase will be financed over a five year period with Key Government Finance, Inc. with monthly payments of \$32,587.62 (\$1,955,257.20 total).

**Sponsors:** Municipal Information Systems

**Q. BRIEFINGS 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.*

**R. BOARD APPEAL: (ITEM 36)**

*There will be no public comment solicited for this item.*

**36.     [14-00002](#)     **Appeal of the Civil Service Board decision regarding Patrick Gonzales****

City Council consideration of an appeal by the City of the decision of the 558th Civil Service Board appeal hearing regarding Patrick Gonzales with possible action in the form of upholding or overturning the Board's decision

**S.     ADJOURNMENT**