



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, May 19, 2015

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 M. S. Chandrasekhar, Sri Venkateswara Temple.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Sylvia Wilson, Human Relations Administrator.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [15-0487](#) Proclamation declaring May 17-23, 2015, "National Public Works Week" Certificate of Commendation Presented to Anne C. Parr 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: (ITEM 2)

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. The description of an item in "Executive Sessions" constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and his determination that said item may be legally discussed in Closed Meeting in compliance with Chapter 551 the Texas Government Code.

2. [15-0501](#) **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining negotiations, the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters Association and/or Corpus Christi Police Officers' Association, with possible discussion, resolution(s), and other actions in open session concerning any matters related thereto.

I. MINUTES:

3. [15-0486](#) Regular Meeting of May 12, 2015

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 4 - 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.

4. [15-0419](#) Mutual Aid Agreement with Naval Air Station Corpus Christi, Fire Departments and Emergency Service districts in Nueces County for fire fighting assistance

Resolution authorizing the City Manager, or his designee, to execute a Mutual Aid Agreement with the Naval Air Station Corpus Christi and the fire departments and emergency service districts located in Nueces County for the provision of fire fighting assistance.

Sponsors: Fire Department

5. [15-0317](#) Engineering Contract Amendment No. 1 - Engineering services for the installation of two diesel power generators at Navigation and Staples Pump Stations for the Alternative Capacity Power Generation

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the engineering contract with Bath Engineering of Corpus Christi, Texas in the amount of \$90,955 for a total restated fee not to exceed \$123,455 for the Alternative Capacity Power Generation.

Sponsors: Water/Wastewater Treatment and Capital Programs

6. [15-0358](#) Engineering Construction Contract and Engineering Professional Services Contract for the Lifecycle Curb and Gutter Replacement Project

Motion authorizing the City Manager, or designee, to execute a construction contract with A. Ortiz Construction & Paving, Inc. of Corpus Christi, Texas in the amount of \$445,950 for the Lifecycle Curb and Gutter Replacement for base bid and to execute a Contract for Professional Services with Engineering & Construction Management Services, LLC (ECMS, LLC) in the amount of \$88,440.00 for the Lifecycle Curb and Gutter Replacement project.

Sponsors: Street Department and Capital Programs

7. [15-0418](#) **Change Order No. 15 for the Runway 17-35 Extension/Displacement and Connecting Taxiway Project**

Motion authorizing the City Manager or designee to execute Change Order No. 15 with Bay, Ltd. of Corpus Christi, Texas in the amount of \$298,651.24 for a total restated fee of \$15,361,021.36 for the Runway 17-35 Extension/Displacement and Connecting Taxiway project.

Sponsors: Aviation Department and Capital Programs

8. [15-0365](#) **Second Reading Ordinance - Rezoning from Single-Family and Farm Rural to General Commercial at 2101 and 2139 Rodd Field Road (1st Reading 5/12/15)**

Case No. 0415-03 Related Investors, Ltd.: A change of zoning from the "RS-6" Single-Family 6 District and the "FR" Farm Rural District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan from low density residential to commercial uses. The property to be rezoned is described as being a 10.58 acre tract of land out of Lots 7 and 8, Section 19, Flour Bluff and Encinal Farm and Garden Tracts, located on the southwest corner of Holly Road and Rodd Field Road.

Planning Commission and Staff Recommendation (April 8, 2015): Approval of the change of zoning from the "RS-6" Single-Family 6 District and the "FR" Farm Rural District to the "CG-2" General Commercial 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 10.58 acre tract of land out of Lots 7 and 8, Section 19, Flour Bluff and Encinal Farm and Garden Tracts, from the "RS-6" Single-Family 6 District and "FR" Farm Rural 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

9. [15-0423](#) **Second Reading Ordinance - Rezoning from Neighborhood Commercial to General Commercial at 2901 Airline Road (1st Reading 5/12/15)**

Case No. 0415-04 Gulfway Shopping Center: A change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District on Lot 2, Block 14, Brighton Village Unit 2, located on the southwest corner of Airline Road and Saratoga Boulevard (SH

357).

Planning Commission and Staff Recommendation (April 8, 2015):
Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Gulfway Shopping Center ("Owner"), by changing the UDC Zoning Map in reference to Lot 2, Block 14, Brighton Village Unit 2, from the "CN-1" Neighborhood Commercial 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

10. [15-0425](#) **Second Reading Ordinance - Rezoning from Farm Rural to Single-Family on Tract 1, Neighborhood Commercial on Tract 2, and Multifamily on Tract 3 at 3401, 3421, and 3513 Airline Road (1st Reading 5/12/15)**

Case No. 0415-01 MPM Development, LP: A change of zoning from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District on Tract 1, "CN-1" Neighborhood Commercial District on Tract 2, and "RM-2" Multifamily 2 District on Tract 3, resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Tract 1 being 22.186 acres out of Lots 12, 13, 14, 19, 20, and 21, Section 22, Flour Bluff and Encinal Farm and Garden Tracts, Tract 2 being 1.774 acres out of Lot 12, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, and Tract 3 being 10.183 acres out of Lots 21 and 22, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located east of Airline Road at the intersection of Brooke Road.

Planning Commission and Staff Recommendation (April 8, 2015):
Approval of the change of zoning from the "FR" Farm Rural District to the to the "RS-6" Single-Family 6 District on Tract 1, "CN-1" Neighborhood Commercial District on Tract 2, and "RM-2" Multifamily 2 District on Tract 3.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by MPM Development, LP ("Owner"), by changing the UDC Zoning Map in reference to Tract 1 being 22.186 acres out of Lots 12, 13, 14, 19, 20, and 21, Section 22, Flour Bluff and Encinal Farm and Garden Tracts, Tract 2 being 1.774 acres out of Lot 12, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, and Tract 3 being 10.183 acres out of Lots 21 and 22, Section 20, Flour Bluff and Encinal

Farm and Garden Tracts, from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District on Tract 1, "CN-1" Neighborhood Commercial District on Tract 2, and "RM-2" Multifamily 2 District on Tract 3; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

11. [15-0364](#) **Second Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for construction of off-site wastewater collection line for subdivision located on the south side along Holly Road, east of Rodd Field Road (SH 357) and west of Encino Drive. (1st Reading 5/15/15)**

Ordinance authorizing execution of a wastewater collection line extension construction and reimbursement agreement ("Agreement") with Palm Land Investment, Inc. ("Developer"), for the construction of a wastewater collection line and appropriating \$245,864.14 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

M. **PUBLIC HEARINGS: (ITEMS 12 - 14)**

12. [15-0438](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 10113 Up River Road**

Case No. 0415-05 AAF-Vantage at Corpus Christi: A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, resulting in a change to the Future Land Use Plan from commercial and medium density residential to medium density residential. The property is described as being 19.74 acres out of the remainder of a 20.26 acre tract described as Parcel 5, in a Special Warranty Deed from William E. McKinzie, Jr. to William E. McKinzie, Jr. Family Limited Partnership, located on the south side of Up River Road between Deer Run Drive and Carbon Plant Road.

Planning Commission and Staff Recommendation (April 22, 2015): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by AAF-Vantage at Corpus Christi, Inc. ("Owner"), by changing the UDC Zoning Map in reference to 19.74 acres out of the remainder of a 20.26 acre tract described as Parcel 5, in a Special Warranty Deed from William E. McKinzie, Jr. to William E. McKinzie, Jr.

Family Limited Partnership, from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

13. [15-0439](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 520 Naval Air Station Drive**

Case No. 0415-08 Corpus Bayside Investments, LLC: A change of zoning from the "CG-1" General Commercial District to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Lot 15, Block 2, Flour Bluff Estates #2, located at the northwest corner of Scotland Drive and Naval Air Station Drive.

Planning Commission and Staff Recommendation (April 22, 2014): Denial of the change of zoning from the "CG-1" General Commercial District to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-1/SP" General Commercial District with a Special Permit for a microbrewery subject to a site plan and five conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Corpus Bayside Investments, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 15, Block 2, Flour Bluff Estates #2, from the "CG-1" General Commercial District to the "CG-1/SP" General Commercial District with a Special Permit for a microbrewery; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

14. [15-0441](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 718 South Navigation Boulevard**

Case No. 0415-06 GMG Partners, LP: A change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for Resource Extraction, not resulting in a change to the Future Land Use Plan. The Special Permit is requested to allow the extraction of sand and gravel. The property to be rezoned is described as 34.12 acres out of Lot 1, Block 10, J.C. Russell Farm Blocks, located on the east side of South Navigation Boulevard and north of Bates Drive.

Planning Commission and Staff Recommendation (April 22, 2014): Approval of the "IL/SP" Light Industrial District with a Special Permit for Resource Extraction, subject to compliance with the site plan and six

conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by GMG Partners, LP ("Owner"), by changing the UDC Zoning Map in reference to 34.12 acres out of Lot 1, Block 10, J.C. Russell Farm Blocks, from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for Resource Extraction; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 15 - 17)

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

15. [14-001441](#) Approving use of Type A Seawall Sales Tax Funding and approving job order construction contract for Miradores Improvement Project

Motion authorizing the City Manager or designee to execute a Job Order Contract with Barcom Commercial, Inc. in the amount of \$318,624.56 for the Miradores Improvement Project, for improvements to the eight Miradores located on the Seawall.

Sponsors: Parks and Recreation Department and Capital Programs

16. [15-0424](#) Second Reading Ordinance - Rezoning from Single-Family 6 to Single-Family 4.5 at 817 Graham Road (Requires 3/4 vote)(1st Reading 5/12/15)

Case No. 0415-02 Superior N&R Development, LLC: A change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as 19.697 acres out of Lot 22, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located south of Graham Road between Ruddock Drive and Dove Lane.

Staff Recommendation: Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Planning Commission Recommendation (April 8, 2015): Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Superior N&R Development, LLC ("Owner"), by changing

the UDC Zoning Map in reference to 19.697 acres out of Lot 22, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, from the "RS-6" Single-Family 6 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

17. [15-0202](#) **Second Reading Ordinance - Amendment No. 1 to Lease for Real Property for U.S. Coast Guard Navigational Marker ACLL 7817 (1st Reading 4/21/15)(Requires 28 day delay)**

Ordinance authorizing the City Manager or designee to execute Amendment No. 1 to the US Government Lease for Real Property for the US Coast Guard Aid to Navigation Marker ACLL 7817, amending Paragraph four (4) NOTICE section, of the current lease of real property to the U.S. Government in connection with a navigation marker mounted on the east wall of the South Texas Institute for the Arts building, an aid to navigation (ATON) structure known as the "Corpus Christi Channel Cut "B" West Range Front Light (ACLL 7817)"; and providing for publication.

Sponsors: Capital Programs

O. FIRST READING ORDINANCES: (ITEM 18)

18. [15-0412](#) **First Reading Ordinance - Appropriating Funds for the Regional Health Awareness Board**

Ordinance appropriating payments from Nueces County, in the amount of \$31,000, and from the City of Corpus Christi, in the amount of \$31,000.00, and San Patricio County, in the amount of \$21,000.00 in the No. 1066 Health Grants Fund, as the fiduciary agent on behalf of the Regional Health Awareness Board, for services to be provided by the Board.

Sponsors: Health Department

P. FUTURE AGENDA ITEMS: (ITEMS 19 - 21)

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

19. [15-0216](#) **Service Agreement for Utility Worksite Restoration**

Motion approving a service agreement with Dorame General Repair and Lawn, LLC, Corpus Christi, Texas for Utility Worksite Restoration Services in accordance with Bid Event No. 13, based on lowest responsible bid for an estimated annual expenditure of \$364,225.00, of which \$182,112.50 is required for the remainder of FY 2014-2015. 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 Utilities Department in FY 2014-2015.

Sponsors: Purchasing Division and Office of Public Utilities

20. [15-0392](#) Purchase of Chlorine Gas Monitoring and Detection System

Motion approving the purchase of one (1) chlorine gas monitoring and detection system from Ranger Analytics, Inc., Stafford, Texas in accordance with Bid Event No. 36, based on only bid for an expenditure of \$51,550.00. Funds have been budgeted by the Utilities Department in FY 2014-2015.

Sponsors: Purchasing Division and Office of Public Utilities

21. [15-0446](#) Interlocal Agreement for workers' compensation panel

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement to participate in My Texas Direct with other Texas local governments to provide for a physician panel for workers' compensation medical benefits as authorized by Chapter 504 of the Texas Labor Code, and provide for expenditures pursuant to said agreement in an amount of \$11.50 per medical bill, estimated to be \$39,433 per year

Sponsors: Legal Department

Q. BRIEFINGS: (ITEMS 22 - 23)

Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.

22. [15-0421](#) Corpus Christi Regional Economic Development Corporation

Sponsors: Economic Development

23. [15-0482](#) Wastewater Treatment Plant (WWTP) Consolidation

Sponsors: Office of Public Utilities and Water/Wastewater Treatment

R. LEGISLATIVE UPDATE:

This item is 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.

[15-0502](#) Legislative Update

S. ADJOURNMENT