



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, August 12, 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 Father Peter Martinez, St. Paul the Apostle Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Senior Officer Denise Pace - City Liaison Officer, Corpus Christi Police Department .**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [14-00892](#) Proclamation declaring August 12-17, 2014 as, " Nautilus Live Watch Days"
Certification of Commendation to Dr. Nancy Vera, LULAC's 2014 National Woman of the Year & Induction into LULAC's National Women's Hall of Fame
- 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: (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. [14-00884](#) Executive Session pursuant to Section 551.071 of the Texas Government Code to consult with attorneys regarding Public Utility Commission of Texas Docket No. 42467, State Office of Administrative Hearings Docket No. 473-14-4431, Application of Electric Transmission Texas, LLC to Amend its Certificates of Convenience and Necessity for the Proposed Barney Davis to Navy Base 138-KV Single-Circuit Transmission Line in Nueces County, with possible discussion and action in open session.
3. [14-00877](#) 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.

I. MINUTES:

4. [14-00894](#) Regular Meeting of July 29, 2014.

J. BOARDS & COMMITTEE APPOINTMENTS:

5. [14-00893](#) Advisory Committee on Community Pride
Clean City Advisory Committee
Corpus Christi Downtown Management District
Mayor's Fitness Council
Park and Recreation Advisory Committee

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 6 - 12)

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.

6. [14-00848](#) **Authorizing submission of a grant application for Hazardous Materials Emergency Preparedness (HMEP) planning**

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$34,593.22 to the Texas Department of Public Safety, Governor's Division of Emergency Management, for FY 2015 Hazardous Materials Emergency Preparedness (HMEP) grant program, phase II & III, to conduct a detailed hazardous materials vulnerability assessment to increase effectiveness in safety and efficiently handling hazardous materials accidents and incidents and to further enhance implementation of the Emergency Planning and Community Right-to Know Act of 1986, with a hard match of \$6,918.64; and authorizing the City Manager, or designee, to apply for, accept, reject, alter or terminate the grant.

Sponsors: Fire Department

7. [14-00796](#) **Service agreement for upgrade to Fleet Management Information System (FMIS)**

Motion approving a professional service agreement with Mercury Associates, Inc., Gaithersburg, Maryland to upgrade the Fleet Management Information System (FMIS) in accordance with the State of Texas Cooperative Purchasing Program for a total expenditure of \$298,600.76. Funds have been budgeted by the Fleet Maintenance

Services in FY 2013- 2014.

Sponsors: Purchasing Division and Fleet Maintenance Services

8. [14-00752](#) **Approving the FY 2014-2015 budget for the Corpus Christi Crime Control and Prevention District**

Resolution approving the FY 2014-2015 budget for the Corpus Christi Crime Control and Prevention District.

Sponsors: Police Department

9. [14-00787](#) **Second Reading Ordinance - Rezoning from the "CG-2" General Commercial District to the "IL" Light Industrial District, on property located at 8233 Leopard Street (1st Reading 7/29/14)**

Case No. 0714-01 Leopard Business Park, LLC: A change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District, not resulting in a change to the Future Land Use Plan. The property is described as Lot 1, Block B, Stillwell Addition, located along the west side of Tuloso Road between Leopard Street and Stillwell Lane.

Planning Commission and Staff Recommendation (July 2, 2014): Approval of the change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Leopard Business Park, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 1, Block B, Stillwell Addition, from the "CG-2" General Commercial District to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

10. [14-00802](#) **Second Reading Ordinance - Rezoning for Barisi Village to add a Planned Unit Development Overlay to the subject property's existing zoning districts of "RS-6" Single-Family 6 District and "RS-10" Single-Family 10 District, on property located at 7111 Pharaoh Drive (1st Reading 7/29/14)**

Case No. 0614-04 Blackard Global: A change of zoning to add a Planned Unit Development Overlay to the subject property's existing zoning districts of "RS-6" Single-Family 6 District and "RS-10" Single-Family 10 District. The property to be rezoned is described as being 57.75 acres comprised of a portion of Tract 1, The Pharaohs Country Club and all of Block 3, Pharaoh Valley Northeast, located on Ennis Joslin Road (Spur 3), Pharaoh Drive, and McArdle Road.

Planning Commission and Staff Recommendation (July 2, 2014):

Approval of the rezoning to add the Planned Unit Development Overlay to the subject property's existing zoning districts of "RS-6" Single-Family 6 District and "RS-10" Single-Family 10 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Blackard Global on behalf of Apex Golf Properties Corporation ("Owner"), by changing the UDC Zoning Map in reference to 57.75 acres comprised of a portion of Tract 1, The Pharaohs Country Club and all of Block 3, Pharaoh Valley Northeast (the "Property"), by adding a Planned Unit Development Overlay to the Property's existing zoning of "RS-6" Single-Family 6 District and "RS-10" Single-Family 10 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

11. [14-00765](#) **Second Reading Ordinance - Appropriating Federal funds for equipment purchases through the U.S. Immigration and Customs Enforcement (ICE) FY 2014 Joint Operations Program Funding (1st Reading 7/29/14)**

Ordinance appropriating \$12,000.00 in General Fund No. 1020 from the U.S. Immigration and Customs Enforcement FY2014 Joint Operations Program Funding program for the purchase of Police equipment; and changing the FY 2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing revenue and expenditures in the General Fund No. 1020 by \$12,000.00 each.

Sponsors: Police Department

12. [14-00821](#) **Second Reading Ordinance - Ordering a General Election to be held on November 4, 2014 (1st Reading 7/29/14)**

Ordinance ordering a general election to be held on November 4, 2014, in the City of Corpus Christi for the election of mayor and eight council members; providing for procedures for holding such election; providing for notice of election and publication thereof; providing for establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County, and a runoff election, if one is necessary; and enacting provisions incident and relating to the subject and purpose of this ordinance.

Sponsors: City Secretary's Office

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

N. **REGULAR AGENDA: (ITEMS 13 - 16)**

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

13. [14-00842](#) **Recommending the 84th Texas Legislature appropriate funding for the FY16-17 biennium to partner with local sponsors to implement one or more seawater desalination projects**

Resolution recommending the 84th Texas Legislature appropriate adequate funding for the Fiscal Years 2016-2017 biennium for the State of Texas to partner with local project sponsors to implement one or more seawater desalination projects to provide uninterrupted water supply and have corresponding positive impacts for water supplies in adjacent regions which will strengthen Texas' economy and sustain economic prosperity.

Sponsors: Intergovernmental Relations

14. [14-00880](#) **Setting date for adoption of ad valorem tax rate**

Motion setting September 16, 2014 as the date of the adoption of the ad valorem tax rate of \$0.585264 per \$100 valuation.

Sponsors: Financial Services Department

15. [14-00881](#) **Setting public hearing dates for ad valorem tax rate**

Motion setting a public hearing on the ad valorem tax rate for August 26, 2014 and a second public hearing for September 9, 2014 during the regular City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

Sponsors: Financial Services Department

16. [14-00820](#) **Second Reading Ordinance - Ordering a Special Election to be held on November 4, 2014 (1st Reading 7/29/14)**

Ordinance ordering a Special Election to be held on November 4, 2014, in the City of Corpus Christi, on the questions of authorizing bond issuances of the City supported by ad valorem taxes and the sale of city park land; providing for the procedures for holding such an election; providing for notice of election and publication thereof; providing for the establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County; enacting provisions incident and relating to the subject and purpose of this ordinance.

Sponsors: City Secretary's Office

O. FIRST READING ORDINANCES: (ITEMS 17 - 19)

17. [14-00841](#) **First Reading Ordinance - Appropriating State grant for Automobile Burglary and Theft Protection (ABTPA)**

Ordinance appropriating \$392,474 from the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) in the No. 1061 Police Grants, and appropriating \$7,687 in program income match in the No. 1061 Police Grants Fund to continue the motor vehicle theft enforcement grant within the Police Department.

Sponsors: Police Department

18. [14-00873](#) **First Reading Ordinance - Appropriating funds for replacement and installation of new radio antennas**

Ordinance appropriating \$22,565.42 from the Radio System Capital Replacement Reserve Fund, amending the FY 13-14 budget, adopted by Ordinance No. 029915 to increase appropriations by \$22,565.42 in the No. 1020 General Fund Police Department budget to pay for replacement and installation of Omni Directional Antennas at the One Shoreline Plaza radio transmitter sites for the City, County, and RTA radio systems.

Sponsors: Police Department

19. [14-00882](#) **First Reading Ordinance - Appropriating funds from the sale of scrap metal copper wire**

Ordinance appropriating \$9,552.40 in General Fund No. 1020 from the sale of copper wire for the purchase of Police equipment; and changing the FY 2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing revenue and expenditures in the General Fund No. 1020 by \$9,552.40 each.

Sponsors: Police Department and Purchasing Division

P. **FUTURE AGENDA ITEMS: (ITEMS 20 - 24)**

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

20. [14-00739](#) **Approving amendment no. 1 to engineering design contract for area improvements at North Beach (BOND 2012) (Prop. No. 8 Economic Development Projects)**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to an Engineering Design Contract with RVE, Inc. from Corpus Christi, Texas in the amount of \$303,505, for a total restated fee of \$352,465, for North Beach Area Road Improvements and Area Beautification and North Beach Breakwater, Plaza, North Shoreline Repair and Enhancement for the design, bid, and construction phase services. BOND 2012

Sponsors: Capital Programs and Street Department

21. [14-00791](#) **Approving amendment no. 31 to the Runway 13-31 Extension/Displacement and Connecting Taxiway project at the**

airport

Motion authorizing the City Manager, or designee, to execute Amendment No. 31 with KSA Engineers, Inc. from Longview, Texas in the amount of \$74,803.00 for a total restated fee of \$6,739,912.71 for the Corpus Christi International Airport Runway 13-31 Extension/Displacement and Connecting Taxiway Project for additional design services.

Sponsors: Aviation Department and Capital Programs

22. [14-00870](#) Agreement for relocation of transmission line

Motion authorizing the City Manager or designee to execute the Relocation Agreement with American Electric Power Texas Central Company (AEPTCC) in the amount of \$3,042,500, for the O.N. Stevens Water Treatment Plant Transmission Line Relocation.

Sponsors: Capital Programs and Water/Wastewater Treatment

23. [14-00834](#) Service agreement for meal delivery for the Elderly Nutrition Program (ENP) and Meals on Wheels

Motion approving a service agreement with R & R Delivery Service, Corpus Christi, Texas for meal delivery in accordance with Bid Invitation No. BI-0142-14, based on only bid for an estimated annual expenditure of \$243,750.00, of which \$40,625.00 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 Senior Community Services Division of the Parks and Recreation Department in FY 2013-2014.

Sponsors: Parks and Recreation Department and Purchasing Division

24. [14-00845](#) Authorizing submission of an application to Texas Parks and Wildlife Department (TPWD) for improvements at West Guth Park (Bond 2012)

Resolution authorizing the City Manager or designee to submit a grant application in the amount of \$500,000 to the Texas Parks and Wildlife Department for a Local Park Grant Program for the West Guth Park with a City cash match of \$500,000 from the 2012 Bond Funds - Community Park Improvements; and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

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. LEGISLATIVE UPDATE:

S. ADJOURNMENT