



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final City Council

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Tuesday, October 28, 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 Pastor David Bendett, Rock City Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Liza Wisner, Learning and Development Manager.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [14-001208](#) Proclamation declaring October 15, 2014 as, "Del Mar College Mexican-American Studies Program Day"  
Proclamation declaring October 28, 2014 as, "Windsor Park Elementary School Day"  
Proclamation declaring November 1, 2014 as, "7th Annual Coastal Bend Walk for Memory"  
Proclamation declaring November 3-9, 2014 as, "National HOSA Week"  
Proclamation declaring November 3-10, 2014 as, "The 239th United States Marine Corps Week"

- 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. Plan CC - Annika Gunning, Sr. Project Planner, Development Services
- b. 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.*

2. [14-001205](#) 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:

3. [14-001206](#) Regular Meeting of October 21, 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 4 - 7)**

*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. [14-001142](#) **Second Reading Ordinance - Appropriating funds to refund wastewater lot/acreage fees paid for property located on the north side of Graham Road between Flour Bluff Road and Waldron Road (1st Reading 10/21/14) (Requires 2/3 vote)**

Ordinance appropriating \$3,956.06 from the No. 4220 Wastewater Trunk System Trust Fund to refund Pedro S. Bazan and Sarangelica Bazan the wastewater lot/acreage fee paid since wastewater services are not available nor will it be available within the next 5 years as related to Oak Terrace Unit 2, Block 4, Lot 9A.

Sponsors: Development Services

5. [14-001151](#) **Second Reading Ordinance - Approving a waterline reimbursement agreement and appropriating funds for property located along the south side of Saratoga Boulevard (SH 357), east of Airline Road, and west of Rodd Field Road (1st Reading 10/21/14) (Requires 2/3 vote)**

Ordinance authorizing execution of a distribution main extension construction and reimbursement agreement ("Agreement") with The Icon at Corpus Christi, Limited Partnership, ("Developer"), for the construction of a distribution waterline and appropriating \$60,193.60 from the No. 4030 Water Distribution Main Trust Fund to reimburse the developer in accordance with the agreement.

Sponsors: Development Services

6. [14-001154](#) **Second Reading Ordinance - Approving a participation agreement for the City's share of the cost to extend North Oso Parkway (1st Reading 10/21/14) (Requires 2/3 vote)**

Ordinance authorizing the City Manager to execute a developer participation agreement with Palm Land Investment, Inc., ("Developer"), to reimburse the Developer up to \$277,894.42 for the City's share of the cost to extend North Oso Parkway, in accordance with the Unified Development Code.

**Sponsors:** Development Services

7. [14-001133](#) **Second Reading Ordinance - Appropriating Federal grant to rehabilitate and construct taxiways at the airport (1st Reading 10/21/14) (Requires 2/3 vote)**

Ordinance appropriating \$5,000,000 from the Federal Aviation Administration Grant No. 3-48-0051-052-2014 in the No. 3020 Airport Capital Improvement Fund to rehabilitate Taxiways D, E, F, and G and construct Taxiways H and J at Corpus Christi International Airport; changing the FY 2014-2015 capital budget adopted by Ordinance No. 030303 by increasing revenues and expenditures by \$5,000,000 each.

**Sponsors:** Aviation Department

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

**N. REGULAR AGENDA: (ITEM 8 -9)**

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

8. [14-001157](#) **Approving the Street Preventative Maintenance Program (SPMP) Year Two - Annual Work Plan**

Resolution approving the concepts, direction, and general work plan for the second year of the Street Preventative Maintenance Program (SPMP) -- the 2015 SPMP Work Plan.

**Sponsors:** Street Department

9. [14-00986](#) **Approving the FY2014-2015 HOME Program set-aside funds**

Motion to approve the FY2014-2015 HOME Program set-aside funds.

**Sponsors:** Housing and Community Development

**O. RECESS FOR CORPORATION MEETING: (ITEM 10)**

10. [14-00987](#) **Board of Director's Meeting of the Corpus Christi Community Improvement Corporation**

Board of Director's Meeting of the Corpus Christi Community Improvement Corporation

**Sponsors:** Housing and Community Development

**P. RECONVENE COUNCIL MEETING****Q. FIRST READING ORDINANCES: (ITEMS 11)**

11. [14-001135](#) **First Reading Ordinance - Accepting and appropriating donation for the purchase of police equipment (Requires 2/3 vote)**

Ordinance authorizing the City Manager or designee to accept a donation from Exxon Mobil Corporation in the amount of \$2,000.00 to be used for the purchase of police equipment; and appropriating \$2,000.00 from Exxon Mobil Corporation into the General Fund No. 1020 to purchase police equipment and changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing revenue and expenditures in the General Fund No. 1020 by \$2,000.00 each.

Sponsors: Police Department

**R. FUTURE AGENDA ITEMS: (ITEMS 12 - 16)**

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

12. [14-00924](#) **Approving an engineering construction contract for the Oso Water Reclamation Plant clarifier no. 5 trough replacement and chlorine contact chamber repairs**

Motion authorizing the City Manager or designee to execute a construction contract with CSA Construction, Inc. of Houston, Texas in the amount of \$444,800 for the Oso Water Reclamation Plant Clarifier No. 5 Trough Replacement & Chlorine Contact Chamber Repairs for the base bid plus additive alternative No. 1 and 2.

Sponsors: Water/Wastewater Treatment and Capital Programs

13. [14-001156](#) **Approving Contribution-In-Aid-Of-Construction agreement for Oso Bay Area Development, Phase 2 (Bond 2008)**

Motion authorizing the City Manager, or his designee, to execute a Contribution-In-Aid-Of-Construction Agreement with American Electric Power (AEP) in the amount of \$65,900.18 for electric distribution service for the Oso Bay Area Park Development Project, Phase 2 and execute an Easement and Right of Way instrument to AEP containing 225 square feet out of Lot 1, Block 1, Oso Bay Park, necessary for the installation and connection of an electrical service transformer for this project.

Sponsors: Parks and Recreation Department and Capital Programs

14. [14-001182](#) **Approving amendment no. 1 to an engineering design contract for the Citywide Street Preventative Maintenance Program Year 2**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 with Coym, Rehmert & Gutierrez Engineering, L.P. of Corpus Christi, Texas in the amount of \$749,530.00 for the Citywide Street Preventative Maintenance Program (SPMP) Year 2 project.

Sponsors: Street Department and Capital Programs

15. [14-001161](#) **Approving a work plan and budget agreement with the Nueces River Authority**

Motion authorizing the City Manager or designee to execute a work plan and budget agreement with the Nueces River Authority in the amount of \$99,996 to provide water planning, protection, development, and data management services to the City for FY 2015.

Sponsors: Environmental and Strategic Initiatives and Capital Programs

16. [14-001155](#) **Authorizing and adoption of Restated and Amended Articles of Incorporation for the Corpus Christi Business and Job Development Corporation (CCBJDC)**

Resolution finding that it is advisable that the Corpus Christi Business and Job Development Corporation Articles of Incorporation be restated and amended; authorizing adoption of the restated and amended articles; approving the form of the restated and amended Articles.

Sponsors: Legal Department

**S. 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.*

**T. 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.*

**U. ADJOURNMENT**