



Corpus Christi

1201 Leopard St
Corpus Christi, TX 78401
CCtexas.com

Meeting Agenda - Final-revised City Council

Tuesday, April 24, 2012

10:30 AM

Council Chambers

10:30 AM COUNCIL WORKSHOP SESSION:

Public notice is hereby given that the City Council will meet in Workshop Session on Tuesday, April 24, 2012 at 10:30 a.m. in the Council Chambers, 1201 Leopard Street, Corpus Christi, Texas to discuss the Street Maintenance Funding Plan - Final Session.

11:45 AM Proclamations

- 1 [12-00257](#) Proclamation declaring April 26, 2012 as "International Pay It Forward Day"
Proclamation declaring April 22-28, 2012 as "National Medical Laboratory Professional Week"
Proclamation declaring April 24, 2012 as "GenTX Day"
Proclamation declaring May 7, 2012 as "Establishment of the Lindale Park Community EDGE Garden"
Proclamation declaring April 27, 2012 as "Arbor Day"

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 Luis Cabrera, Maranatha Iglesia.**
- 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. MINUTES:**

- 2 [12-00274](#) Approval of the Regular Meeting of April 17, 2012.

F. BOARDS & COMMITTEE APPOINTMENTS: (NONE)**G. 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.

H. CONSENT AGENDA

NOTICE TO THE PUBLIC: The following items are 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.

CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:

At this point the Council will vote on all motions, resolutions and ordinances not removed for individual consideration.

Approval of lease purchase of alternative fuel dump trucks for Wastewater

- 3 [12-00107](#) Motion approving the lease purchase of five (5) dump trucks from Rush Truck Centers of Texas LP, Houston, Texas for a total amount of \$897,500.00 of which \$65,085.77 is required for the remainder of FY 2011-2012. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). All units are replacement to the fleet and will be used by the Wastewater Department. Financing for the lease purchase of the vehicles will be provided through the City's lease/purchase financing program.

Sponsors: Purchasing

Replacement tractor/backhoe equipment for Gas department operations

- 4 [12-00174](#) Motion approving the purchase of one (1) Series III tractor/loader/backhoe from Nueces Power Equipment, of Corpus Christi, Texas for a total amount

of \$67,140.85. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). The equipment will be used by the Gas Department. Funds are available in FY 2011-2012 Capital Outlay Budget of the Maintenance Service Fund.

Sponsors: Purchasing

Approval to submit State grant application for auto theft burglary program

- 5 [12-00166](#) Resolution authorizing the City Manager or designee to submit a grant application in the amount of \$681,248 to the Automobile Burglary Theft Prevention Authority (ABTPA) to continue the motor vehicle theft enforcement grant within the Police Department for Year 12 with a City cash match of \$503,003, in-kind match of \$14,019, and program income match of \$8,541 for a total project cost of \$1,206,811 and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

Sponsors: Police Department

Approval of program logic control upgrades to O.N. Stevens Water Treatment Plant

- 6 [12-00181](#) Motion authorizing the City Manager, or designee, to execute a construction contract with Associated Construction Partners of Boerne, Texas in the amount of \$381,190 for O. N. Stevens Water Treatment Plant Caustic Feed and East Program Logic Control (PLC) Upgrades.

Sponsors: Engineering Department and Water Department

Subscription for infrastructure project coordination software for Water department

- 7 [12-00192](#) Motion approving a two-year subscription agreement for the Envista Project Coordination software from Envista Corporation, Beverly, MA, based on sole source for the total amount of \$96,000, to be used by the Utility Departments for the web-based infrastructure project coordination. Monies are available in the Water and Wastewater Department operating budgets for FY 2012.

Sponsors: Water Department, Engineering Department and Purchasing

Agreement to provide wastewater to proposed Ranch Lake Unit 2 residential subdivision

- 8 [12-00208](#) Motion approving the Sanitary Sewer Collection Line Extension Construction and Reimbursement Agreement submitted by Mostaghassi Enterprises, Inc., owner and developer of Ranch Lake Unit 2, located south of Yorktown Boulevard between the Schanen Ditch and Lake Superior Drive, for the extension of an 8-inch collection line, including all related appurtenances.

Sponsors: Development Services

Second Reading Ordinance - Changing the FY 2011-2012 Operating Budget regarding the number of police officer positions budgeted

- 9 [12-00165](#) Ordinance changing the FY 2011-2012 Operating Budget adopted by Ordinance No. 029155, regarding the number of police officer positions budgeted, reducing the number of Police Commanders from five to four, and increasing the number of Assistant Police Chiefs from two to three, effective the day following final City Council approval. (First Reading - 4/17/12)

Sponsors: Police Department

Second Reading Ordinances - Amending FY 2012 CIP Budget to use Type A sales tax proceeds for American Bank Center Arena loading dock

- 10 [12-00188](#) Ordinance approving and appropriating the transfer of \$75,000 from No. 1130 Arena Facility Fund to and appropriating in the No. 3274 Arena Type A CIP Fund for the preliminary investigation of the American Bank Center Loading Dock; amending the FY 2011 - 2012 Operating Budget, adopted by Ordinance No. 029155 by increasing expenditures by \$75,000. (First Reading - 4/17/12)

Sponsors: Engineering Department

- 11 [12-00186](#) Ordinance amending the FY 2012 Capital Improvement Budget adopted by Ordinance No. 029135 to add Project No. E12016 American Bank Center Loading Dock; increasing expenditures in the amount of \$75,000. (First Reading - 4/17/12)

Sponsors: Engineering Department

Second Reading Ordinance - Approving lease agreement with Girl Scouts of Greater South Texas

- 12 [12-0057](#) Ordinance authorizing the City Manager, or designee, to execute a Lease Agreement with Girl Scouts of Greater South Texas for the use of a 76-acre tract adjacent to Lake Corpus Christi through December 31, 2041; and providing for publication.

I. EXECUTIVE SESSION:

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.

- 13 [12-00270](#) Executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding confidential commercial or financial

information received from a business prospect that the City Council seeks to have locate, stay or expand within the City and with which the City is conducting economic development negotiations and to deliberate possible offers of financial or other incentives to said business prospect with possible discussion and action in open session.

J. PUBLIC HEARINGS:

The following Ordinances are scheduled for Public Hearings and First Reading:

Public hearing and ordinance imposing assessments and liens for Flour Bluff Drive

- 14 [12-00106](#) Public Hearing on proposed assessments on improvements (Construction of a Sound Wall Structure on Public Right of Way) on Flour Bluff Drive.

Sponsors: Engineering Department

- 15 [12-00191](#) Ordinance closing the public hearing on proposed assessments for improvements to the following highway in Corpus Christi, Nueces County, Texas:

Flour Bluff Street Improvements: construction of a sound wall structure on public right of way at the corner of Flour Bluff Drive and Cornerstone Drive imposing assessments totaling \$23,509.68 against property abutting the improvements fixing corresponding liens on property and charges against property owners; providing for subsequent adjustment of assessment amounts and the corresponding liens and charges based on as-built conditions; specifying assessment payment terms and lien enforcement measures.

Sponsors: Engineering Department

K. REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

Construction contract for Corpus Christi Beach Promenade Northward Extension

- 16 [12-00178](#) Motion authorizing the City Manager, or designee, to execute a construction contract with H2O Construction Services, Inc. of Corpus Christi, Texas in the amount of \$403,272.46 for the Corpus Christi Beach Promenade Northward Extension for the Base Bid.

Sponsors: Engineering Department

Adoption of proposed FY 2012-2013 Consolidated Annual Action Plan

- 17 [12-00245](#) Resolution adopting the FY2012-2013 Consolidated Annual Action Plan ("CAAP") which includes the Community Development Block Grant, Emergency Solutions Grant, and HOME Investment Partnerships Programs, for submission to the U.S. Department of Housing and Urban Development ("HUD"); authorizing the City Manager or designee to

execute all documents necessary to amend the CAAP if required by HUD;
and authorizing the City Manager or designee to execute funding
agreements with organizations for approved projects upon the future
acceptance and appropriation of FY2012-2013 funding from HUD.

Sponsors: Neighborhood Services

**Special permit time extension for a multifamily residential complex located at 2725
Leopard Street**

- 18 [12-00209](#) Case No. 0311-02: The NRP Group: The applicant is requesting that
Zoning Ordinance 029044 be amended by adding a twenty-four (24) month
time extension for a previously granted Special Permit.

Planning Commission and Staff Recommendation (March 14, 2012):
Approval of the requested Special Permit time extension for an additional
twenty-four (24) months.

ORDINANCE

Ordinance amending Zoning Ordinance 029044, upon application by the
NRP Group, by adding a twenty-four (24) month time extension to the
Special Permit time limit initially approved; amending the Comprehensive
Plan to account for any deviation from the existing Comprehensive Plan;
providing a repealer clause; providing penalty; and providing for
publication.

Sponsors: Development Services

**Second Reading Ordinance - Correction to metes and bounds and map of dedicated
public access easement**

- 19 [12-00173](#) Ordinance amending Ordinance No. 028064, with regard to the condition
noted at SECTION 2.a., by replacing former Exhibit B with the current
Exhibit B, pages 1 thru 3; and by deleting the last sentence. (POSTPONED
ON 4/17/12)

Sponsors: Development Services

L. FIRST READING ORDINANCES

**First Reading Ordinance -Amending City Code of Ethics to meet State requirements
for juvenile case managers.**

- 20 [12-00300](#) Ordinance amending Section 2-311, Code of Ordinances, City of Corpus
Christi, regarding additional ethics standards for the City's juvenile case
managers and other individuals subject to the code of ethics.

Sponsors: Municipal Court Administration, Municipal Court Judicial and Parks and
Recreation Department

M. FUTURE AGENDA ITEMS**Installation of replacement equipment for Solid Waste operations**

- 21 [12-00109](#) Motion approving the installation of one (1) split rear load refuse body and one (1) lift roll-off body from Heil of Texas of Houston, Texas for a total contract amount of \$209,511 of which \$3,741.41 is required for FY 2011-2012. The award is based on the Cooperative Purchasing Agreement with the Texas Local Government Cooperative. These bodies are replacements bodies and will be used by the Solid Waste Department. Funds for the lease purchase of the split rear load refuse body and lift roll-off body will be provided through the City's lease/financing program.

Sponsors: Purchasing

Purchase of replacement vacuum trucks for Storm Water department

- 22 [12-00217](#) Motion approving the purchase of two (2) vacuum trucks from Houston Freightliner, Inc., Houston, Texas for a total amount of \$621,171.32. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). All units are replacements to the fleet and will be used by the Storm Water Department. Funding is available in the FY 2011-2012 Capital Outlay Budget of the Maintenance Services Fund.

Sponsors: Purchasing

Approval of interlocal agreement with Nueces County to share funding for State grant and submission of grant application

- 23 [12-00252](#) Resolution authorizing the City Manager, or designee, to execute an interlocal agreement between the City of Corpus Christi and Nueces County to establish terms for the sharing of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012 Local Solicitation.

Sponsors: Purchasing

- 24 [12-00253](#) Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$169,575 to the U.S. Department of Justice, Bureau of Justice Assistance for funding eligible under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012 Local Solicitation; 50% of the funds to be distributed to Nueces County under the established interlocal agreement. Grant funds will be used for the enhancement of law enforcement efforts by the Police Department and Nueces County.

Sponsors: Police Department

Donation of new playground set made of recycled materials

- 25 [12-0046](#) Resolution authorizing the City Manager or designee to accept a donation of a new playground set made from recycled materials from the Ziploc® brand of SC Johnson & Son, Inc. and RecycleBank, for installation at the HEB Park located at 1501 Shely Street.

Sponsors: Solid Waste Operations

Street closures for 2012 Beach to Bay Relay

- 26 [12-00222](#) Motion approving the application for street closure from Corpus Christi Road Runners to temporarily close the following street sections for the 37th Annual Beach to Bay Relay, to take place, Saturday, May 19, 2012.

The temporary street closure of the north and south bound lanes of Shoreline Boulevard between Furman Street and Coopers Alley, beginning at 6:00 p.m. Friday, May 18, 2012 and ending at 7:00 p.m. Saturday, May 19, 2012.

The temporary street closure of Park Avenue between south bound Shoreline Boulevard and north bound Shoreline Boulevard, beginning at 6:00 p.m. Friday, May 18, 2012 and ending at 7:00 p.m. Saturday, May 19, 2012.

The temporary street closure of Kinney Street between south bound Shoreline Boulevard and north bound Shoreline Boulevard, beginning at 6:00 p.m. Friday, May 18, 2012 and ending at 7:00 p.m. Saturday, May 19, 2012.

FUTURE PUBLIC HEARING

Zoning change for property located at 817 Waldron Road from commercial to light industrial

- 27 [12-00210](#) Case No. 0212-06: Bluff Plastic: The applicant is requesting a change of zoning from the "CG-1" General Commercial District to the "IL" Light Industrial District, resulting in a change of the future land use from commercial to light industrial. The property being rezoned is Flour Bluff Estates, Block L, Lots 1 and 2, located north of South Padre Island Drive (SH 358) and east along Waldron Road.

Planning Commission and Staff Recommendation (March 14, 2012): Denial of the "IL" Light Industrial District and in lieu thereof approval of a "CG-1/SP" General Commercial District with a Special Permit to allow for a plastic fabrication facility, subject to three (3) conditions.

Sponsors: Development Services

Amendment to Urban Transportation Plan

- 28 **12-00267** Public Hearing and Ordinance amending the Urban Transportation Plan, an element of the Comprehensive Plan of the City of Corpus Christi, by providing for removal of proposed collector street around area of Northwest Blvd.; amending related elements of the Comprehensive Plan of the City; providing for severance; providing for publication.

N. UPDATES TO CITY COUNCIL:

Public comment will not be solicited on Presentation items.

- 29 [12-00273](#) American Bank Center Performance Audit Results

O. 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.

IF YOU PLAN TO ADDRESS THE COUNCIL DURING THIS TIME PERIOD, PLEASE SIGN THE FORM AT THE REAR OF THE COUNCIL CHAMBER, GIVING YOUR NAME, ADDRESS AND TOPIC. (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.

P. CITY MANAGER'S COMMENTS:

*** Update on City Operations**

Q. ADJOURNMENT: