



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, September 9, 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 Pastor Felix Zavala, El Shaddai Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Police Captain David Blackmon, Code Enforcement.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [14-001005](#) Proclamation declaring September 2014 as, "National Childhood Cancer Awareness Month and September 9, 2014 as Childhood Cancer Awareness Day"
Proclamation declaring September 2014 as, "Life Insurance Awareness Month"
Proclamation declaring September 24, 2014 as, "Putting With Your Politicians"
Proclamation declaring September 26, 2014 as, "Nueces County Community Action Agency's 50th Anniversary"
Presentation of September Green and Clean Award to Brewster Street Icehouse
Swearing-in Ceremony for City Attorney Miles K. Risley

- 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. **Water Rates**
- 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. [14-00996](#) Executive Session pursuant to Section 551.074, Personnel Matters, of the Texas Government Code for deliberations as to the appointment and employment of a Municipal Court Judge with possible discussion and action related thereto in open session.
3. [14-001012](#) 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.
4. [14-001018](#) Executive Session pursuant to Section 551.071 of the Texas

Government Code and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys on annexation, with possible action and discussion in open session

I. **MINUTES:**

5. [14-001008](#) Regular Meeting of August 26, 2014 and Special Meeting of August 29, 2014

J. **BOARD & COMMITTEE APPOINTMENTS:**

6. [14-001006](#) Arts and Cultural Commission
Landmark Commission
Library Board
Museum of Science and History Advisory Board
Sister City Committee
Water Resources 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 7 - 9)**

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. [14-00912](#) **Second Reading Ordinance - Rezoning from the "RM-3" Multifamily 3 District to the "RM-AT" Multifamily Apartment Tourist District, on property located at 14202 Ambrosia Street. (1st Reading 8/26/14)**

Case No. 0714-07 Masterpiece Holdings, Inc.: A change of zoning from the "RM-3" Multifamily 3 District to the "RM-AT" Multifamily AT. The property is described as Lot 1C, Block 2, Padre Island No. 1, located on the north side of Ambrosia Street, southeast of South Padre Island Drive (PR 22) and east of Marina Drive.

Planning Commission and Staff Recommendation (July 30, 2014):
Approval of the change of zoning from the "RM-3" Multifamily 3 District to the "RM-AT" Multifamily Apartment Tourist District.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Masterpiece Holdings, Inc., (“Owner”), by changing the UDC Zoning Map in reference to Lot 1C, Block 2, Padre Island No. 1, from the “RM-3” Multifamily 3 District to the “RM-AT” Multifamily AT; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

8. [14-00913](#) **Second Reading Ordinance - Rezoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay to “RS-TH/IO/PUD” Townhouse District with an Island Overlay and Planned Unit Development Overlay, on property located at 14822 Leeward Drive. (1st Reading 8/26/14)**

Case No. 0714-04 Ocean Harbor, Inc.: A change of zoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay to the “RS-TH/IO/PUD” Townhouse District with an Island Overlay and Planned Unit Development Overlay. The property is described as Lot 17A, Block 52, Padre Island - Corpus Christi, Section B, located along the east of Leeward Drive, approximately 270 feet south of St. Bartholomew Avenue.

Planning Commission and Staff Recommendation (July 30, 2014): Approval of the change of zoning from “RM-AT/IO” Multifamily AT District with an Island Overlay to the “RS-TH/IO/PUD” Townhouse District with an Island Overlay and Planned Unit Development Overlay, subject to 10 conditions.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”) upon application by Ocean Harbor, Inc. (“Owner”), by changing the UDC Zoning Map in reference to 17A, Block 52, Padre Island-Corpus Christi, Section B, from the “RM-AT/IO” Multifamily AT District with Island Overlay to the “RS-TH/IO/PUD” Townhouse District with an Island Overlay and Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

Sponsors: Development Services

9. [14-00914](#) **Second Reading Ordinance - Rezoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District, on property located at 7201 Yorktown Boulevard (1st Reading 8/26/14)**

Case No. 0714-06 Related Investors, Ltd.: A change of zoning from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property is

described as being a 12.28 acre tract of land out of Lots 1 and 2, Section 24 and Lots 31 and 32, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located along the east side of Rodd Field Road, approximately 2,200 feet south of Yorktown Boulevard.

Planning Commission & Staff Recommendation (July 30, 2014):

Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 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 12.28 acre tract of land out of Lots 1 and 2, Section 24 and Lots 31 and 32, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural 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, penalties, and publication.

Sponsors: Development Services

M. PUBLIC HEARINGS: (ITEMS 10 - 11)

10. [14-00997](#) Public Hearing for the Fiscal Year 2014 - 2015 Operating Budget

Public hearing for the City of Corpus Christi Fiscal Year 2014-2015 Operating Budget for September 9, 2014 during the regular City Council meeting beginning at 11:30 am at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

Sponsors: Office of Management and Budget

11. [14-00935](#) Second Public Hearing on Fiscal Year 2015 Ad Valorem Tax Rate

Public Hearing on Fiscal Year 2015 Ad Valorem Tax Rate

Sponsors: Financial Services Department

N. REGULAR AGENDA: (ITEM 12)

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

12. [14-001013](#) Refunding of Lavaca-Navidad River Authority (LNRA) Water Supply Facilities Revenue Bonds for Debt Service Savings

Resolution authorizing the City Manager to take actions necessary to approve the issuance of refunding bonds designated as Lavaca-Navidad River Authority Water Supply Contract Revenue Refunding Bonds Taxable Series 2014, (Lake Texana Project); and other matters in connection therewith.

Sponsors: Financial Services Department

O. FIRST READING ORDINANCES: (ITEMS 13 - 19)

13. [14-00927](#) **First Reading Ordinance - Accepting and appropriating grant funds for the Edward Byrne Memorial Justice Assistance Grant (JAG)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the U. S. Department of Justice, Bureau of Justice Assistance, in the amount of \$168,613 for the FY 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and Appropriating the \$168,613 in the No. 1061 Police Grants Fund to fund the enhancement of law enforcement efforts by the Police Department and Nueces County under an established interlocal agreement which provides that 50% of the funds be distributed to Nueces County.

Sponsors: Police Department

14. [14-00936](#) **First Reading Ordinance - Accepting and appropriating grant funding for the Senior Companion Program (SCP)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant awarded by the Corporation for National and Community Service in the amount of \$264,007 for the Senior Companion Program with a City match of \$76,903; and appropriating the \$264,007 grant in the No. 1067 Parks and Recreation Grants Fund for the Senior Companion Program.

Sponsors: Parks and Recreation Department

15. [14-00937](#) **First Reading Ordinance - Accepting and appropriating grant funds for the Elderly Nutrition Program (ENP)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a \$427,397 final grant from the Area Agency on Aging of the Coastal Bend in the No. 1067 Parks and Recreation grants fund for the FY 2014 Senior Community Services, Elderly Nutrition Program.

Sponsors: Parks and Recreation Department

16. [14-00965](#) **First Reading Ordinance - Accepting and appropriating grant funds for the Retired Senior Volunteer Program (RSVP)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$47,934.00 grant awarded by the Corporation for National and Community Service for the Retired Senior Volunteer Program; appropriating the \$47,934.00 grant in the No. 1067 Parks and Recreation Grants Fund.

Sponsors: Parks and Recreation Department

17. [14-00977](#) **First Reading Ordinance - Accepting and appropriating a continued services "Bundle" grant from the Texas Department of State Health Services for continued clinical services**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a total grant amount of \$722,821 from the Texas Department of State Health Services in the Health Grants Fund No. 1066 to provide continued clinical services for the contract period of September 1, 2014 through August 31, 2015; and to ratify acceptance of the grants to begin as of September 1, 2014.

Sponsors: Health Department

18. [14-00786](#) **First Reading Ordinance - Rezoning from the "RE" Residential Estate District to the "CG-2" General Commercial District, on property located at 822 Graham Road (Public Hearing held 7/22/14) (Tabled 7/29/14) (Postponed 8/26/14)**

Case No. 0614-03 CCSemloh Partnership, Ltd.: A change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District. The property to be rezoned is described as a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Compton Road between the intersections with First National Boulevard and Waldron Road.

Staff Recommendation:

Denial of the change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District and, in lieu thereof, approval of a Special Permit for a boat storage facility subject to ten conditions.

Planning Commission Recommendation:

Approval of the change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by CCSemloh Partnership, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, from the "RE" Residential Estate 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

19. [14-00928](#) **First Reading Ordinance - Amending the board composition for Reinvestment Zone Number Three**

Amending Ordinance No. 027996, adopted on December 16, 2008,

which designated a certain area within the jurisdiction of the City of Corpus Christi as a tax increment financing district known as "Reinvestment Zone Number Three, City of Corpus Christi, Texas" (the "Reinvestment Zone"), which was amended by Ordinance No. 028136 on April 28, 2009 and Ordinance No. 029403 on March 2, 2012, to correct the Board appointment procedure to comply with state law on tax increment participation; providing for severance; and providing for publication.

Sponsors: Business Liaison

P. FUTURE AGENDA ITEMS: (ITEMS 20 - 32)

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

20. [14-00925](#) Approving the purchase of four hundred (400) AV 3000 HT Masks for the Fire Department

Motion approving the purchase of four hundred (400) AV 3000 HT Mask from Municipal Emergency Services Inc., Houston, Texas in accordance with Bid Invitation No. BI-0234-14 based on the lowest responsible bid for a total expenditure of \$83,556.00. Funds are available in the General Fund Budget FY 2013- 2014.

Sponsors: Fire Department and Purchasing Division

21. [14-00863](#) Approving supply agreements for food items for the Elderly Nutrition Program (ENP)

Motion approving supply agreements with the following companies for the following amounts in accordance with the Coastal Bend Council of Governments Bid Invitation No. CBCOG-14-3 for food items which include canned and frozen fruit and vegetables; meats and condiments, for an estimated six month expenditure of \$235,260.88, of which \$117,630.43 is required for the remainder of FY 2013-2014. The terms of the contracts shall be for six months with options to extend for up to three additional months, subject to the approval of the Coastal Bend Council of Governments, the suppliers, and the City Manager or designee. Funds are available through the Meals on Wheels Grant.

LaBatt Food Service
Corpus Christi, Texas
181 Line Items
\$125,653.64

Performance Food Group
Victoria, Texas
113 Line Items
\$109,607.24

Grand Total: \$235,260.88

Sponsors: Purchasing Division and Parks and Recreation Department

22. [14-00886](#) Approving the purchase of the Community Development and Regulation (CDR) module of Infor for the Health Department

Motion authorizing the City Manager or designee to execute all documents necessary to approve the purchase of additional licenses and consulting hours provided sole source from Infor (US), Inc., Alpharetta, GA, for a total expenditure of \$76,263. Funds are available in the Health Department FY2013-2014 budget.

Sponsors: Health Department and Municipal Information Systems

23. [14-00983](#) **Approving an interlocal agreement for local emergency response planning**

Resolution authorizing the City Manager, or his designee, to execute a renewal of an Interlocal Cooperation Agreement for a term of five (5) years for the Local Emergency Response Planning Specific to Extremely Hazardous Substances with Nueces County, City of Corpus Christi, and Port of Corpus Christi Authority.

Sponsors: Fire Department

24. [14-00942](#) **Authorizing an interlocal agreement with West Oso School District for prevention and intervention services from the Juvenile Assessment Center**

Resolution authorizing the City Manager, or designee, to execute an interlocal cooperation agreement with West Oso Independent School District regarding prevention and intervention programs.

Sponsors: Parks and Recreation Department

25. [14-00956](#) **Approving a process of notification for the sale of parks and use of proceeds for parks sold subject to the 2014 election ballot proposition**

Resolution dedicating the proceeds from the sale of park lands exclusively for the improvement of existing parks; requiring notification to property owners within 500 feet of a park land to be sold; and providing for an effective date.

Sponsors: Parks and Recreation Department

26. [14-00960](#) **Approving the renewal of a joint funding agreement for maintaining accurate records of all inflows and releases in the City's water reservoir**

Motion authorizing the City Manager or his designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Society (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of all inflows and releases in the City's water reservoir, with the City's cost to be \$140,860.

Sponsors: Office of Public Utilities and Water/Wastewater Treatment

27. [14-00413](#) **Approving an engineering design contract for interim sludge management improvements at O. N. Stevens water treatment plant**

Motion authorizing the City Manager or designee to execute the engineering contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$119,600 for the O.N. Stevens Water Treatment Plant Interim Sludge Management Improvements for design, bid and construction phase services.

Sponsors: Water/Wastewater Treatment and Capital Programs

28. [14-00900](#) **Approving amendment no. 4 of an engineering monitoring contract for the Watershed Monitoring Program**

Motion authorizing the City Manager or designee to execute Amendment No. 4 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$98,439, for a total restated fee of \$555,081 Nueces River Water Quality, Oso Creek Water Level & City of Corpus Christi Meteorological Monitoring 2014-2015.

Sponsors: Water/Wastewater Treatment and Capital Programs

29. [14-00818](#) **Authorizing a design services contract for the Police Vehicle Impound Yard and Garage Phase 2 project (Bond 2012)**

Motion authorizing the City Manager, or designee, to execute a Design Services Contract with Freese and Nichols from Corpus Christi, Texas in the amount of \$110,168 for the Police Vehicle Impound Yard and Garage Phase 2 for the design, bid, and construction phase services (Bond 2012).

Sponsors: Police Department and Capital Programs

30. [14-00867](#) **Approving an engineering services contract for groundwater monitoring and related services at the JC Elliott Municipal Landfill**

Motion authorizing the City Manager, or designee, to execute an engineering contract with Tolunay-Wong Engineers of Corpus Christi, Texas in the amount of \$133,700.00 for Groundwater Monitoring and Related Services at J.C Elliott Landfill.

Sponsors: Solid Waste Operations and Capital Programs

31. [14-00868](#) **Approving an engineering services contract for groundwater monitoring and related services at Cefe Valenzuela Landfill**

Motion authorizing the City Manager, or designee, to execute an engineering contract with Tolunay-Wong Engineers of Houston, Texas in the amount of \$138,280.00 for Groundwater Monitoring and Related Services at Cefe Valenzuela Landfill.

Sponsors: Solid Waste Operations and Capital Programs

32. [14-00901](#) **Amending the Corpus Christi Downtown Management District agreement to align with the City's fiscal year**

Resolution authorizing the City Manager or designee to amend the Interlocal Cooperation Agreement with the Corpus Christi Downtown Management District to align with the City's new fiscal year.

Sponsors: Business Liaison

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. ADJOURNMENT