



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, September 24, 2013

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 Steve Hartwick, First Baptist Church**
- 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. Proclamations / Commendations**
 - 1. [13-000894](#) Proclamation declaring September 24, 2013, as "70th Anniversary of the Junior League of Corpus Christi"
Proclamation declaring September 28, 2013, as "Walk 'N Roll Celebration for Disability Awareness Day"
Proclamation declaring October as "Domestic Violence Awareness Month"
Proclamation declaring October 1, 2013, as "National Night Out"
Proclamation declaring October 4-10, 2013 as "Ideas Week Corpus Christi"
Proclamation declaring October 11, 2013, as "Texas Speech Communication Association Day"
Proclamation declaring October 23, 2013, as "HELP Hits the High Notes"
Special Recognition of City Secretary Armando Chapa

- 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:

H. EXECUTIVE SESSION: (NONE)

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.

I. MINUTES:

- 2. [13-000896](#) Regular Council Meeting of September 17, 2013**

J. BOARDS & COMMITTEE APPOINTMENTS:

- 3. [13-000895](#) Leadership Committee for Senior Services
Library Board
Nueces County Tax Appraisal District
Sister City 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: (NONE)

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.

M. PUBLIC HEARINGS: (ITEMS 4 - 8)

4. [13-000852](#) Public Hearing and First Reading - Adopting Joint Land Use Study (JLUS) Background Report as an element of the Comprehensive Plan

Ordinance accepting the NAS Corpus Christi Joint Land Use Background Report and amending the Comprehensive Plan of the City of Corpus Christi by adopting the NAS Corpus Christi Joint Land Use Study; providing for repeal of conflicting ordinances; providing for severance; and providing for publication.

Sponsors: Planning/Environmental Services

5. [13-000834](#) Public Hearing and First Reading Ordinance - Amending the Unified Development Code's limitations on restaurants in the neighborhood commercial and office zoning districts.

Ordinance amending the Unified Development Code for limitations on restaurants in the neighborhood commercial and office zoning districts by revising subsection 5.2.11 - Restaurant; and providing for severance, penalties, and publication.

Sponsors: Development Services and Planning/Environmental Services

6. [13-000831](#) Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, on properties located at 1309 Daly Drive and 1302 Woodlawn Drive.

Case No. 0813-03 Hammond Jones Real Estate Development LLC: A rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, resulting in a partial change to the Future Land Use Plan. The property to be rezoned is described as being the south 24 feet of Lot 1, all of Lots 2-10, the north 33 feet of Lot 19, and all of Lots 20-24, Block 2, Woodlawn Estates, located on the south side of McArdle Road between Woodlawn and Daly Drives.

Planning Commission and Staff Recommendation (August 28, 2013):
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 Hammond Jones Real Estate Development LLC, acting as agent on behalf of Allen Lovelace Moore and Blanche Davis Moore Foundation (“Owner”), by changing the UDC Zoning Map in reference to the south 24 feet of Lot 1, all of Lots 2-10, the north 33 feet of Lot 19, and all of Lots 20-24, Block 2, Woodlawn Estates, located on the south side of McArdle Road between Woodlawn and Daly Drives, 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 and Planning/Environmental Services

7. [13-000832](#) **Public Hearing and First Reading Ordinance - Rezoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay and the “RS-6/IO” Single-Family 6 District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, on properties located at 15013 - 15029 Leeward Drive and 15022 Aruba Drive.**

Case No. 0813-04 Doug Shaw: A rezoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay and the “RS-6/IO” Single-Family 6 District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Lots 5 and 14-18, Block 2, Section E, Padre Island - Corpus Christi, located between Aruba and Leeward Drives, approximately 200 feet south of Running Light Drive.

Planning Commission and Staff Recommendation (August 28, 2013):
Approval of the change of zoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay and the “RS-6/IO” Single-Family 6 District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, subject to 10 conditions.

Ordinance

Ordinance amending the Unified Development Code (“UDC”), upon application by Doug Shaw (“Owner”), by changing the UDC Zoning Map in reference to Lots 5 and 14-18, Block 2, Section E, Padre Island - Corpus Christi, from the “RM-AT/IO” Multifamily AT District with an Island Overlay and the “RS-6/IO” Single-Family 6 District with an Island

Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services and Planning/Environmental Services

8. [13-000833](#) **Public Hearing and First Reading Ordinance - Rezoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, on property located at 15030, 15034, and 15038 Aruba Drive.**

Case No. 0813-05 Doug Shaw and Jill Shaw: A rezoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Lots 1-3, Block 2, Section E, Padre Island - Corpus Christi, located along the east side of Aruba Drive, approximately 175 feet west of Leeward Drive.

Planning Commission and Staff Recommendation (August 28, 2013): Approval of the change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, subject to 10 conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Doug Shaw and Jill Shaw ("Owners"), by changing the UDC Zoning Map in reference to Lots 1-3, Block 2, Section E, Padre Island - Corpus Christi, from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services and Planning/Environmental Services

N. REGULAR AGENDA: (ITEMS 9 - 10)

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

9. [13-000877](#) **Agreement for the Assessment of the Efficiency and Effectiveness of the Fire Department**

Motion authorizing the City Manager or designee to execute a consultant agreement with MGT of America, Inc. to provide an assessment of the efficiency and effectiveness of the City of Corpus Christi Fire Department for an amount not to exceed \$97,950. Funding

is available in the Fire Department Budget for fiscal year 2013/2014.

Sponsors: Office of Strategic Management

10. [13-000821](#) **Approval of Change Order No. 6 for Corpus Christi International Airport Runway 17-35 Extension/Displacement and Connecting Taxiway Project**

Motion authorizing the City Manager, or designee, to execute Change Order No. 6 to the Construction Contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$641,521.50 for a total restated fee not to exceed \$14,370,427.09, for the Corpus Christi International Airport (CCIA) Runway 17-35 Extension/ Displacement and Connecting Taxiway Project.

Sponsors: Aviation Department and Engineering Department

O. FIRST READING ORDINANCES: (ITEMS 11 - 15)

11. [13-000781](#) **First Reading Ordinance - Restricting the use of wireless communications while driving**

Ordinance adding a new section 53-16 of the city code relating to restrictions on use of wireless communications while driving, creating an offense, providing for penalties, providing for severance, providing for publication, and providing for an effective date.

Sponsors: Police Department and Engineering Department

12. [13-000883](#) **First Reading Ordinance - Accepting and appropriating State grant amendment increase**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a grant amendment in the amount of \$50,000 from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to provide funds for the Woman, Infants, and Children (WIC) Program.

Sponsors: Health Department

13. [13-000659](#) **First Reading Ordinance - Amending Appendix A of the Interlocal Agreement to Promote Community Dialogue on Regional Health Awareness**

Ordinance authorizing the City Manager to execute all documents necessary to approve and accept this second amendment to Appendix A, of the Regional Health Awareness Board's ("RHAB") Interlocal Agreement to Promote Community Dialogue on Regional Health Awareness, by adding the Texas A&M Irma Lerma Rangel College of Pharmacy and Education Service Center, Region 2 as organizations that may appoint members to the RHAB

Sponsors: Health Department

14. [13-000861](#) **First Reading Ordinance - Closing a portion of a 10-foot wide utility easement**

Ordinance abandoning and vacating a portion of a 10-foot wide utility easement out of Parkdale Village Annex B and Lot 2, Parkdale Village Annex C and requiring the owner, TWF Partners, LLC., to comply with specified conditions.

Sponsors: Development Services

15. [13-000862](#) **First Reading Ordinance - Closing a portion of a 15-foot wide utility easement**

Ordinance abandoning and vacating a portion of a 15-foot wide utility easement out of Lots 5A-6A, Industrial Technology Park Unit 1, and requiring the Owner, Agnes Properties, to comply with the specified conditions.

Sponsors: Development Services

P. **FUTURE AGENDA ITEMS: (ITEMS 16 - 25)**

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

16. [13-000854](#) **Purchase of Five Pickup Trucks for Beach Rescue and Beach Maintenance**

Motion approving the purchase of five (5) pickup trucks from Philpott Motors, Nederland, Texas for a total expenditure of \$143,901.25. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds have been budgeted by the Parks and Recreation Department in FY 2013- 2014.

Sponsors: Purchasing Division and Parks and Recreation Department

17. [13-000856](#) **Approving the lease-purchase of one Freightliner Truck with Pressure Digger Body**

Motion approving the lease-purchase of one (1) Freightliner truck with pressure digger body from Freightliner of Houston, Houston, Texas for a total amount of \$285,809.00. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funding is available from the City's lease-purchase financing contractor.

Sponsors: Purchasing Division and Gas Department

18. [13-000857](#) **Approving Lease purchase for Curbside Refuse and Recycle Containers**

Motion approving the lease purchase of 7,488 96-gallon curbside refuse

containers and 1,872 96-gallon curbside recycle containers from Toter Incorporated, Statesville, NC for the total amount of \$488,989.20. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). The containers will be used in the City's automated collection program. Funds for the lease purchase of the curbside collection containers will be provided through the City's lease/purchase financing program.

Sponsors: Purchasing Division and Solid Waste Operations

19. [13-000858](#) Approving a supply agreement for trap rock used for seal coating

Motion approving a supply agreement with Vulcan Construction Materials, L.P., San Antonio, Texas for approximately 6,000 tons of trap rock in accordance with Bid Invitation No. BI-0176-13 based on lowest responsible bid, for a total amount of \$277,500 of which \$231,250 is required for FY 2013-2014. The term of the supply agreement will be twelve-months with an option to extend for up to two additional twelve-month periods subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Street Department in FY 2013-2014.

Sponsors: Purchasing Division and Street Department

20. [13-000885](#) Contract - Approving Data Collection Unit (DCU) Component Upgrade to the Automated Meter Reading (AMR) System

Motion approving a contract with Aclara Technologies LLC, Hazelwood, Missouri for the purchase and installation of components on approximately 61 Data Collection Units (DCU's) of the City's automatic meter reading (AMR) system. The award is based on sole source, for a total amount of \$71,791.33. Funds have been budgeted by the MIS Department in FY 2013-2014.

Sponsors: Purchasing Division and Municipal Information Systems

21. [13-000823](#) Amendment to Ad Valorem Collections Contract with Nueces County

Motion approving an amended agreement for ad valorem tax collection services with Nueces County at an annual per parcel rate established by Nueces County and continuing from year to year unless canceled.

Sponsors: Financial Services Department

22. [13-000886](#) Refunding of Corpus Christi Business and Job Development Corporation Arena Bonds

Resolution by the City Council of the City of Corpus Christi, Texas relating to "Corpus Christi Business and Job Development Corporation Sales Tax Revenue Refunding Bonds, Series 2013 (Arena Project)"; approving the resolution of Corpus Christi Business and Job

Development Corporation authorizing the issuance of such bonds; and resolving other matters incident and related to the issuance of such bonds; and providing an effective date.

Sponsors: Financial Services Department

23. [13-000887](#) **Refunding of Corpus Christi Business and Job Development Corporation Baseball Stadium Bonds**

Resolution by the City Council of the City of Corpus Christi, Texas relating to "Corpus Christi Business and Job Development Corporation Sales Tax Revenue Refunding Bonds, Series 2013 (Baseball Stadium Project)"; approving the resolution of Corpus Christi Business and Job Development Corporation authorizing the issuance of such bonds; and resolving other matters incident and related to the issuance of such bonds; and providing an effective date.

Sponsors: Financial Services Department

24. [13-000672](#) **Engineering Design Contract Amendment No. 2 for two new 10 Million Gallons Daily (MGD) Pumps for the Staples Street Pumping Plant**

Motion authorizing the City Manager, or designee, to execute Amendment No. 2 to the Contract for Professional Services with Urban Engineering of Corpus Christi, Texas in the amount of \$135,640.00, for a total restated fee not to exceed \$352,110.00 for the Staples Street Pumping Plant New 10 MGD Pumps Project.

Sponsors: Water Department and Engineering Department

25. [13-000848](#) **Engineering Design Amendment No. 1 - McArdle Road Improvements - Ennis Joslin Road to Whitaker Drive (Bond 2012)**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to a Contract for Professional Services with RVE, Inc. of Corpus Christi, Texas in the amount of \$155,520.00, for a total restated fee not to exceed \$1,113,240.00 for McArdle Road from Nile Drive to Ennis Joslin Road and McArdle Road from Whitaker Drive to Nile Drive, for design, bid, and construction phase services BOND ISSUE 2012. (Proposition No. 1 Street Projects)

Sponsors: Storm Water Department, Wastewater Department and Engineering Department

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

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

R. ADJOURNMENT

