



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, April 25, 2017

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. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. 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. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

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 Pro Tem Lucy Rubio to call the meeting to order.**
- B. Invocation to be given by Rabbi Mary Ekroos, Kehilat B'nai Shalom.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Myranda Flores, West Oso High School, Student Council President.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-0522](#) Proclamation declaring April 23 - 29, 2017, "Laboratory Professionals Week".**
Proclamation declaring April 30 - May 6, 2017, "National Small Business Week".
Proclamation declaring May 1-7, 2017, "National Children's Mental Health Awareness Week".
Proclamation declaring May 12, 2017, "Relay For Life Day".
Proclamation declaring May 13, 2017, "Lemonade Day".

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**a. OTHER****G. MINUTES:****2. [17-0521](#) Regular Meeting of April 18, 2017 and Workshop of April 13, 2017.****H. BOARD & COMMITTEE APPOINTMENTS: (NONE)**

J. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. 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 choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak MUST be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

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.

K. CONSENT AGENDA: (ITEMS 3 - 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.

3. [17-0470](#) **Purchase and installation of playground equipment at West Haven Park**

Motion approving the purchase and installation of playground equipment at West Haven Park from Park Place Recreation Designs, Inc., of San Antonio, Texas for a total amount not to exceed \$83,200.00, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative dba BuyBoard.

Sponsors: Parks and Recreation Department and Purchasing Division

4. [17-0444](#) **Resolution authorizing Interlocal Agreement with West Oso ISD for West Haven Park Maintenance**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with West Oso Independent School District regarding operation and maintenance of Westhaven Park located near intersection of Cliff Maus Drive at Rockford Drive.

Sponsors: Parks and Recreation Department

5. [17-0438](#) **Second Reading Ordinance - Rezoning property located at 4325 South Padre Island Drive (State Highway 358) (1st Reading 4/18/17)**

Case No. 0317-05 Vishal Hotel, LP: A change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District. The property to be rezoned is described as Byron Willis, Block 2-A, Lot I, less a portion to right-of-way, located on the south side of South Padre Island Drive (State Highway 358) between Oakhurst Drive and Flynn Parkway.

Planning Commission and Staff Recommendation (March 22, 2017): Approval of the change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Vishal Hotel, LP ("Owner"), by changing the UDC Zoning Map in reference to Byron Willis, Block 2-A, Lot I, less a portion to right-of-way, from the "IL" Light Industrial 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

6. [17-0480](#) **Second Reading Ordinance - Rebranding of Bayshore Park Development to The Water's Edge and adding "Veterans' Memorial" to Sherrill Park (1st Reading 4/18/17)**

Ordinance to name and rebrand the Bayshore Park Development along Shoreline Blvd. generally from Furman Ave. to Cooper's Alley to "The Water's Edge", and to rename Sherrill Park as "Sherrill Veterans' Memorial Park".

Sponsors: Parks and Recreation Department

7. [17-0454](#) **Second Reading Ordinance - Establishing a school zone for Tuloso-Midway High School (1st Reading 4/18/17)**

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-254 Schedule V - Increase of State Speed Limit in Certain Zones; designating a school speed zone; providing for severance; and providing for publication.

Sponsors: Engineering Services and Office of Public Works

L. **RECESS FOR LUNCH**

The City Council will take a lunch break at approximately 1:30 p.m.

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

N. **REGULAR AGENDA: (ITEMS 8 - 12)**

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

8. [17-0379](#) **Second Reading Ordinance - Lease Agreement with Nueces County Community Action Agency for Birth-to-Five Head Start Program City-Owned Properties (1st Reading 3/28/17) (28 day delay required)**

Ordinance authorizing the City Manager or designee to execute a ten year lease, with an option to renew for 10 years, with Nueces County Community Action Agency (NCCAA) for eight real and personal properties identified on the attached and incorporated Exhibit A, in consideration of NCCAA operating Head Start Programs for eligible citizens of Corpus Christi and maintaining the properties; and providing for publication.

Sponsors: Housing and Community Development

9. [17-0476](#) **Second Reading Ordinance - Accepting and appropriating donations for the dog park at Bayshore park (1st Reading 4/18/17)**

Ordinance authorizing the City Manager or designee to execute a donation agreement with the Coastal Bend Community Foundation and accept \$51,000 in donated funds from the Coastal Bend Community Foundation; authorizing the City Manager or designee to execute a donation and naming agreement with the Vishal Raju Bhagat

Foundation and accept \$75,000 in donated funds from the Vishal Raju Bhagat Foundation; appropriating \$126,000 in the No. 4720 Community Enrichment Fund for construction of a dog park at Bayshore Park; and naming the dog park the "Vishal Bhagat Dog Park."

Sponsors: Parks and Recreation Department

10. [17-0378](#) **Construction Contract for Yorktown Boulevard from Everhart Road to Staples Street (Bond 2014, Proposition 1)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Berry Contracting, LLC dba Bay, Ltd of Corpus Christi, Texas in the amount of \$8,838,277 for Yorktown Boulevard from Everhart Road to Staples Street for Base Bid Part 2 and to execute a construction materials testing agreement with Rock Engineering and Testing Laboratory, Inc. in the amount of \$99,071 for Yorktown Boulevard from Everhart Road to Staples Street. (Bond 2014 Proposition 1)

Sponsors: Engineering Services

11. [17-0489](#) **Second Reading Ordinance - Approving the Amendments to the Tax Increment Reinvestment Zone Number Two Amended Project & Financing Plans (1st Reading 4/18/17)**

Ordinance approving the amendments to the Tax Increment Reinvestment Zone #2 amended Project and Financing Plans approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas on July 22, 2014, February 21, 2017, and March 7, 2017, regarding Packery Channel monitoring and improvements, and updated information on other Packery Channel projects;

Sponsors: Assistant City Manager

12. [17-0464](#) **Resolution of Support for the City of Corpus Christi Application for State Water Implementation Fund for Texas**

Resolution requesting financial assistance from the Texas Water Development Board for payment of costs of studying, evaluating, determining feasibility of, and undertaking preliminary design work relating to a Seawater Desalination Project; authorizing City staff and consultants to coordinate the submission of the application to the Texas Water Development Board for funding from the State Water Implementation Fund for Texas; and other matters in connection therewith.

Sponsors: Water Utilities Department

O. FIRST READING ORDINANCES: (ITEMS 13 - 17)

13. [17-0325](#) **First Reading Ordinance - Amending City Code to modify the Auto Wrecker Ordinance and appropriating funds related to said modifications**

Ordinance amending Chapter 57, Article V "AUTOWRECKERS" of the Corpus Christi Code of Ordinances by adding an impound vehicle administrative fee of \$20 per vehicle and by requiring notification for private property tows; appropriating \$61,000 in General Fund No. 1020 for four full-time equivalent (FTE) personnel and software upgrades; changing the FY 2016-2017 Operating Budget adopted by Ordinance No. 030965 by increasing revenue and expenditures in the General Fund No. 1020 by \$61,000 each; and providing an effective date, for severance, for penalty and for publication.

Sponsors: Police Department

14. [17-0506](#) **First Reading Ordinance - Accepting and appropriating grant funds for the Houston High Intensity Drug Trafficking Area (HIDTA) program**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant subaward in the amount of \$20,000 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for additional overtime in an effort to eradicate the synthetic cannabinoid epidemic; and appropriating the \$20,000 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

15. [17-0468](#) **First Reading Ordinance - Amending the City Code to update the Hazardous Substance Pipeline Ordinance**

Ordinance amending Chapter 35 of the Corpus Christi Code of Ordinances to revise Article VII. - HAZARDOUS SUBSTANCES, LIQUIDS, AND GAS PIPELINES AND DISTRIBUTION SYSTEM; and providing for severance, publication, penalty, and an effective date.

Sponsors: Fire Department

16. [17-0472](#) **First Reading Ordinance - Approval of agreement and appropriating funds for developer for the construction of wastewater collection line extension located south of Holly Road and east of Rodd Field Road**

Ordinance authorizing city manager or designee to execute a wastewater collection line extension construction and reimbursement

agreement ("Agreement") with Palm Land Investments Inc. ("Developer"), for the construction of a sanitary sewer collection line and appropriating \$14,724.00 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

17. [17-0490](#) **First Reading Ordinance - Exemption from the sanitary sewer infrastructure construction and wastewater lot and acreage fees for Don Patricio, Block G, Lot 1R, located west of Waldron Road and south of Don Patricio Road.**

Ordinance exempting Don Patricio, Block G, Lot 1R, located west of Waldron Road and south of Don Patricio Road, from the payment of wastewater lot/acreage fees under Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Sponsors: Development Services

P. FUTURE AGENDA ITEMS: (NONE)

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

Q. BRIEFINGS: (ITEMS 18 - 19)

Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.

18. [17-0484](#) **Hotel Occupancy Tax (HOT)**

Sponsors: Office of Management and Budget

19. [17-0465](#) **Area Development Plan-Work Program**

Sponsors: Environmental and Strategic Initiatives

R. 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.

S. EXECUTIVE SESSION: (ITEMS 20 - 21)

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. If 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. The City Council may deliberate and take action in open session on any issue that may be

discussed in executive session. The description of an item in "Executive Sessions" constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and his determination that said item may be legally discussed in Closed Meeting in compliance with Chapter 551 the Texas Government Code.

20. [17-0471](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to industrial districts and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).
21. [17-0518](#) **Executive session pursuant to Texas Government Code 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning potential participation in AEP Texas Central Company rate case regarding application for Distribution Cost Recovery Factor at Texas Public Utility Commission.

T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Per Council Policies, an item may be added to the agenda by four members of the City Council. Council may give direction to the City Manager to add an item to a future agenda, but no other action will be taken, and no public comment solicited.

U. ADJOURNMENT