



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, January 29, 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. 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 Allen Mosiman, Parkway Presbyterian 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** [13-00075](#) Proclamation declaring February 4-8, 2013 as National School Counseling Week"
Certificate of Commendation to Workforce Solutions of the Coastal Bend for the 2012 Statewide Awards and Recognition
Ceremonial Presentation of Certified Ambassador Tourism Certificates & Pins
Swearing-in Ceremony of all newly appointed Board, Commission and Committee Members

- 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. EXECUTIVE SESSION: (ITEM 2 - 3)

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** [13-00072](#) Executive Session pursuant to Texas Government Code Section 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of Municipal Court Judges, with possible discussion and action in open session.
- 3** [13-00089](#) Executive session pursuant to Section 551.087(1) of the Texas Government Code to discuss commercial and financial information that the city has received from a business prospect which the city seeks to have stay or expand within the territory of the city and with which the city is conducting economic development negotiations, with possible discussion and action in open session.

H. MINUTES:

- 4** [13-00077](#) Approval of Meeting Minutes - January 22, 2013.

I. BOARDS & COMMITTEE APPOINTMENTS: (NONE)**J. 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.

K. CONSENT AGENDA: (ITEMS 5 - 23)

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.

5 [12-00798](#) **Second Reading Ordinance - Type A agreement and appropriating funds to improve McCampbell Road in front of H.E.B. manufacturing facility (1st Reading 1/22/13)**

Ordinance approving a business incentive agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and HEB Grocery Company, LP ("HEB"), to improve McCampbell Road in front of their bread and tortilla manufacturing facility in Corpus Christi and the retention of jobs

Sponsors: Economic Development

6 [12-00915](#) **Second Reading Ordinance - Appropriating funds and executing construction contract for Seawall repairs (1st Reading 1/22/13)**

Ordinance appropriating \$4,000,000 from the Unreserved Fund Balance in No. 1120 Seawall Improvement Fund and transferring and appropriating into Seawall CIP Fund 3272 for approved Seawall Maintenance Projects; changing the FY 2013 Operating Budget adopted by Ordinance No. 029577 to increase expenditures by \$4,000,000; and authorizing the City Manager or designee to execute a construction contract with Structural Concrete Systems, LLC from Magnolia, Texas in the amount of \$515,256.50, for the Bayfront Seawall Repairs 2012.

Sponsors: Engineering Department

7 [13-00016](#) **Second Reading Ordinance - Accepting and appropriating grant for defibrillator purchase (1st Reading 1/22/13)**

Ordinance authorizing the City Manager or designee to accept a grant from the Christus Spohn Hospital Corpus Christi in the amount of

\$134,395.95 for the purchase of five Zoll X-series defibrillators and its accessories; and Appropriating the \$134,395.95 in the Fire Grant Fund No. 1062.

Sponsors: Fire Department

8 [12-00818](#) **Second Reading Ordinance - Miscellaneous easement with State for waterline rights across Laguna Madre (1st Reading 1/8/13)**

Ordinance authorizing the City Manager or designee to execute Miscellaneous Easement ME800236 with the State of Texas through its General Land Office, for the renewal of easement rights across the Laguna Madre for a 24-inch waterline to Padre Island, for a term of ten years, at the total cost of \$67,025.90 which includes the ten year land use fee of \$66,675.90 and an application fee of \$350.00.

Sponsors: Water Department and Engineering Department

9 [13-00005](#) **BOND 2012 Projects (Related Items 9 - 22)**

Professional services contract for street improvements on Navigation Boulevard from Up River Road to Leopard Street (Proposition No. 1 Street Projects) (BOND 2012)

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with LNV, Inc. of Corpus Christi, Texas in the amount of \$792,350.00, for Navigation Boulevard from Up River Road to Leopard Street for design, bid, and construction phase services BOND ISSUE 2012 (Proposition No. 1 Street Projects).

Sponsors: Street Department, Wastewater Department, Water Department, Storm Water Department, Gas Department and Engineering Department

10 [13-00004](#) **Professional services contract for street improvements on South Alameda Street from Ayers Street to Louisiana Avenue (Proposition No. 1 Streets Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$575,957.00, for South Alameda Street from Ayers Street to Louisiana Avenue for design, bid, and construction phase services BOND ISSUE 2012 (Proposition No. 1 Street Projects).

Sponsors: Street Department, Water Department, Wastewater Department, Storm Water Department, Gas Department and Engineering Department

11 [13-00003](#) **Professional services contract for street improvements on Greenwood Drive from Gollihar Road to Horne Road (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract

for Professional Services with Govind Development, LLC from Corpus Christi, Texas in the amount of \$390,773, for Greenwood Drive from Gollihar Road to Horne Road for design, bid, and construction phase services BOND ISSUE 2012 (Proposition No. 1 Street Projects).

Sponsors: Street Department, Water Department, Wastewater Department, Storm Water Department, Gas Department and Engineering Department

12 [12-00914](#) **Professional services contract for street improvements on Ocean Drive from Buford Street to Louisiana Avenue (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Freese & Nichols from Corpus Christi, Texas in the amount of \$855,969, for Ocean Drive from Buford Street to Louisiana Avenue for design, bid, and construction phase services BOND ISSUE 2012 (Proposition No. 1 Street Projects).

Sponsors: Street Department, Water Department, Wastewater Department, Storm Water Department, Gas Department and Engineering Department

13 [13-00038](#) **Professional services contract for street improvements on Tuloso Road from Interstate Highway 37 to Leopard Street (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with MEI Maverick Engineering, Inc. from Corpus Christi, Texas in the amount of \$331,322.00, for Tuloso Road from IH37 to Leopard Street for design, bid, and construction phase services BOND ISSUE 2012 (Proposition No. 1 Street Projects)

Sponsors: Street Department, Storm Water Department, Water Department, Wastewater Department, Gas Department and Engineering Department

14 [13-00013](#) **Professional services contract for street improvements on South Staples Street from Brawner Parkway to Kostoryz Road (Proposition No. 1) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Freese & Nichols from Corpus Christi, Texas in the amount of \$731,030, for South Staples Street from Brawner Parkway to Kostoryz Road for design, bid, and construction phase services BOND ISSUE 2012 (Proposition No. 1 Street Projects).

Sponsors: Street Department, Water Department, Wastewater Department, Storm Water Department, Gas Department and Engineering Department

15 [13-00027](#) **Professional services contract for street improvements on South Staples Street from Morgan Avenue to Interstate Highway 37 (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Naismith Engineering, Inc. from Corpus

Christi, Texas in the amount of \$837,162.50, for South Staples Street from Morgan Avenue to IH 37 for the design, bid, and construction phase services BOND ISSUE 2012.

Sponsors: Street Department, Storm Water Department, Water Department, Wastewater Department, Gas Department and Engineering Department

16 [13-00012](#) **Professional services contract for street improvements on McArdle Road from Ennis Joslin Road to Whitaker Drive (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with RVE, Inc. from Corpus Christi, Texas in the amount of \$957,720.00, for McArdle Road - 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: Street Department, Gas Department, Storm Water Department, Water Department, Wastewater Department and Engineering Department

17 [13-00001](#) **Professional services contract for street improvements on Kostoryz Road from Brawner Parkway to Staples Street (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Urban Engineering from Corpus Christi, Texas in the amount of \$516,210.00, for Kostoryz Road from Brawner Parkway to Staples Street for design, bid, and construction phase services BOND ISSUE 2012. (Proposition No. 1 Street Projects)

Sponsors: Street Department, Wastewater Department, Storm Water Department, Water Department, Gas Department and Engineering Department

18 [13-00002](#) **Professional services contract for street improvements on Horne Road from Ayers Street to Port Avenue (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Naismith Engineering, Inc. from Corpus Christi, Texas in the amount of \$244,362.50, for Horne Road from Ayers Street to Port Avenue for design, bid, and construction phase services BOND ISSUE 2012. (Proposition No. 1 Street Projects)

Sponsors: Street Department, Water Department, Wastewater Department, Storm Water Department, Gas Department and Engineering Department

19 [13-00020](#) **Professional services contract for street improvements on Morgan Avenue from Staples Street to Crosstown Freeway (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Coym, Rehmet & Gutierrez Engineering,

L.P. from Corpus Christi, Texas in the amount of \$448,310.00, for Morgan Avenue from Staples Street to Crosstown Freeway for design, bid, and construction phase services BOND ISSUE 2012. (Proposition No. 1 Street Projects)

Sponsors: Street Department, Storm Water Department, Water Department, Wastewater Department, Gas Department and Engineering Department

20 [13-00029](#) **Professional services contract for street improvements on Twigg Street from Shoreline Boulevard to Lower Broadway (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$344,493.00, for Twigg Street from Shoreline Boulevard to Lower Broadway for design, bid, and construction phase services BOND ISSUE 2012 (Proposition No. 1 Street Projects).

Sponsors: Street Department, Storm Water Department, Water Department, Wastewater Department, Gas Department and Engineering Department

21 [13-00030](#) **Professional services contract for street improvements on Leopard Street from Crosstown Freeway to Palm Drive (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$563,389.00, for Leopard Street from Crosstown Freeway to Palm Drive for design, bid, and construction phase services BOND ISSUE 2012 (Proposition No. 1 Street Projects).

Sponsors: Street Department, Storm Water Department, Water Department, Wastewater Department, Gas Department and Engineering Department

22 [13-00019](#) **Professional services contract for the JFK Causeway Area improvements (Proposition No. 1 Street Projects) (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Urban Engineering, from Corpus Christi, Texas in the amount of \$162,520.00, for the JFK Causeway Area Improvements for design, bid, and construction phase services BOND ISSUE 2012. (Proposition No. 1 Street Projects)

Sponsors: Street Department, Storm Water Department, Water Department, Wastewater Department, Gas Department and Engineering Department

23 [13-00060](#) **Resolution determining necessity for and ordering improvements for paving assessment project; specifying payment and approving plans and specifications for improvements; setting a public hearing for proposed assessments (BOND 2008)**

Resolution determining the necessity for and ordering improvements to Vaky Street from Swantner Drive to Reid Drive; Ivy Lane from Gollihar

Road to Horne Road; and Clare Drive from South Padre Island Drive to McArdele Road (the "Improvements"); specifying payment of the improvements partly by the City and partly by assessments; directing the filing of a notice of proposed assessments with the Nueces County Clerk; approving plans and specifications for the improvements; approving the Construction Cost Estimate; setting a public hearing on these proposed assessments for the February 26, 2013 City Council Meeting; directing publication of notice of the hearing and ordering notice of the hearing be provided to property owners. (Bond 2008)

Sponsors: Street Department, Water Department, Wastewater Department and Engineering Department

L. PUBLIC HEARINGS: (ITEM 24)

24 [13-00069](#) Public Hearing and Motion to amend Consolidated Annual Action Plan (CAAP) and cancel specific Community Development Block Grant (CDBG) projects

Public Hearing and Motion to authorize the City Manager or designee to execute all necessary documents with the U.S. Department of Housing and Urban Development (HUD) and Consolidated Annual Action Plan (CAAP) grantees for the following HUD approved contracts, cancellations and amendments. Funding from these cancelled projects will be reprogrammed into the FY13 CAAP. Action to be taken will consist of the following: cancellation of an FY07 HOME Investment Partnership Program project for the Messianic Fellowship Church; cancellation of an FY07 Community Development Block Grant (CDBG) Program project for the Montgomery Ward Building rehabilitation Project; cancellation of a FY10 CDBG project for Avance; the changing of a scope of work for a FY10 CDBG project for the Lindale Senior Center; the cancellation of CDBG FY11 projects for Coastal Bend Alcohol & Drug Abuse Rehabilitation Center dba Charlie's Place, the Gonzalez Foundation, and the Westside Business Association.

Sponsors: Neighborhood Services

M. REGULAR AGENDA: (NONE)

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

N. FIRST READING ORDINANCES: (NONE)

O. FUTURE AGENDA ITEMS: (ITEMS 25 - 31)

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

25 [13-00070](#) Amending Consulting Services Agreement with the Corpus Christi Convention and Visitors Bureau

Motion authorizing the City Manager, or designee, to execute an Amended Consulting Services Agreement ("Agreement") with the Corpus Christi Convention and Visitors Bureau ("CVB") for a period ending July 31, 2015

Sponsors: ACM - Business Support Services

26 [13-00028](#) **Change Order No. 2 for the additional required construction for the McBride Lift Station force main replacement**

Motion authorizing the City Manager, or designee, to execute Change Order No. 2 with Bridges Specialties, Inc. of Sandia, Texas in the amount of \$108,517.05 for the McBride Lift Station Force Main Replacement.

Sponsors: Wastewater Department and Engineering Department

27 [13-00068](#) **Agreement with State to contribute right-of-way funds for ramp reversal project on South Padre Island Drive (SPID) to alleviate congestion at eastbound off ramps between Nile Drive and Ayers Street**

Resolution authorizing the City Manager, or designee, to execute an Agreement to Contribute Right of Way Funds with the Texas Department of Transportation (TXDOT) for the acquisition of certain rights of way and the relocating and adjusting of utilities within the project's scope of SH 358 (South Padre Island Drive) from Nile Drive to Ayers Street, with the City's participation in the amount of \$950,000. (BOND 2012)

Sponsors: Engineering Department

28 [13-00021](#) **Deferment Agreement for public wastewater and water improvements to the property located at the southside of State Highway 44, east of Heinsohn Road and west of North Padre Island Drive**

Motion finding reasonable cause exists to delay completion of public improvements in accordance with Section 8.1.10.B of the Unified Development Code and authorizing the City Manager, or designee, to execute a deferment agreement with I5T Investments LLC ("Developer/Owner"), in the amount of \$221,846.54 for public wastewater and water improvements to the property located at the Southside of State Highway 44 East of Heinsohn Road and West of North Padre Island Drive, contingent upon receipt of a letter of credit approved by the City prior to the filing of the final plat by the Developer.

Sponsors: Development Services

29 [13-00067](#) **Cooperative Purchase Agreement for electronic archiving of construction blueprints**

Motion approving a contract for the electronic archiving of construction blueprints with MCCi, LLC of Tallahassee, Florida for a total expenditure of \$76,779.70. The award is based on the cooperative purchasing agreement with the Texas Department of Information Resources (DIR). Funds are budgeted in the Development Services Fund for FY 2012-2013.

Sponsors: Purchasing Division and Development Services

30 [13-00025](#) **Supply Agreements for food items for the Elderly Nutrition Program**

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-13-1 for food items which include canned and frozen fruit and vegetables; meats and condiments, for an estimated six month expenditure of \$179,155.26. 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
144 Line Items
\$83,729.73

Performance Food Group
Victoria, Texas
108 Line Items
\$95,425.53

Grand Total: \$179,155.26

Sponsors: Purchasing Division and Parks and Recreation Department

31 [13-00062](#) **Municipal Lease Line of Credit to fund equipment and rolling stock replacement needs**

Motion approving a Municipal Lease Line of Credit with Frost Bank in accordance with Request for Proposal No. BI-0040-13 based on lowest responsible proposal for an estimated annual expenditure of \$326,909.92. The term of the contract is for one year with options to extend for up to four additional one-year periods, subject to the approval of the contractor and the City Manager, or designee.

Sponsors: Purchasing Division and Financial Services Department

P. CITY MANAGER'S COMMENTS:

* Update on City Operations

Q. ADJOURNMENT