



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, August 19, 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 Rick Milby, Abundant Life Fellowship.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Billy Delgado, Emergency Management Coordinator - Fire Department.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [14-00929](#) Proclamation declaring August 19, 2014 as, " Ariel Natalie Monte, Miss Corpus Christi USA Day"
Proclamation declaring September 6, 2014 as, "Operation K.E.Y.S. - Keeping Every Youth in School Day"
- 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. Other

H. EXECUTIVE SESSION: (ITEM 2)

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. [14-00939](#) 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.

I. MINUTES:

3. [14-00931](#) Regular Meeting of August 12, 2014

J. BOARD & COMMITTEE APPOINTMENTS: (NONE)

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 4 - 10)

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.

4. [14-00739](#) **Approving amendment no. 1 to engineering design contract for area improvements at North Beach (BOND 2012) (Prop. No. 8 Economic Development Projects)**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to an Engineering Design Contract with RVE, Inc. from Corpus Christi, Texas in the amount of \$303,505, for a total restated fee of \$352,465, for North Beach Area Road Improvements and Area Beautification and North Beach Breakwater, Plaza, North Shoreline Repair and Enhancement for the design, bid, and construction phase services. BOND 2012

Sponsors: Capital Programs and Street Department

5. [14-00791](#) **Approving amendment no. 31 to the Runway 13-31 Extension/Displacement and Connecting Taxiway project at the airport**

Motion authorizing the City Manager, or designee, to execute Amendment No. 31 with KSA Engineers, Inc. from Longview, Texas in the amount of \$74,803.00 for a total restated fee of \$6,739,912.71 for the Corpus Christi International Airport Runway 13-31 Extension/Displacement and Connecting Taxiway Project for additional design services.

Sponsors: Aviation Department and Capital Programs

6. [14-00834](#) **Service agreement for meal delivery for the Elderly Nutrition Program (ENP) and Meals on Wheels**

Motion approving a service agreement with R & R Delivery Service, Corpus Christi, Texas for meal delivery in accordance with Bid Invitation No. BI-0142-14, based on only bid for an estimated annual expenditure of \$243,750.00, of which \$40,625.00 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the Contractor and the City Manager or designee. Funds have been budgeted by the Senior Community Services Division of the Parks and Recreation Department in FY 2013-2014.

Sponsors: Parks and Recreation Department and Purchasing Division

7. [14-00845](#) **Authorizing submission of an application to Texas Parks and Wildlife Department (TPWD) for improvements at West Guth Park (Bond 2012)**

Resolution authorizing the City Manager or designee to submit a grant application in the amount of \$500,000 to the Texas Parks and Wildlife Department for a Local Park Grant Program for the West Guth Park with a City cash match of \$500,000 from the 2012 Bond Funds - Community Park Improvements; and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

Sponsors: Parks and Recreation Department

8. [14-00841](#) **Second Reading Ordinance - Appropriating State grant for Automobile Burglary and Theft Protection (ABTPA) (1st Reading 8/12/14)**

Ordinance appropriating \$392,474 from the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) in the No. 1061 Police Grants, and appropriating \$7,687 in program income match in the No. 1061 Police Grants Fund to continue the motor vehicle theft enforcement grant within the Police Department.

Sponsors: Police Department

9. [14-00873](#) **Second Reading Ordinance - Appropriating funds for replacement and installation of new radio antennas (1st Reading 8/12/14)**

Ordinance appropriating \$22,565.42 from the Radio System Capital Replacement Reserve Fund, amending the FY 13-14 budget, adopted by Ordinance No. 029915 to increase appropriations by \$22,565.42 in the No. 1020 General Fund Police Department budget to pay for replacement and installation of Omni Directional Antennas at the One Shoreline Plaza radio transmitter sites for the City, County, and RTA radio systems.

Sponsors: Police Department

10. [14-00882](#) **Second Reading Ordinance - Appropriating funds from the sale of scrap metal copper wire (1st Reading 8/12/14)**

Ordinance appropriating \$9,552.40 in General Fund No. 1020 from the sale of copper wire for the purchase of Police equipment; and changing the FY 2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing revenue and expenditures in the General Fund No. 1020 by \$9,552.40 each.

Sponsors: Police Department and Purchasing Division

M. PUBLIC HEARINGS: (ITEMS 11 - 15)

11. [14-00874](#) **Public Hearing and First Reading Ordinance - Rezoning from the "CR-2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, on property located at 14702, 14714, 14726, 14734 Compass Street.**

Case No. 0714-02 Compass Revenge, Inc.: A change of zoning from the "CR-2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property is described as Lots 23, 24, 25 and 26, Block 42, Padre Island - Corpus Christi Island Fairway Estates, located along the east side of Compass Street, approximately 520 feet south of Commodores Drive.

Planning Commission and Staff Recommendation (July 16, 2014): Approval of the change of zoning from "CR-2/IO" Resort Commercial District (Barrier Island Business) 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 Compass Revenge, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Lots 23, 24, 25, and 26, Block 42, Padre Island - Corpus Christi, Island Fairway Estates from the "CR- 2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse 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, penalties, and publication.

Sponsors: Development Services

12. [14-00875](#) **Public Hearing and First Reading Ordinance - Rezoning from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay, on property located at 14106 and 14118 Ambrosia Street.**

Case No. 0714-03 Brite Star Remodeling, LLC: A change of zoning from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property is described as Lots 2B, 3B, 4B and 5B, Block 1, Padre Island-Corpus Christi No. 1, located along the west side of Ambrosia Street, southwest of South Padre Island Drive (PR 22) and north of Marina Drive.

Planning Commission and Staff Recommendation (July 16, 2014):

Approval of the change of zoning from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay, subject to nine development conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC") upon application by Brite Star Remodeling, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Lots 2B, 3B, 4B and 5B, Block 1, Padre Island-Corpus Christi, No. 1, from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a 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

13. [14-00876](#) **Public Hearing and First Reading Ordinance - Rezoning from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay, on property located at 14845 South Padre Island Drive**

Case No. 0714-05 Gabriele Stauder-Hilpold: A change of zoning from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay. The property to be rezoned is described as a 6.28 acre tract of land out of a portion of Lot 1, Block 27B and all of Lots 3, 4 and 5, Block 41, Padre Island - Corpus Christi Island Fairway Estates, located at the southwest corner of South Padre Island Drive (PR 22) and Compass Street.

Planning Commission and Staff Recommendation (July 16, 2014):

Approval of the change of zoning from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Gabriele Stauder-Hilpold, Trustee ("Owner"), by changing the UDC Zoning Map in reference to a 6.28 acre tract of land out of a portion of Lot 1, Block 27B and all of Lots 3, 4 and 5, Block 41, Padre Island - Corpus Christi Island Fairway Estates, from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

14. [14-00865](#) **Public Hearing and First Reading Ordinance - Authorizing City to participate in the Texas Enterprise Zone Program**

Ordinance authorizing the City Of Corpus Christi to participate in the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (The "Act"), providing tax incentives; Designating a liaison for overseeing Enterprise Projects and communicating with interested Parties

Sponsors: Economic Development

15. [14-00883](#) **First Public Hearing- Southside FM 2444 Annexation**

Local Government Code, Chapter 43.063(a) requires the City to conduct two public hearings prior to First Reading of an Annexation Ordinance for the proposed Southside FM 2444 Annexation area commonly referred to as a portion of the Chapman Ranch / proposed APEX Wind Farm generally located along and on both sides of FM 2444, areas South of FM 2444 and west of County Road 41.

Sponsors: Development Services

O. **REGULAR AGENDA: (ITEM 16)**

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

16. [14-00870](#) **Agreement for relocation of transmission line**

Motion authorizing the City Manager or designee to execute the Relocation Agreement with American Electric Power Texas Central Company (AEPTCC) in the amount of \$3,042,500, for the O.N. Stevens Water Treatment Plant Transmission Line Relocation.

Sponsors: Capital Programs and Water/Wastewater Treatment

P. **FIRST READING ORDINANCES: (ITEMS 17 - 21)**

17. [14-00895](#) **First Reading Ordinance- Approving a waterline reimbursement agreement and appropriating funds for property located at the southeast corner of Yorktown Boulevard and Boston Drive**

Ordinance authorizing execution of a distribution main extension construction and reimbursement Agreement ("Agreement") with The John G. and Marie Stella Kenedy Memorial Foundation ("Developer"), for the construction of a distribution waterline and appropriating \$21,331.74 from the NO. 4030 Water Distribution Main Trust Fund to reimburse the developer in accordance with the agreement.

Sponsors: Development Services

18. [14-00896](#) **First Reading Ordinance- Approving a wastewater reimbursement agreement and appropriating funds for property located at the southeast corner of Yorktown Boulevard and Boston Drive**

Ordinance authorizing execution of a wastewater collection line extension construction and reimbursement agreement ("Agreement") with The John G. and Marie Stella Kenedy Foundation ("Developer"), for the construction of a wastewater collection line and appropriating \$12,819.36 from the NO. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

19. [14-00897](#) **First Reading Ordinance- Approving a waterline reimbursement agreement and appropriating funds for property located at the southside of Safety Steel Drive, west of Rodd Field Road and south of Yorktown Boulevard**

Ordinance authorizing execution of a distribution main extension construction and reimbursement Agreement ("Agreement") with MPM Development, L.P., ("Developer"), for the construction of a distribution waterline and appropriating \$22,691.12 from the No. 4030 Water Distribution Main Trust Fund to reimburse the developer in accordance with the agreement.

Sponsors: Development Services

20. [14-00869](#) **First Reading Ordinance - Approving an engineering construction contract and amendment no. 2 of a professional services contract for construction inspection services for Horne Road from Ayers Street to Port Avenue (Bond 2012)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by adding \$25,000 in Gas Capital Improvement Program Reserves from Fund 4551 Gas 2009 CIP Fund; transferring \$650,000 from Bond 2012 Project #E12103 Leopard Street from Crosstown to Palm from FY 2015 to Bond 2012 Project E12100 Horne Road from Ayers Street to Port Avenue; increasing expenditures in the amount of \$25,000; and authorizing the City Manager or designee to execute a construction contract with Salinas Construction Technologies, Ltd. from Pleasanton, Texas in the amount of \$1,884,600.57, for the Bond 2012 Project Horne Road from Ayers Street to Port Avenue for the total base bid and executing Amendment No. 2 to a Professional Services Contract with Naismith Engineering, Inc. of Corpus Christi, Texas in the amount of \$104,000 for restated total price of \$365,362.50 for the Bond 2012 Project Horne Road from Ayers Street to Port Avenue for Construction Inspection Services.

Sponsors: Street Department and Capital Programs

21. [14-00871](#) **First Reading Ordinance - Approving a construction contract for the Hike and Bike Trail Development - Bear Creek Trail project (Bond 2012)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted

by Ordinance No. 029916 by adding \$74,969.52 from Fund 4526 Storm Water 2009 Revenue Bond Project Reserves to the Hike and Bike Trail Development Project (Bond 2012); increasing expenditures in the amount of \$74,969.52; and authorizing the City Manager, or designee, to execute a construction contract with Gourley Contracting, LLC. of Corpus Christi, Texas in the amount of \$1,047,070.40 for the Hike and Bike Trail Development - Bear Creek project for the base bid only (Bond 2012).

Sponsors: Parks and Recreation Department and Capital Programs

Q. FUTURE AGENDA ITEMS: (ITEMS 22 - 26)

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

22. [14-00941](#) Nominating Valero Refining - Texas, L.P. as a Triple Jumbo Texas Enterprise Project

Resolution nominating Valero Refining - Texas, L.P. ("Valero") to the Office of the Governor Economic Development & Tourism ("EDT") through the Economic Development Bank ("Bank") as a triple jumbo enterprise project pursuant to the Texas Enterprise Zone Act ("Act")

Sponsors: Economic Development

23. [14-00849](#) Nominating M & G Resins USA, LLC as a Double Jumbo Texas Enterprise Zone Project

Resolution nominating M & G Resins USA, LLC ("M & G") to the Office of the Governor Economic Development & Tourism ("EDT") through the Economic Development Bank ("Bank") as a double jumbo enterprise project pursuant to the Texas Enterprise Zone Act ("Act")

Sponsors: Economic Development

24. [14-00850](#) Nominating Equistar as a Double Jumbo Texas Enterprise Zone Project

Resolution nominating Equistar Chemicals, LP ("Equistar") to the Office of the Governor Economic Development & Tourism ("EDT") through the Economic Development Bank ("Bank") as a double jumbo enterprise project pursuant to the Texas Enterprise Zone Act ("Act").

Sponsors: Economic Development

25. [14-00857](#) Approving the extension and modified terms of the management agreement for the Corpus Christi Museum of Science and History

Motion authorizing the City Manager or his designee to extend and modify terms of Professional Services Management Agreement with CCMJV for the operation of the Corpus Christi Museum of Science and History.

Sponsors: ACM - General Government & Operations Support

26. [14-00944](#) **Amending the Financial Budgetary Policies**

Resolution amending Financial Budgetary Policies adopted by Resolution 029848 and providing financial policy direction on preparation of the annual budgets.

Sponsors: Office of Management and Budget and Financial Services Department

R. **BRIEFINGS TO CITY COUNCIL: (ITEMS 27 - 28)**

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.

27. [14-00932](#) **Proposed FY2015 General Fund Budget**

Sponsors: Office of Management and Budget and ACM - General Government & Operations Support

28. [14-00933](#) **Proposed FY2015 Internal Service Funds Budget**

Sponsors: Office of Management and Budget and ACM - General Government & Operations Support

S. **ADJOURNMENT**