



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, September 15, 2015

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 Rod Young, Church of Hope.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Jay Ellington, Director of Parks and Recreation.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [15-1015](#)** Proclamation declaring September 13-19, 2015, "United States Constitution Week".
Proclamation declaring September 17, 2015, "Mission of Mercy Mobile Medical Program Clinic Day".
Commendation recognizing Carl's Flowers and the Muenzenberger Family for 43 years of dedicated service to the citizens of Corpus Christi and the Coastal Bend.

- 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. 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.

2. [15-1023](#) **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining negotiations and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters' Association.

I. MINUTES:

3. [15-1016](#) Regular Meeting of September 8, 2015

J. BOARD & COMMITTEE APPOINTMENTS:

4. [15-1017](#) Committee for Persons with Disabilities
Corpus Christi Convention and Visitors' Bureau

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 5 - 13)

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. [15-0933](#) **Contract for 9-1-1 Location Data Management**

Motion authorizing the City Manager or his designee to execute a contract with Intrado Systems Corporation in the amount of \$465,312.85 of which \$27,954.25 for one time cost is required for the remainder of FY2014-2015 for 9-1-1 Location Data Management software and services. The term of the contract is three years with two automatic 12 month renewals. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC).

Sponsors: Police Department

6. [15-0937](#) **Developer Participation Agreement to reimburse developer for the City's portion of extending Brockhampton Street located along Brockhampton, south of Saratoga Boulevard (SH 357) and east of Cimarron**

Resolution authorizing the City Manager to execute a developer participation agreement with MPM Development, LP., ("Developer"), to reimburse the Developer up to \$135,766.13 for the City's share of the cost to extend Brockhampton Street, in accordance with the Unified Development Code.

Sponsors: Development Services

7. [15-0907](#) **Engineering Construction Contract for Santa Fe Street from**

Elizabeth Street to Hancock Street (Bond 2014)

Motion authorizing the City Manager, or designee, to execute a construction contract with Haas-Anderson, Inc. of Corpus Christi, Texas in the amount of \$1,240,447.35 for Santa Fe Street from Elizabeth Street to Hancock Avenue for the total Base Bid for a mill and overlay roadway with full depth repairs as required and recommended by the design engineer. (Bond 2014)

Sponsors: Capital Programs and Office of Public Works

8. [15-0930](#)

Second Reading Ordinance - Rezoning property located at 14333 Northwest Boulevard (FM 624)(1st Reading 9/8/15)

Case No. 0815-01 Balusek-Frankson: A change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan from medium density residential to commercial uses. The property is described as being 2.968 acres out of Lot 1, Encino Park, located south of Northwest Boulevard (FM 624) between River Hill Drive and County Road 69.

Planning Commission and Staff Recommendation (August 12, 2015): Approval of the change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Balusek-Frankson on behalf of Fox Tree and Landscape Nursery, Inc. ("Owner"), by changing the UDC Zoning Map in reference to 2.968 acres out of Lot 1, Encino Park, from the "FR" Farm Rural 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

9. [15-0951](#)

Second Reading Ordinance - To allow golf cart operation on North Beach (1st Reading 9/8/15)

Ordinance amending Chapter 53, Section 53-109 "Operation of golf cart" to allow golf cart operation on North Beach; Providing for severance; Providing for publication; Providing for penalty; and Providing an effective date.

Sponsors: Police Department

10. [15-0833](#)

Second Reading Ordinance - Amending City Code for Animal Care to modify dangerous dog regulations and to adopt tethering standards (1st Reading 9/8/15)

Ordinance amending Chapter 6 of the Corpus Christi Code of Ordinance

modifying the collar requirements for dangerous dogs; Requiring security fencing and leashes for dangerous dogs; Establishing tethering standards; Providing for severance; Providing for publication; Providing for penalty; and Providing an effective date.

Sponsors: Police Department

11. [15-0954](#) **Second Reading Ordinance - Accepting and appropriating grant funds for the FY 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program (1st Reading 9/8/15)**

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 \$149,112 for the FY 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and Appropriating the \$149,112 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

12. [15-0791](#) **Second Reading Ordinance - Joint-Use Agreement for Zavala Senior Center and Joe Garza Recreation Center (1st Reading 9/8/15)**

Ordinance authorizing the City Manager or designee to execute a five-year Joint Use Agreement with WellMed Charitable Foundation for operation and use of the Zavala Senior Center located at 510 Osage Street and Joe Garza Recreation Center located at 3204 Highland Avenue.

Sponsors: Parks and Recreation Department

13. [15-0973](#) **Second Reading Ordinance - Interlocal Agreement for Gap Analysis in programs and services for families and youth (1st Reading 9/8/15)**

Ordinance authorizing the City Manager or designee to execute an Interlocal Agreement in the amount of \$31,192.80 with Texas A&M University - Corpus Christi for the development of an action plan to identify gaps in locally available programs and services to strengthen families and youth development; accepting and appropriating \$5,000 donation from Port Industries of Corpus Christi into the No. 1020 General Fund to be used by the City for payment of services provided under the Interlocal Agreement; and changing the FY 2014-2015 Operating Budget adopted by Ordinance number 030294 to increase revenues and expenditures.

Sponsors: Parks and Recreation Department

M. PUBLIC HEARINGS: (ITEM 14)

14. [15-0931](#) **Public Hearing and First Reading Ordinance - Street Closure at Navigation Industrial Park, located west of N Omaha Drive and north of Agnes Street.**

Ordinance abandoning and vacating an undeveloped and unsurfaced 22,021-square foot (0.51 acres) portion of a 60-foot wide public right-of-way, portion out of Navigation Industrial Park Section 2, a map which is recorded in Volume 27, Page 90, Map records of Nueces County, Texas Tracts, and requiring the owner, Omaha Drive Capital Partners, LTD to comply with specified conditions.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 15 - 17)

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

15. [15-0978](#) **Collective Bargaining Agreement - Corpus Christi Police Officers' Association**

Motion authorizing the City Manager to enter into a collective bargaining agreement with the Corpus Christi Police Officers' Association for wages, benefits and working conditions based on the Tentative Agreement

Sponsors: Deputy City Manager

16. [15-0991](#) **Resolution in support of the proposed Barisi Village project**

Resolution in support of the proposed Barisi Village Project, which will result in the redevelopment of the vacant Pharaoh Valley Golf Course.

Sponsors: ACM - General Government and Operations Support

17. [15-0837](#) **Amending Type A Guidelines adopted in 2010**

Resolution adopting amended Corpus Christi Business and Job Development Corporation Guidelines and Criteria for Granting Business Incentives

Sponsors: Economic Development

O. ONE READING ACTION ITEM: (ITEM 18)

18. [15-0936](#) **Action item - Adopting the Fiscal Year 2016 Property Tax Rate**

Ordinance setting a property tax rate of \$0.606264 per \$100 valuation which is effectively a 9.37% increase over the effective tax rate; and declaring an emergency.

Sponsors: ACM - General Government and Operations Support and Financial Services Department

P. FIRST READING ORDINANCES: (ITEM 19 - 21)

19. [15-0949](#) First Reading Ordinance - Adopting Proposed FY 2015-2016 Operating Budget

Ordinance adopting the City of Corpus Christi budget for the ensuing fiscal year beginning October 1, 2015; to be filed with the County Clerk; appropriating monies as provided in the budget; and providing for severance.

Sponsors: Office of Management and Budget

20. [15-0956](#) First Reading Ordinance - Approving the Fiscal Year 2015 - 2016 Capital Budget and Capital Improvement Planning Guide

Ordinance approving the Fiscal Year 2015 - 2016 Capital Budget and Capital Improvement Planning Guide in the amount of \$190,587,200.

Sponsors: ACM - Public Works and Utilities, Office of Public Works and Capital Programs

21. [15-0986](#) First Reading Ordinance - Accepting and appropriating grant funds for Public Health Emergency Preparedness Laboratory Response Program

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the CPS-LABORATORY RESPONSE NETWORK-PHEP grant in the amount of \$201,123, from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to provide continued emergency preparedness and response laboratory activities for the contract period July 1, 2015, through June 30, 2016; and ratifying acceptance of the grant agreement to begin as of July 1, 2015.

Sponsors: Health Department

Q. FUTURE AGENDA ITEMS: (ITEMS 22 - 28)

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

22. [15-0975](#) Proposed FY2015-2016 Parks and Recreation Fees

Resolution adding new rental and recreational use fees for fiscal year 2015-2016 and providing for publication; effective date; and severance of the same.

Sponsors: Parks and Recreation Department and Office of Management and Budget

23. [15-0938](#) **Authorizing an outside city limits water contract, located at 746 Mckinzie Road**

Resolution authorizing the City Manager or his designee to enter into an outside city limits water contract with Richard & Vicky Ranly to provide public water to their property located outside the city limits described as Rowena Shaeffer Lands, 21.00 Acres of Land out of a 100 Acre Tract out of B.S. & F., Lots 1 & 2; also commonly known by its street address as 746 Mckinzie Road under Section 55-111, Code of Ordinances.

Sponsors: Development Services

24. [15-0939](#) **Professional Services Contract - Amendment No. 1 for the Ocean Drive Park Improvements - Swantner Park (Bond 2012)**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to the Contract for Professional Services with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$113,900.00, for a total revised fee of \$150,900.00 for Ocean Drive Park Improvements - Swantner Park, for design and bid phase services. (Bond 2012)

Sponsors: Capital Programs and Parks and Recreation Department

25. [15-0950](#) **Engineering Change Order No. 1 for Navigation Boulevard from Up River Road to Leopard Street (Bond 2012)**

Motion authorizing the City Manager, or designee, to execute Change Order No. 1 to a construction contract as a final settlement with Reytec Construction Resources, Inc. of Houston, Texas in the amount of \$235,000.00 for the Navigation Boulevard from Up River Road to Leopard Street project. (Bond 2012)

Sponsors: Office of Public Works and Capital Programs

26. [15-0965](#) **Approval of Professional Services Contracts, Capital Programs Staff Augmentation**

Motion authorizing the City Manager, or designee, to execute Professional Services Agreements (PSAs) totaling in the amount of \$2,596,695 to provide necessary staff augmentation to the Capital Programs Department.

Sponsors: Office of Public Works

27. [15-0911](#) **Upgrade Kronos Time Reporting System to Version 8**

Resolution authorizing the City Manager, or designee, to execute a conversion implementation agreement and a 36-month hosting services agreement with Kronos for a combined total of \$366,421.78, (\$118,394.76 annually for three years and a one-time cost of

\$11,237.50) to upgrade the existing Kronos time reporting system, with the hosting agreement to renew annually subject to sufficient appropriations and payment of hosting fees. Funds are available in the Municipal Information Systems Department FY2014-2015 budget.

Sponsors: Municipal Information Systems, Financial Services Department and Legal Department

28. [15-1029](#) **Assessment of the Efficiency and Effectiveness of the City of Corpus Christi's Financial Services Department**

Motion authorizing the City Manager or designee to execute a consultant agreement with CliftonLarsonAllen LLP. (CLA) to assess the efficiency and effectiveness of the City of Corpus Christi Financial Services Department for an amount not to exceed \$168,000. Funding is available in the Financial Services Department Budget for fiscal year 2014/2015.

Sponsors: Office of Strategic Management

R. **BRIEFINGS: (ITEM 29)**

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.

29. [15-0967](#) **RESTORE Act**

Sponsors: Environmental and Strategic Initiatives and Intergovernmental Relations

S. **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.

T. **ADJOURNMENT**