



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, February 9, 2016

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 Reverend Bruce Wilson, Church of Reconciliation.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Sue Harris - Call Center Lead, Communications.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [16-0156](#) Arts & Cultural Commission's Recognition of the 2016 Arts Grant Recipients and Check Presentation**

- 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 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. 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. CITY SECRETARY'S REPORT

I. MINUTES:

- 2. [16-0157](#) Regular Meeting of January 26, 2016.**

J. BOARD & COMMITTEE APPOINTMENTS:

- 3. [16-0161](#) Building Code Board of Appeals
Corpus Christi Convention and Visitors Bureau
Corpus Christi Regional Transportation Authority
Electrical Advisory Board
Mechanical/Plumbing Advisory Board**

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 - 6)

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. [16-0107](#) Second Reading Ordinance - Lease Agreement for Buc Days Festival for years 2016-2020 (1st Reading 1/26/16)

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Buccaneer Commission, Inc. for 2016-2020 Buc Days Festival and related activities to allow use of City property including areas bounded by Kinney Street, North Shoreline Boulevard, South Shoreline Boulevard, and Park Avenue, including adjacent parking lots and also including the Bayfront Park located along Shoreline Boulevard between Resaca Street and Power Street with payment of fees not to exceed \$37,000 in years 2016-2018, and \$40,000 in years 2019-2020.

Sponsors: Parks and Recreation Department

5. [16-0057](#) Second Reading Ordinance - Accepting and appropriating the reimbursement grant funds for FY 2015 for the Home Delivered Meals Program (1st Reading 1/26/16)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a \$165,282 grant in Managed Care funds from the Area Agency on Aging of the Coastal Bend in the No. 1067 Parks and Recreation Grants fund for the FY 2015 Senior Community Services, Home Delivered Meals Program.

Sponsors: Parks and Recreation Department

6. [15-0827](#) Second Reading Ordinance - Appropriating funds and executing an Interlocal Agreement, an Advance Funding Agreement, and a Master Services Agreement for traffic improvements along Spur 3 Corridor (Ennis Joslin Road) from SH 358 (South Padre Island Drive) to Ocean Drive (1st Reading 1/26/16)

Ordinance appropriating funds in the amount of \$100,000 and authorizing the City Manager or designee to execute an Interlocal Cooperation Agreement with Texas A & M University - Corpus Christi

(TAMU-CC); to execute an Advance Funding Agreement with the Texas Department of Transportation (TXDOT) with a required payment to TXDOT in the amount of \$18,120; and to execute Master Service Agreement with Maldonado-Burkett Intelligent Transportation Systems, LLP (MBITS) in an amount not to exceed \$547,275.87 for the design of traffic improvements citywide.

Sponsors: Office of Public Works and Engineering Services

M. EXECUTIVE SESSION: (ITEMS 7 - 10)

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.

7. [16-0185](#) **Executive session pursuant to Texas Government Code § 551.074** (personnel matters) to deliberate employment issues concerning the City Manager.
8. [16-0159](#) **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining matters and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters Association.
9. [16-0153](#) **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 housing tax credit projects and the provision of affordable housing.
10. [16-0123](#) **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 extraterritorial jurisdiction and City boundaries, including, but not limited to, annexation and rights and remedies pursuant to Chapter 43 of the Texas Local Government Code, and certificates of convenience and necessity.

N. PUBLIC HEARINGS: (ITEMS 11 - 14)

11. [16-0134](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 11330 Leopard Street**

Case No. 0116-03 Fantozzi, Ltd.: A change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District. The property is described as Lot 4, Block 1, Wal-Mart Subdivision, located

on the north side of Leopard Street between Violet Road and Hart Road.

Planning Commission and Staff Recommendation (January 13, 2016):

Denial of the change of zoning to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit for limited industrial uses, subject to a site plan and nine conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Fantozzi, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to Lot 4, Block 1, Wal-Mart Subdivision, from the "CG-2" General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

12. [16-0137](#)

Public Hearing and First Reading Ordinance - Rezoning property located at 437 Opportunity Drive

Case No. 0116-01 Mint Business Professionals, LLC: A change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District. The property is described as Lot 61, Block 3, 100 South Padre, located on the southwest corner of Enterprize Parkway and Opportunity Drive.

Planning Commission and Staff Recommendation (January 13, 2016):

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 Mint Business Professionals, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 61, Block 3, 100 South Padre, 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

13. [16-0138](#)

Public Hearing and First Reading Ordinance - Rezoning property located at 1914 Lipan Street

Case No. 0116-02 City of Corpus Christi: A change of zoning from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District. The property is described as Lot 5A, Block 4, Brennan Addition, located on the north side of Lipan Street between Coke Street and 19th Street.

Planning Commission and Staff Recommendation (January 13, 2016):
Approval of the change of zoning from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by the City of Corpus Christi ("Owner"), by changing the UDC Zoning Map in reference to Lot 5A, Block 4, Brennan Addition, from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

14. [16-0136](#) **Public Hearing and First Reading Ordinance - Amending the Unified Development Code to update regulations and improve implementation**

Ordinance amending the Unified Development Code by revising subsection 1.11.3 "Defined Terms", table 4.3.2 "Permitted Uses", table 4.3.3 "Residential Development Standards (Single-Family Districts)", table 4.3.4 "Housing Types", subsections 5.1.2.A "Household Living", 5.5.3.E.6 "Setbacks (for) Wireless Telecommunication Facilities", 7.5.3.A.1 "Single Tenant Freestanding Sign", 7.5.3.C.1 "Multi-tenant(3 or more tenants) Freestanding Sign", 7.5.27.D.10 "Definition (of) Legible", 8.2.1.B.3 "Street Right-of-Way Dimensional Standards", table 8.2.1.C "Non-Local Street Standards", and table 8.2.1.D "Rural Street Standards" providing for severance; providing for penalties; providing for publication; and providing for an effective date.

Sponsors: Development Services

O. **REGULAR AGENDA: (ITEMS 15 - 18)**

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

15. [16-0105](#) **Resolution approving Street Preventative Maintenance Program (SPMP) Year 3 Annual Work Plan**

Resolution approving the concepts, direction, and general work plan for the third year of the Street Preventative Maintenance Program (SPMP) - the 2016 SPMP Work Plan

Sponsors: Office of Public Works and Street Department

16. [15-1174](#) **Engineering Design Amendment No. 1 for the Citywide Street Preventative Maintenance Program Year 3**

Motion authorizing the City Manager, or designee, to develop a year three work plan by executing Amendment No. 1 with Coym, Rehmet & Gutierrez Engineering, L.P. of Corpus Christi, Texas in the amount not

to exceed \$867,370.00 for a restated fee for not to exceed \$916,735.00 for the Citywide Street Preventative Maintenance Program (SPMP) Year 3 project.

Sponsors: Street Department and Engineering Services

17. [16-0092](#) **Resolution approving an Agreement for the Adjustment of Corpus Christi Municipal Utilities in Connection with the US 181 Harbor Bridge Replacement Project**

Resolution authorizing the City Manager or designee to execute the Agreement for the Adjustment of the City Utilities in connection with the US 181 Harbor Bridge Replacement Project

Sponsors: Office of Public Works and Engineering Services

18. [16-0152](#) **Discussion regarding Initiative Proceedings and Consideration of an Ordinance proposed by citizen's initiative to require the Chief of Police to issue guidelines providing for citation, instead of arrest, of some persons accused of specified Class A and Class B misdemeanor offenses**

Discussion on Initiative Proceedings and consideration of an Ordinance amending the Code of Ordinances, Chapter 43, Police, by adding Section 43-12 authorizing guidelines regarding the issuance of citations for certain Class A and Class B misdemeanor offenses as allowed under Texas Code of Criminal Procedure Article 14.06 (c) and (d).

Sponsors: City Secretary's Office

P. FIRST READING ORDINANCES: (ITEMS 19 - 24)

19. [16-0139](#) **First Reading Ordinance - Accepting and appropriating the FY 2016 Local Border Security Program (LBSP) Grant**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$90,000 from the State of Texas Governor's Homeland Security Grants Division for funding eligible under the FY2016 Local Border Security Program (LBSP) grant to reimburse overtime, fringe benefits, and mileage; and appropriating the \$90,000 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

20. [16-0110](#) **First Reading Ordinance - Accepting and appropriating grant funds for the Hazardous Materials Emergency Preparedness (HMEP) grant program**

Ordinance authorizing the City Manager, or designee, to execute all documents necessary to accept a grant of services budgeted for \$70,000 from Texas Department of Public Safety, Governor's Division of Emergency Management, for FY 2016 Hazardous Materials Emergency

Preparedness (HMEP) grant program to conduct an update to the 2010 Commodity Flow Study with a hard match of \$14,000; appropriating the \$14,000 in the Local Emergency Planning Committee (LEPC) Fund No. 6060; and changing the FY 2015-16 Operating budget adopted by Ordinance No. 030620 by increasing expenditures in the Local Emergency Planning Committee Fund No. 6060 by \$14,000.

Sponsors: Fire Department

21. [16-0010](#) **First Reading Ordinance - Appropriating funds for the repair of Medic Unit 3**

Ordinance appropriating \$8,593.79 received from the Texas Municipal League Intergovernmental Risk Pool into the General Fund No. 1020 to repair Medic Unit 3; and changing the FY 2015-16 Operating Budget adopted by Ordinance No. 030620 by increasing revenue and expenditures in the General Fund No. 1020 by \$8,593.79.

Sponsors: Fire Department

22. [15-0772](#) **First Reading Ordinance - Accepting and appropriating grant for the Senior Companion Program (SCP)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant awarded by the Corporation for National and Community Service in the amount of \$60,060 for the Senior Companion Program; appropriating the \$60,060 grant in the No. 1067 Parks and Recreation Grants Fund for the Senior Companion Program.

Sponsors: Parks and Recreation Department

23. [16-0124](#) **First Reading Ordinance - Appropriating funds for a Master Services Agreement for Capital Improvement Program Projects at the Corpus Christi International Airport (CCIA)**

Ordinance to appropriate and transfer \$1,500,000 from Fund 4610 Airport Unreserved Fund Balance to Fund 3018 Airport Capital Reserve, amending the FY 2016 Operating Budget adopted by Ordinance No. 030620 and authorizing the City Manager or designee to execute Master Services Agreements with Garver, LLC and KSA Engineers, Inc. to provide professional services for the Corpus Christi International Airport.

Sponsors: Engineering Services and Aviation Department

24. [16-0145](#) **First Reading Ordinance - Clarifying the definition of taxicab to include Transportation Network companies**

Ordinance amending Chapter 57, Section 57-20 of the Corpus Christi Code of Ordinance to clarify the definition of "taxicab" to clearly specify that drivers for transportation network companies are subject to the City's taxicab regulations; and providing for severance, publication,

penalty, and effective date.

Sponsors: Legal Department

Q. FUTURE AGENDA ITEMS: (ITEMS 25 - 28)

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

- 25. [16-0126](#) Resolution authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018 and obligate City to purchase electricity pursuant to said agreement**

Resolution of the City Council of Corpus Christi, Texas authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018; authorizing TCAP to act as an agent on behalf of the City to enter into a contract for electricity; authorizing Jay Doegey or Ronald L. Olson or Tom Tagliabue or Constance Sanchez to execute an electric supply agreement for deliveries of electricity effective January 1, 2018 and committing to budget for energy purchases in 2018 through 2022 and to honor the City's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP.

Sponsors: Legal Department, Intergovernmental Relations and Financial Services Department

- 26. [16-0125](#) Approving Amendment No.1 for the Ocean Drive Park Improvements - Cole Park (Bond 2012)**

Motion authorizing the City Manager, or designee, to continue design services through executing Amendment No. 1 to the Contract for Professional Services with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$120,000, for a total revised fee of \$131,500 for Ocean Drive Park Improvements - Cole Park, for design, bid and construction phase services.(Bond 2012)

Sponsors: Engineering Services and Parks and Recreation Department

- 27. [16-0150](#) Appointing Financial Advisor for Certificates of Obligation**

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the of City of Corpus Christi, Texas, Combination Tax and Limited Pledge Certificates of Obligation, Series 2016A in an amount not to exceed \$20,000,000.

Sponsors: Financial Services Department

- 28. [16-0151](#) Resolution authorizing publication of Notice of Intention to issue Certificates of Obligation**

Resolution by the City Council of the City of Corpus Christi, Texas,

authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

Sponsors: Financial Services Department

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. [16-0140](#) Strategic Plan for Active Mobility, Phase 1 Bicycles
Presented by Jeff Pollack, Transportation Planning Director for
Metropolitan Planning Organization**

Sponsors: Engineering Services

S. ADJOURNMENT