



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, February 16, 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 Chaplain Lynne Blackler, CHRISTUS Spohn Health System.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Stacie Talbert Anaya - Interim Director of Parks and Recreation Department.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [16-0195](#) Proclamation declaring February 14-20, 2016, "National LULAC Week".
Proclamation declaring February 21-27, 2016, "National Engineers' Week".
Swearing-In Ceremony of 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 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. MINUTES:

2. [16-0194](#) Regular Meeting of February 9, 2016.

I. BOARD & 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 3 - 12)

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. [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

4. [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

5. [16-0134](#) **Second Reading Ordinance - Rezoning property located at 11330 Leopard Street (1st Reading 2/9/16)**

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

6. [16-0137](#) **Second Reading Ordinance - Rezoning property located at 437 Opportunity Drive (1st Reading 2/9/16)**

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

7. [16-0138](#) **Second Reading Ordinance - Rezoning property located at 1914 Lipan Street (1st Reading 2/9/16)**

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

8. [16-0139](#) **Second Reading Ordinance - Accepting and appropriating the FY 2016 Local Border Security Program (LBSP) Grant (1st Reading 2/9/16)**

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

9. [16-0110](#) **Second Reading Ordinance - Accepting and appropriating grant funds for the Hazardous Materials Emergency Preparedness (HMEP) grant program (1st Reading 2/9/16)**

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

10. [16-0010](#) **Second Reading Ordinance - Appropriating funds for the repair of Medic Unit 3 (1st Reading 2/9/16)**

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

11. [15-0772](#) **Second Reading Ordinance - Accepting and appropriating grant for the Senior Companion Program (SCP) (1st Reading 2/9/16)**

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

12. [16-0124](#) **Second Reading Ordinance - Appropriating funds for a Master Services Agreement for Capital Improvement Program Projects at the Corpus Christi International Airport (CCIA) (1st Reading 2/9/16)**

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

L. EXECUTIVE SESSION: (ITEM 13)

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.

13. [16-0196](#) **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.**

M. PUBLIC HEARINGS: (NONE)

N. REGULAR AGENDA: (ITEMS 14 - 16)

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

14. [16-0136](#) **Second Reading Ordinance - Amending the Unified Development Code to update regulations and improve implementation (1st Reading 2/9/16)**

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.

Sponsors: Development Services

15. [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 \$18,140,037.

Sponsors: Financial Services Department

16. [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

O. **FIRST READING ORDINANCES: (ITEMS 17 - 18)**

17. [16-0146](#) **First Reading Ordinance - Appropriating reimbursement funds from the Texas State Library and Archives Commission**

Ordinance appropriating reimbursement received from the Texas State Library and Archives Commission for participation in Interlibrary Loan Program in the amount of \$16,972.92 into the Library Grant Fund No. 1068 to be used for library technology services; and increasing expenditures in the Library Grant Fund No. 1068 by \$16,972.92.

Sponsors: Libraries

18. [16-0172](#) **First Reading Ordinance - Accepting and appropriating donation and approving Contract Change Order No. 1 for the Development & Improvements at HEB Tennis Center and Al Kruse Tennis Center (Bond 2012)**

Ordinance accepting and appropriating a donation in the amount of

\$100,000 from the Corpus Christi Tennis Association in Fund No. 3280 for the HEB and Al Kruse Tennis Centers; changing the FY 2016 Capital Improvement Budget adopted by Ordinance No. 030621 to increase revenues and expenditures by \$100,000; and authorizing the City Manager, or designee, to execute Change Order #1 with Safenet Services, LLC. of Corpus Christi, Texas in the amount of \$390,873.00 for the HEB and Al Kruse Tennis Centers for the replacement and reconstruction of the elevated viewing platform at the HEB Tennis Center. (Bond 2012)

Sponsors: Parks and Recreation Department and Engineering Services

P. FUTURE AGENDA ITEMS: (ITEMS 19 - 31)

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

19. [16-0141](#) Resolution approving the submission of a grant application for funding available under the Violence Against Women Act (VAWA) Fund

Resolution authorizing the submission of a grant application in the amount of \$46,226.82 to the State of Texas, Criminal Justice Division, for funding available under the Violence Against Women Act (VAWA) fund for the Police Department's Family Violence Unit with a city match of \$20,000.52, an in-kind match of \$6,900.00, for a total project cost of \$73,127.34; and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

Sponsors: Police Department

20. [16-0154](#) Resolution approving the submission of a grant application for funding available under the Victims of Crime Act (VOCA) Fund

Resolution authorizing the submission of a grant application in the amount of \$179,149.24 to the State of Texas, Criminal Justice Division for funding available under the Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit to continue the Victim Outreach Program with a city match of \$21,340 and \$40,480 in-kind services, for a total project cost of \$240,969.24; and authorizing the City Manager or designee to apply for, accept, reject, alter or terminate the grant.

Sponsors: Police Department

21. [16-0203](#) Resolution authorizing the purchase of an Eco-Filter System for the Greenwood Wastewater Treatment Plant Emissions and Odor Control Improvement Project

Resolution authorizing the City Manager or designee to purchase an EcoFilter System from BioAir Solutions, LLC, of Voorhees Township, New Jersey, for a total cost of \$257,740 for the Greenwood Wastewater

Treatment Plant Emissions and Odor Control Improvement Project.

Sponsors: Water/Wastewater Treatment and Purchasing Division

22. [16-0142](#) **Approving a Construction Contract for the Navigation Boulevard Street project from Up River Road to Leopard Street (Bond 2012)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Clark Pipeline Services, LLC of Corpus Christi, Texas in the amount of \$7,808,705.83 and to execute a construction materials testing agreement with Rock Engineering and Testing Laboratory, Inc. of Corpus Christi, Texas in the amount of \$56,471.00 for the Navigation Boulevard Street project from Up River Road to Leopard Street for the Base Bid Part 2 (Hot Mix Asphaltic Concrete) BOND 2012.

Sponsors: Engineering Services, Street Department and Water/Wastewater Treatment

23. [16-0143](#) **Engineering Design-Build Contract for the J.C. Elliott Collection Center Building and Site Improvements**

Motion authorizing the City Manager, or designee, to execute a design build contract with SafeNet Services, LLC of Corpus Christi, Texas for the J. C. Elliott Collection Center Building and Site Improvements project in the amount of \$904,375 for the total base bid and additive alternate 1.

Sponsors: Engineering Services and Solid Waste Operations

24. [16-0155](#) **Approving two Real Estate Sales Contracts for aquisition of right of way for the County Road 52, Phase 2, Extension Project (Bond 2012)**

Motion authorizing the City Manager or designee to execute Real Estate Sales Contracts with **Nueces Electric Cooperative, Inc. (NEC)** in the amount of \$715,980 plus \$6,000 in estimated closing costs for acquisition of Parcel 1 and with **Solomon Abdo and A.L. Hernden** in the amount of \$128,350 plus \$2,300 in estimated closing costs for acquisition of Parcel 2, for a total expenditure of \$852,630 for both parcels, for the purpose of acquiring fee simple surface rights to two tracts of land containing a total of 11.57 acres including 2,400 linear feet of existing paved road improvements across the NEC property, both located 0.6 miles south of Northwest Boulevard (FM624) and west of FM 1889, required for the construction of the County Road 52 Extension Project - CR69 to FM 1889. (Bond 2012)

Sponsors: Engineering Services

25. [16-0186](#) **Resolution in support of the Avanti at Calallen Apartments an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs**

(TDHCA) (Related Items 25 - 29)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as the Avanti at Calallen Apartments to be developed by MDS Housing Leopard, Ltd.

Sponsors: Housing and Community Development

26. [16-0212](#)

Resolution in support of Calallen Apartments an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Calallen Apartments to be developed by ProsperaHCS Calallen, LP.

Sponsors: Housing and Community Development

27. [16-0213](#)

Resolution in support of Cayetano Villas of Calallen Apartments an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Cayetano Villas of Calallen Apartments to be developed by Cayetano Housing and Development.

Sponsors: Housing and Community Development

28. [16-0214](#)

Resolution in support of Mar Bella Providence Apartments an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as the Mar Bella Providence Apartments to be developed by the ITEX Group, LLC.

Sponsors: Housing and Community Development

29. [16-0215](#)

Resolution in support of Samuel Place Apartments an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Samuel Place Apartments to be developed by TG 110 Samuel Place, LP.

Sponsors: Housing and Community Development

30. [16-0188](#)

Resolution identifying the project known as Samuel Place Apartments located at 4315 Carroll Lane, in the City Central

Corridor Community Revitalization Plan which will contribute to revitalization efforts

Resolution of the City Council of the City of Corpus Christi, Texas identifying the project known as Samuel Place Apartments as a development that will contribute most significantly to the concerted revitalization efforts of the City in the City Central Corridor; and providing for an effective date.

Sponsors: Housing and Community Development

31. [16-0120](#) **Resolution authorizing the submission of a grant application in the amount of up to five million dollars (\$5,000,000) to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program**

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of up to five million dollars (\$5,000,000) to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program.

Sponsors: Intergovernmental Relations

Q. **BRIEFINGS: (ITEM 32)**

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.

32. [16-0147](#) **Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Economic Update**

Sponsors: Economic Development

R. **ADJOURNMENT**