



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, March 8, 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 Deacon Michael Mantz, Diocese of Corpus Christi.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Annette Rodriguez, Director of Public Health.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [16-0275](#)** Proclamation declaring March 6-12, 2016, "Harbor Playhouse Week".
Proclamation declaring March 11, 18, & 25, 2016, "Fill-The-Boot for the Muscular Dystrophy Association Days".
Proclamation declaring March 19, 2016, "Vestido Rojo 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 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. [16-0266](#) Regular Meeting of February 23, 2016.

I. BOARD & COMMITTEE APPOINTMENTS:

3. [16-0276](#) Building Standards Board
Civil Service Commission
Civil Service Board
Committee for Persons with Disabilities
Island Strategic Action Committee
Planning Commission

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 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. [16-0200](#) **Approving a Developer Participation Agreement to reimburse the developer for the City's cost to extend North Oso Parkway located south along Holly Road, east of Ennis Joslin Road and south of Paul Jones Avenue.**

Resolution authorizing the City Manager or designee to execute a developer participation agreement with MPM Development, L.P., ("Developer"), to reimburse the Developer up to \$208,946.10 for the City's share of the cost to extend North Oso Parkway, in accordance with the Unified Development Code.

Sponsors: Development Services

5. [16-0181](#) **Approving a contract for Texas Electronic Registration Remote System access for issuing birth certificates**

Motion authorizing the City Manager or his designee to execute a contract with the Department of State Health Services (DSHS) for the period 9/1/2015 through 8/31/2017 to provide the Corpus Christi-Nueces County Public Health District (CCNCPHD) access to the Texas Electronic Registration Remote System (TER Remote System) for the purpose of issuing individual birth certificates, and pay DSHS a fee of \$1.83 for each Certification of Vital Record printed as a result of searches of the database; and ratifying acceptance of the contract to begin September 1, 2015.

Sponsors: Health Department

6. [16-0182](#) **Resolution approving a Data Usage Agreement (DUA) with the Texas Health and Human Services Enterprise agencies to facilitate creation, receipt, maintenance, use, disclosure or access to confidential information with the Health District**

Resolution authorizing the Director of the Corpus Christi Nueces County Public Health District (CCNCPHD), to sign on behalf of the City of Corpus Christi for the CCNCPHD, a Data Use Agreement and its Attachment A with the Texas Health and Human Services Enterprise agencies to facilitate creation, receipt, maintenance, use, disclosure or

access to confidential information with the CCNCPHD and describe the CCNCPHD's rights and obligations with respect to the confidential information pursuant to 45 CFR 164.504(e)(1)-(3), for the contract period beginning on the date of execution and ending upon termination of the base contracts listed in Exhibit A.

Sponsors: Health Department

7. [16-0168](#) **Approving Amendment No. 1 to the Engineering contract for the Laguna Shores Road Force Main Replacement**

Motion authorizing the City Manager or designee to proceed with design phase work by executing Amendment No. 1 with LJA Engineering, Inc. of Corpus Christi, Texas in the amount of \$479,977.31 for a total restated fee not to exceed \$529,817.31 for Laguna Shores Road Force Main Replacement.

Sponsors: Engineering Services and Water/Wastewater Treatment

8. [16-0204](#) **Second Reading Ordinance - Amending the City Code regarding campfires on Gulf of Mexico Beaches (1st Reading 2/23/16)**

Ordinance Amending the Code of Ordinances Section 10-67 regarding campfires on Gulf of Mexico Beaches; providing for penalties; providing for severance; and providing for publication.

Sponsors: Parks and Recreation Department

9. [16-0236](#) **Second Reading Ordinance - Appropriating funds for the purchase of security equipment at the American Bank Center (1st Reading 2/23/16)**

Ordinance appropriating \$176,500 from the unreserved fund balance in the No. 1130 Arena Facility Fund and transferring to and appropriating in the No. 4710 Visitors Facility Fund for the purchase of security equipment at the American Bank Center; and amending the FY 2015-2016 operating budget adopted by Ordinance No. 030620 to increase expenditures in the Arena Facility Fund by \$176,500 and increase expenditures in the Visitors Facility Fund by \$176,500 each.

Sponsors: Business Liaison

10. [16-0201](#) **Second Reading Ordinance - Approving a Reimbursement Agreement and appropriating funds for the construction of water arterial transmission and grid main line located south along Holly Road, east of Ennis Joslin Road and south of Paul Jones Avenue (1st Reading 2/23/16)**

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, L.P. ("Developer"), for the construction of a water arterial transmission and grid main line

and appropriating \$97,133.33 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

L. EXECUTIVE SESSION: (ITEMS 11 - 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.

11. [16-0265](#) **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.
12. [16-0245](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning litigation and other legal matters related to *Adam Balle vs. City of Corpus Christi, Nueces County, Texas, CCPD Officer A Salinas or A. Salinas #9163 and CCPD Officer Perriraz #8738 and CCPD Officer A Salinas #1362 Ten John Doe Defendants and Ten Jane Doe Defendants*, pending in the District Court of the U.S. Southern District of Texas Corpus Christi Division.
13. [16-0274](#) **Executive Session pursuant to Texas Government Code § 551.074** (Personnel Matters) to discuss the evaluation and duties of public officers or employees, including, but not limited to, Judges of the Corpus Christi Municipal Court.

M. PUBLIC HEARINGS: (NONE)

N. REGULAR AGENDA: (ITEM 14)

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

14. [16-0237](#) **Second Reading Ordinance - Amending the City Code to establish Article VI. - Transportation Network Companies (1st Reading 2/23/16)**

Ordinance Amending Chapter 57 of the Corpus Christi Code of Ordinances to establish Article VI. - Transportation Network Companies;

and providing for severance, publication, penalty, and an effective date.

Sponsors: Legal Department

O. FIRST READING ORDINANCES: (ITEMS 15 - 17)

15. [16-0258](#) First Reading Ordinance - Second Amendment to Lease for Atlantic Aviation to extend term for fifteen years (Requires 28 Day Delay)

Ordinance authorizing the City Manager, or designee, to execute a second amendment to the lease between Mercury Air Center - Corpus Christi, Inc., dba Atlantic Aviation ("Atlantic"), Atlantic Aviation FBO Holdings, LLC ("Atlantic Holdings"), and the City for completion of \$3,300,000 in capital improvements for an additional 15-year lease term; authorizing the execution of a short-term license agreement as part of the second amendment; and providing for severance, publication, and an effective date.

Sponsors: Aviation Department

16. [16-0173](#) First Reading Ordinance - Appropriating funds and executing agreement for replacement of the covered parking canopy and hardware at the Corpus Christi International Airport

Ordinance appropriating \$178,000 from the unreserved fund balance in the No. 4610 Airport Fund for replacement of the covered parking canopy fabric and hardware at the Corpus Christi International Airport ("Airport"); amending the FY2016 Operating Budget adopted by Ordinance No. 030620 to increase expenditures by \$178,000; and authorizing the City Manager or designee to execute an agreement for \$177,132 with USA Shade & Fabric Structures for this turnkey project at the Airport.

Sponsors: Aviation Department

17. [16-0257](#) First Reading Ordinance - Approving an agreement and appropriating funds to reimburse the developer for the construction of water arterial transmission and grid main line located east of Cimarron Boulevard, south of Yorktown and west of Salsa Drive

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with Ata O. Azali, LLC., ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$96,617.67 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

P. FUTURE AGENDA ITEMS: (ITEMS 18 - 23)

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

18. [16-0256](#) **Approving a Developer Participation Agreement to reimburse the developer for the City's cost to extend Oso Parkway east of Cimarron Boulevard located south of Yorktown and west of Salsa Drive**

Resolution authorizing the City Manager or designee to execute a developer participation agreement with Ata O. Azali, LLC., ("Developer"), to reimburse the Developer up to \$224,662.67 for the City's share of the cost to extend Oso Parkway, in accordance with the Unified Development Code.

Sponsors: Development Services

19. [16-0264](#) **Resolution authorizing the execution of an interlocal agreement for park improvements at West Haven Park**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with Nueces County for park improvements at West Haven Park located near intersection of Cliff Maus Drive at Rockford Drive.

Sponsors: Parks and Recreation Department

20. [15-1357](#) **Resolution awarding service agreements for Bayfront Parks and Medians Turf and Grounds Maintenance**

Resolution awarding service agreements to the lowest responsible bidder for each acreage group in response to Bid Event No. 82; and authorizing the City Manager or designee to execute all documents related to this bid award totaling up to \$216,279.35. Funds have been budgeted by the Parks and Recreation Departments in FY 2015-2016.

Sponsors: Parks and Recreation Department and Purchasing Division

21. [16-0252](#) **Authorizing execution of Change Order No. 5 for the McArdle Road Improvements from Ennis Joslin Road to Whitaker Drive project (BOND 2012)**

Motion authorizing the City Manager, or designee, to provide for the installation of a new traffic signal by executing Change Order No. 5 to a construction contract with Reytec Construction Resources, Inc. of Corpus Christi, Texas in the amount of \$286,512.96 for a restated fee of \$11,098,692.16 for the McArdle Road Improvements from Ennis Joslin Road to Whitaker Drive. (BOND 2012)

Sponsors: Street Department and Engineering Services

22. [16-0235](#) **Design - Build Agreement for Bayshore Park (Bond 2008 Proposition 7)**

Motion authorizing the City Manager, or designee, to execute a Design - Build Agreement with Fulton Coastcon General Contractors of Corpus Christi, Texas in the amount of \$5,080,000 for the Bayshore Park project as part of the Bond 2008 Proposition 7 Bayfront Development Plan Phase 3 project.

Sponsors: Engineering Services and Parks and Recreation Department

23. [16-0251](#) **Authorizing execution of an Engineering Design Contract for the design of traffic signals approved in the 2014 Highway Safety Improvement Program grant**

Motion authorizing the City Manager or designee to execute the engineering design, bid and construction phase services contract with Maldonado-Burkett Intelligent Transportation Systems, LLP (MBITS) of Corpus Christi, Texas in the amount of \$668,956.56 for the design of traffic signals approved in the 2014 Highway Safety Improvement Program grant.

Sponsors: Street Department and Engineering Services

Q. **BRIEFINGS: (NONE)**

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.

R. **PUBLIC INTERVIEWS FOR COUNCIL MEMBER AT-LARGE VACANCY**
(To be held at approximately 3:00 p.m.)

The City Council will conduct public interviews with the finalists for the vacant Council Member At Large position. No public comment will be solicited. After the interviews, the Council will go into executive session to deliberate, and then will announce their selection in open session.

24. [16-0273](#) **Executive Session pursuant to Texas Government Code § 551.074 (Personnel Matters) to discuss the appointment, employment, and duties of public officers or employees, including, but not limited to, members of the City Council.**

S. **ADJOURNMENT**