



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, March 29, 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 Pastor Claude Axel, Mount Pilgrim Baptist Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Dan Grimsbo, Interim Director of Water & Utilities.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [16-0345](#) Proclamation declaring April 2, 2016, "17th Annual Celebration of Cesar Chavez Day".
Proclamation declaring April 9, 2016, "Earth Day-Bay Day" and April 2016 "Earth Month".
Proclamation declaring April 12, 2016, "National Equal Pay Day".
Proclamation declaring April 10-16, 2016, "National Public Safety Telecommunicators Week".
Proclamation declaring April 2016, "Senior Citizen Month".
Check Presentation to the City of Corpus Christi by Tom Schmid, President & CEO, Texas State Aquarium.
Swearing-in Ceremony for 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. [16-0346](#) Special Meeting of March 7, 2016 and Regular Meeting of March 8, 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.

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K. CONSENT AGENDA: (ITEMS 3 - 8)

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. [16-0256](#) **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

4. [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

5. [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

6. [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

7. [16-0173](#) **Second Reading Ordinance - Appropriating funds and executing agreement for replacement of the covered parking canopy and hardware at the Corpus Christi International Airport (1st Reading 3/8/16)**

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

8. [16-0257](#) **Second 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 (1st Reading 3/8/16)**

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

L. **EXECUTIVE SESSION: (ITEMS 9 - 11)**

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.

9. [16-0349](#) **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.
10. [16-0340](#) **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 conveyance,
lease, and sale of City property and pursuant to Texas Government
Code § 551.072 to discuss and deliberate the purchase, exchange,
lease, and value of real property located at the following addresses
when deliberation in open meeting would have a detrimental effect on
the position of the governmental body in negotiations with a third
person: 6746 Aaron known as Acushnet Park; 4017 Capitol known as
Congress Park; 6113 Durant known as Durant Park; 5151 McArdle
known as Mt. Vernon Park; 1750 Paul Jones known as Peary Park;
5730 Malden known as Ridgewood Park; 4301 Violet Road known as
Violet Park; 11418 Willowood known as Willow Park; 12650 Figueroa
known as San Carlos Park; 4302 Aaron known as Penn Place Park;
4600 Arlene known as Parklane Park; 1323 W. Broadway known as
Cabra Park; 4938 Moody known as Fountain Park; and 7244 Prairie
known as Creekway Park.
11. [16-0341](#) **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 proposed
improvements to the Park Road 22 canal and pursuant to Texas Gov't
Code § 551.087 to discuss confidential commercial or financial
information pertaining to entities that the City seeks to have locate, stay
or expand within the City limits along Park Road 22 and with which the
City is conducting economic development negotiations and to deliberate
possible offers of financial or other incentives to said business
prospect(s)

M. PUBLIC HEARINGS: (ITEM 12)

12. [16-0302](#) **Public Hearing and First Reading Ordinance - Rezoning property
located at 14601 Northwest Boulevard**
- Case No. 0216-01 IHS Consultants, LP: A change of zoning from the
"FR" Farm Rural District to the "CG-2" General Commercial District. The
property is described as being 6.709 acres out of the East ½ of the East
½ of Lot 3, Block 2, Nueces River Irrigation Park, located near the
southwest corner of Northwest Boulevard (FM 624) and River Hill Drive.
- Planning Commission and Staff Recommendation (February 24, 2016):
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 IHS Consultants, LP ("Owner"), by changing the UDC Zoning Map in reference to a 6.709-acre tract of land out of the East ½ of the East ½ of Lot 3, Block 2, Nueces River Irrigation 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

N. REGULAR AGENDA: (ITEMS 13 - 15)

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

13. [16-0361](#) One Reading Action Item - Request by Petitioners to Repeal Ordinance Regarding Transportation Network Companies

Ordinance considering a request by petitioners, pursuant to Article I, Section 4 of the City Charter to repeal Ordinance No. 030788 which amended Chapter 57 of the Code of Ordinances regarding transportation network companies; repealing adopted ordinance; providing for publication; and declaring an emergency.

Sponsors: City Secretary's Office and Legal Department

14. [16-0121](#) One Reading Action Item - Resolution honoring the Coastal Bend Council of Governments on its 50th anniversary.

Resolution honoring the Coastal Bend Council of Governments on its 50th anniversary.

Sponsors: Intergovernmental Relations

15. [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

O. FIRST READING ORDINANCES: (ITEMS 16 - 25)

16. [16-0228](#) First Reading Ordinance - Accepting and appropriating grant funds for Internet Crimes Against Children (ICAC) Task Force program within the Police Department

Ordinance authorizing the City Manager or designee to execute all

documents necessary to accept a grant from the Office of the Attorney General for the Internet Crimes Against Children (ICAC) Task Force program, in the amount of \$5,200 to purchase equipment, supplies, and training travel for the ICAC program within the Police Department; and appropriating the \$5,200 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

17. [16-0253](#) **First Reading Ordinance - Accepting and appropriating a grant for the ASPCA (American Society for the Prevention of Cruelty to Animals) and Subaru "Share the Love" Rescue Ride project**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the American Society for the Prevention of Cruelty to Animals (ASPCA), in the amount of \$ 9,000 for the ASPCA and Subaru "Share the Love" Rescue Ride project; and appropriating the \$9,000 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

18. [16-0271](#) **First Reading Ordinance - Accepting and appropriating State funds for training and purchase of training equipment at the Police Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an annual allocation payment from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$27,494.93; and appropriating funds from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$27,494.93 in the No. 1061 Police Grants Fund for training of police personnel and purchase of training equipment.

Sponsors: Police Department

19. [16-0254](#) **First Reading Ordinance - Appropriating funds for "one-time" expenditures from Crime Control District for the Police Department**

Ordinance appropriating \$492,678 from the Unreserved Fund Balance in the No. 9010 Crime Control District Fund for "one-time" expenditures and amending the FY2015-16 Operating Budget adopted by Ordinance No. 030620 by increasing expenditures by \$492,678.

Sponsors: Police Department

20. [16-0261](#) **First Reading Ordinance - Accepting and appropriating Local funds for Emergency Planning**

Ordinance authorizing the City Manager or designee to accept and appropriate a contribution from the Industry Education Awareness Communication Committee in the amount of \$27,011.14 into the LEPC Fund No. 6060 to purchase resources to communicate and educate

Shelter-In-Place;and changing the FY 2015-16 Operating Budget adopted by Ordinance No. 030620 by increasing expenditures in the LEPC No. 6060 by \$27,011.14.

Sponsors: Fire Department

21. [16-0241](#) **First Reading Ordinance - Appropriating State Hotel Occupancy Tax revenues and establishing fiscal policy for the fund**

Ordinance appropriating \$2.9 million in estimated revenues from the State hotel tax revenue in the No. 1032 State Hotel Occupancy Tax Fund to be used for beach and bayfront maintenance, and safety and protection activities; amending the FY 2015-16 Operating Budget adopted by Ordinance No. 030620 by increasing expenditures by \$2,900,000.

Sponsors: Parks and Recreation Department

22. [16-0260](#) **First Reading Ordinance - Authorizing the City Manager or his designee to execute a License for Street Right of Way Use to construct a parking lot expansion project**

Ordinance authorizing the City Manager or his designee to execute a License for Street Right of Way Use with the B-Y 4918 Ayers, LTD. ("Licensee") to construct a parking lot expansion project to better serve the needs of Ayers Plaza Shopping Center tenants in full compliance with the City of Corpus Christi and with the approval of the Texas Department of Transportation, subject to the Licensee' compliance with specified conditions.

Sponsors: Development Services

23. [16-0312](#) **First Reading Ordinance - Amending City Code to allow two-way traffic on Third Street between Elizabeth Street and Morgan Avenue for the expansion of Spohn Hospital**

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-250 Schedule I - One Way Streets and Alleys by changing the portion of Third Street between Elizabeth Street and Morgan Avenue from a one-way traffic pattern to a two-way traffic pattern.

Sponsors: Office of Public Works and Engineering Services

24. [16-0310](#) **First Reading Ordinance - Advance Funding Agreement and Construction Contract for Packery Pointe Intersection Improvements Park Road 22 at Aquarius (Bond 2014)**

Ordinance authorizing the City Manager, or designee, to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) with a required payment to TXDOT in the amount of \$8,700; and to execute a construction contract with D & G Energy Corporation of McAllen, Texas in the amount of \$773,738.75 for

the Packery Pointe Intersection Improvements Park Road 22 at Aquarius Re-Bid #2 for Total Bid Part A and Part B for installation of a new signal and roadway improvements. (Bond 2014)

Sponsors: Street Department and Engineering Services

25. [16-0313](#) **First Reading Ordinance - Authorizing the Issuance of Certificates of Obligation to fund Bond 2012 Projects**

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Taxable Series 2016A" in an amount not to exceed \$18,140,037 for the purpose of financing costs associated with making permanent public improvements within the City; providing for the payment of said Certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said Certificates by a lien on and pledge of the pledged revenues of the Solid Waste System; providing the terms and conditions of said Certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said Certificates, including the approval and distribution of an Official Statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the requirements of the letter of representations on file with the depository trust company; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the Certificates; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing an effective date.

Sponsors: Financial Services Department

P. **FUTURE AGENDA ITEMS: (ITEMS 26 - 32)**

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

26. [16-0243](#) **Resolution granting City supported event status to the 2016 Beach to Bay Relay Marathon**

Resolution granting City supported event status in accordance with City Code of Ordinances Section 53-206 to the 2016 Beach to Bay Relay Marathon.

Sponsors: Parks and Recreation Department

27. [16-0239](#) **Construction Contract for Collier Pool Renovations (Bond 2012) Rebid - Part A (Pool)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Atlantis Aquatic Group. of Austin, Texas in the amount of \$1,782,412 for the Collier Pool Renovations Rebid - Part A (Pool) for replacement of the existing swimming pool and pump house.

(Bond 2012 Proposition 4 - Aquatic Facilities)

Sponsors: Parks and Recreation Department and Engineering Services

28. [16-0119](#) **Purchase of six Wavetronix Radar Detection Systems for vehicle detection in signalized traffic intersections**

Motion approving the purchase of six Wavetronix Radar Detection Systems from Twincrest, Inc. doing business as Twincrest Technologies, Mansfield, Texas in accordance with the State of Texas Cooperative Purchasing Program for the amount of \$113,380.00. The Street Department and Police Department have set aside funds in FY 2015-16 for this procurement.

Sponsors: Street Department, Police Department and Purchasing Division

29. [16-0255](#) **Engineering Construction Contract for new traffic signal located at the intersection of Ocean Drive and Robert Drive under the Signal Improvements and Street Lighting Bond 2012 project**

Motion authorizing the City Manager, or designee, to execute a construction contract with Siemens Industry, Inc. of Corpus Christi, Texas in the amount of \$207,007.95 for the Signal Improvements and Street Lighting project at Ocean Drive and Robert Drive for the Base Bid. BOND 2012

Sponsors: Engineering Services and Street Department

30. [16-0207](#) **Resolution approving the Mary Rhodes Phase II Pipeline Operations and Maintenance Agreement**

Resolution authorizing the City Manager or designee to execute an Operations and Maintenance Agreement with Lavaca-Navidad River Authority (LNRA) to maintain the Mary Rhodes Phase II easements, as well as, operate and maintain the pipeline and related facilities for a total initial operating budget of \$345,000 dollars.

Sponsors: Water Utilities Department and Office of Public Utilities

31. [16-0270](#) **Resolution approving two interlocal agreements under the Environmental Quality Air Quality Planning grant**

Resolution authorizing the City Manager or designee to execute an Interlocal Cooperation Agreement with University of North Texas and with Texas A& M University Corpus Christi for air quality research and planning program for Nueces and San Patricio County area in the amount of \$191,685.63 each.

Sponsors: Environmental and Strategic Initiatives

32. [16-0344](#) **Professional Services Agreement for Legal Services**

Motion to authorize City Manager or designee to execute Professional

Services Agreement for Contract Legal Counsel with Julian Grant at hourly rate of \$50.00 in a total amount not to exceed \$75,000 for Fiscal Year 2015-2016.

Sponsors: Legal Department

Q. BRIEFINGS: (ITEMS 33 - 35)

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.

33. [16-0259](#) Ad Hoc Residential Street Infrastructure Advisory Committee update to Council

Sponsors: Street Department

34. [16-0350](#) City Employee Clinic and Healthplan Update

Sponsors: Human Resources

35. [16-0356](#) City of Corpus Christi Water Resources

Sponsors: Assistant City Manager

R. ADJOURNMENT