



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, June 21, 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 Monica Martinez, Greater Faith Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Yvette Aguilar - Assistant City Attorney.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [16-0683](#) Proclamation declaring June 21, 2016, "American Airlines 35th Anniversary Celebration of Service in Corpus Christi".
Proclamation declaring June 26, 2016, "Ms. Coastal Bend Senior Pageant Day".
Proclamation declaring June 30 - July 4, 2016, "39th Annual Mayor's July 4th Big Bang Celebration".
Proclamation declaring July 2016, "Parks and Recreation Month".
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. [16-0684](#) Regular Meeting of June 14, 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 - 14)

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. [16-0573](#)

Resolution authorizing submission of grant application for a Federal grant and Interlocal Agreement for grant funds

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$163,004 to the U.S. Department of Justice, Bureau of Justice Assistance for funding eligible under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2016 Local Solicitation with 50% of the funds to be distributed to Nueces County under the established Interlocal Agreement; and authorizing the City Manager or designee to execute Interlocal Agreement between the City of Corpus Christi and Nueces County to establish terms for the sharing of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2016 Local Solicitation.

Sponsors: Police Department

4. [16-0469](#)

Resolution awarding Service Agreements for Bayfront and Medians Turf and Grounds Maintenance and Stormwater Improved Rights-of-Way Mowing

Resolution finding the lowest, responsive, responsible bidder for mowing services by grouped acreage in response to Bid Event No. 104, 110, 111, 112, 113, 114 and 115; awarding a service agreement to the lowest, responsive, responsible bidder for each acreage group; and authorizing the City manager or designee to execute a service agreement with the lowest, responsive, responsible bidder for each acreage group for a total cost of \$288,905.73 of which \$72,226.43 is required for the remainder of FY 2015-2016. Agreements will be for one year with an option to extend for up to four additional one year terms, subject to the approval of the Contractor and the City Manager or designee. Funds have been budgeted by the Parks and Recreation Department in FY 2015-2016.

Cut Masters Lawn Service
Corpus Christi, Texas
\$13,692.00

Dorame General Repair & Lawn
Corpus Christi, Texas
\$139,349.13

Texas Gulf Coast Contracting
dba Gulf Coast Maintenance
Corpus Christi, Texas
\$98,381.00

La Med Facility maintenance, Inc.
San Antonio, Texas
\$37,483.60

Sponsors: Parks and Recreation Department, Storm Water Department and Purchasing Division

5. [16-0548](#) **Supply Agreement for chemical used for the treatment of potable drinking water at the O.N. Stevens Water Treatment Plant**

Motion approving a Supply Agreement with Carus Corporation, Peru, Illinois, for approximately 720,000 wet pounds of Sodium Permanganate in accordance with Bid Invitation No. 118, based on the lowest, responsive and responsible bid for a not to exceed amount of \$878,400.00 of which \$219,600.00 is required for the remainder of FY 2015-2016. The term of the agreement shall be for one year with an option to extend for up to two one year terms, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Water Department in FY 2015-2016.

Sponsors: Water Utilities Department and Purchasing Division

6. [16-0530](#) **Engineering Design Contract Amendment No. 3 for the Programmed Water Line Service Life Extension for City-Wide Distribution Repair and Replacement - Indefinite Delivery/Indefinite Quantity (IDIQ) Procurement**

Motion authorizing the City Manager, or designee, to proceed with delivery order preparation by executing Amendment No. 3 to the Engineering Design Contract with Urban Engineering of Corpus Christi, Texas in the amount of \$328,350, for a total restated fee not to exceed \$645,790 for the Programmed Water Line Service Life Extension for City-Wide Distribution Repair and Replacement - Indefinite Delivery/Indefinite Quantity (IDIQ) Procurement.

Sponsors: Water Utilities Department and Engineering Services

7. [16-0568](#) **Construction Contract and Materials Testing Agreement for Kostoryz Road from Brawner Parkway to Staples Street (Bond 2012, Proposition 1)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Reytec Construction Resources, Inc. of Houston, Texas in the amount of \$8,796,224.60 and a construction materials testing agreement with Rock Engineering and Laboratory, Inc. in the amount of \$64,924.00 for Kostoryz Road from Brawner Parkway to Staples Street. (BOND 2012 Proposition 1)

Sponsors: Street Department and Engineering Services

8. [16-0433](#) **Service Agreement for Lindale Senior Center Roof Repair**

Motion authorizing the City Manager, or designee, to execute a service agreement with South Texas Metal Roofing of Corpus Christi, Texas, for the roof repair of Lindale Senior Center, in accordance with Bid Event

No. 96 based on the lowest, responsive and responsible bid for a base cost of \$174,850 and an additional 10% project contingency in the amount of \$17,485 for unforeseen repairs.

Sponsors: Facilities Management Services and Purchasing Division

9. [16-0617](#) **Second Reading Ordinance - Rezoning property located at 3142 Masterson Drive and 6201 Kostoryz Road (1st Reading 6/14/16)**

Case No. 0516-01 Paisano Contractors, LLC: A change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. The property is described as being 3.1 acres out of Lot 3, Section 8, Bohemian Colony Lands, and Lot 1B, Block 1, Crestmont Unit 11 (0.76 acres), located on the northwest corner of Masterson Drive and Kostoryz Road.

Planning Commission and Staff Recommendation (May 18, 2016):
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Paisano Contractors, LLC ("Owner"), by changing the UDC Zoning Map in reference to 3.1 acres out of Lot 3, Section 8, Bohemian Colony Lands, and Lot 1B, Block 1, Crestmont Unit 11 (0.76 acres), from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

10. [16-0621](#) **Second Reading Ordinance - Adopting International Fire Code with local amendments (1st Reading 6/14/16)**

Ordinance adopting the International Fire Code, 2015 Edition, with local amendments, as the Fire Code of the City of Corpus Christi; and providing for severance, publication, penalty, and an effective date.

Sponsors: Fire Department

11. [16-0618](#) **Second Reading Ordinance - Naming the park located at Coves of Lago Vista subdivision (1st Reading 6/14/16)**

Ordinance naming the park located at Coves of Lago Vista subdivision as Barclay Park.

Sponsors: Parks and Recreation Department

12. [16-0602](#) **Second Reading Ordinance - Accepting and appropriating a State grant for the Oso Bay Wetlands Preserve and Learning Center (1st Reading 6/14/16)**

Ordinance authorizing the City Manager or designee to execute documents to accept a Community Outdoor Outreach Program grant from the Texas Parks and Wildlife Department in amount of \$48,033.00 for the Observing Science Outdoors Summer Guardians 2016 with City matching funds of \$4,950 and an in-kind match of \$8,391, for total program funds of \$61,371; appropriating the \$48,033.00 grant in the No. 1067 Parks Grants fund and authorizing the transfer of \$4,950 from the No. 1020 General Fund to the No. 1067 Parks Grant fund and appropriating the same for the Observing Science Outdoors Summer Guardians 2016.

Sponsors: Parks and Recreation Department

13. [16-0611](#) **Second Reading Ordinance - Lease agreement for the 2016 Arts Alive! Event (1st Reading 6/14/16)**

Ordinance authorizing the City Manager or designee to execute an agreement with the Arts Community Center of Corpus Christi, Inc. to allow use of area generally bounded by current and former N. Shoreline Blvd., between Coopers Alley and Williams Street, for the Arts Alive! Event and related activities on September 1 through September 5, 2016.

Sponsors: Parks and Recreation Department

14. [16-0631](#) **Second Reading Ordinance - Interlocal Agreement Amendment for County Road 52 Extension Phase 1B (1st Reading 6/14/16)**

Ordinance amending the FY 2016 Capital Budget to add Project No. E16303 County Road 52 Phase 1B, appropriating \$100,000 of anticipated revenue from Nueces County, Texas; approving Amendment No. 1 to an Interlocal Agreement with Nueces County, Texas; and authorizing the City Manager, or designee, to execute Change Order No. 2 with Haas Anderson Construction of Corpus Christi, Texas in the amount of \$649,017.80 for the County Road 52 project Phase 1B for final surface treatment and completion of project. (BOND 2008)

Sponsors: Street Department and Engineering Services

L. **EXECUTIVE SESSION: (ITEMS 15 - 18)**

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.

15. [16-0675](#) **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining matters, (including litigation) between the City of Corpus Christi and the Corpus Christi Firefighters Association.
16. [16-0700](#) **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 521 Josephine Street known as Ben Garza Park and Gym when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
17. [16-0627](#) **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 Government 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)
18. [16-0703](#) **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 the annexation of property adjacent to City limits, 14 C.F.R. § 77.31, 14 CFR § 77.9, Section 358 of Public Law 111-383, Part 211 of Title 32, Code of Federal Regulations (CFR), the Consolidated Appropriations Act 2016 (H.R. 2029, Sec 301), topics of the aforementioned statutes and regulations, and related statutes and regulations.

M. PUBLIC HEARINGS: (ITEMS 19 - 20)

19. [16-0698](#) **Public hearing to discuss and consider proposed Charter Amendments for the November 8, 2016 Special Election with possible action.**
- Sponsors:** City Secretary's Office
20. [16-0639](#) **Public Hearing and First Reading Ordinance regarding the City of Corpus Christi's proposed FY2016-2017 Consolidated Annual Action Plan**

Ordinance to adopt the fiscal year (FY) 2016-2017 Consolidated Annual Action Plan (CAAP), for the Community Development Block Grant

(CDBG), Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs; to authorize the City Manager or designee to submit the FY2016-2017 CAAP to the U.S. Department of Housing and Urban Development (HUD), and to amend if required by HUD; to authorize the City Manager or designee to execute all documents necessary to accept and appropriate upon receipt the grants from HUD into the Grant Fund No. 1059 for the approved FY2016-2017 CAAP projects and further to execute funding agreements and all other documents necessary to implement the FY2016-2017 CAAP with organizations of approved projects.

Sponsors: Housing and Community Development

N. REGULAR AGENDA: (ITEMS 21 - 25)

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

21. [16-0688](#) One Reading Action Item - Appropriating Unreserved Funds into Employee Health Benefits Fund to cover claim expenditures for the remainder of the fiscal year

Ordinance appropriating \$6,500,000 from the Unreserved Fund Balance in Fund No. 5610 Employee Health Benefits - Citicare; appropriating \$845,863 from the Unreserved Fund Balance in Fund No. 5609 Employee Health Benefits - Police; appropriating \$605,263 from the Unreserved Fund Balance in Fund No. 5608 Employee Health Benefits - Fire; amending the FY2016 Operating Budget adopted by Ordinance No. 030620 to increase expenditures by \$7,951,126; and declaring an emergency.

Sponsors: Human Resources

22. [16-0622](#) Engineering Design Contract for Sea Town (aka S.E.A. District) Pedestrian Improvements (Bond 2012, Proposition 8)

Motion authorizing the City Manager, or designee, to execute an Engineering Design Contract with LJA Engineering, Inc. of Corpus Christi, Texas in the amount of \$157,806.71 for the SeaTown (aka S.E.A. District) Pedestrian Improvements project for engineering design services. (Bond 2012, Proposition 8).

Sponsors: Street Department and Engineering Services

23. [16-0632](#) Appointing Financial Advisor for Issuance of Utility System Revenue Refunding Bonds

Motion authorizing the appointment of and approving the contract for M. E. Allison, & Co., as Financial Advisor for the issuance of the "City of Corpus Christi, Texas Utility System Junior Lien Revenue Refunding Bonds, Series 2016", in an amount not to exceed \$84,735,000.

Sponsors: Financial Services Department

24. [16-0634](#) **Second Reading Ordinance - Authorizing the Issuance of Utility System Revenue Refunding Bonds (1st Reading 6/14/16)**

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Utility System Junior Lien Revenue Refunding Bonds, Series 2016" in an amount not to exceed \$84,735,000; making provisions for the payment and security thereof by a junior and inferior lien on and pledge of the net revenues of the City's Utility System on a parity with certain currently outstanding utility system revenue obligations; stipulating the terms and conditions for the issuance of additional Revenue Bonds on a parity therewith; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Bonds; including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement, an escrow agreement, and a purchase contract; complying with the requirements imposed by the letter of representations previously executed 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 bonds, and providing an effective date.

Sponsors: Financial Services Department

25. [16-0600](#) **Second Reading Ordinance - Amending State Speed Limit in Certain Zones Along Shoreline Drive and Ennis Joslin Road (1st Reading 6/14/16)**

Ordinance amending the Code of Ordinances, Chapter 53, Article VIII, Section 53-254 Schedule V, Increase of State Speed Limit in Certain Zones by adding Ennis Joslin from Wooldridge Road to Holly Road and updating North and South Shoreline Boulevard and amending Section 53-255 Schedule VI, Decrease of State Law Maximum Speed by removing East Shoreline Boulevard

Sponsors: Office of Public Works and Engineering Services

O. FIRST READING ORDINANCES: (ITEMS 26 - 27)

26. [16-0630](#) **First Reading Ordinance - CenturyLink Communications, LLC renewal of Conduit Use Agreement for Telecommunications**

Ordinance authorizing the City Manager, or designee, to execute a ten-year Conduit Use Agreement with CenturyLink Communications, L.L.C., to install and maintain telecommunications facilities within city conduit located in Ocean Drive right-of-way between Ennis Joslin Road and Sand Dollar Blvd. in consideration of \$7,886.00 annual revenue payment, to be increased by 4% annually.

Sponsors: Information Technology Services

27. [16-0690](#) **First Reading Ordinance - Amending lease agreement to add additional parking spaces for lesee of City parking lot located at Mann Street and Mesquite Street**
- Ordinance authorizing the City Manager or designee to execute an amendment to the lease agreement with the Results Companies for the City parking lot located at Mann Street and Mesquite Street to allow the lease of the entire City parking lot
- Sponsors:** Business Liaison
- P. **RECESS TO CORPORATION MEETING: (ITEM 28)**
28. [16-0628](#) **Special Board Meeting of the Corpus Christi Housing Finance Corporation**
- Sponsors:** Interim Assistant City Manager
- Q. **RECONVENE COUNCIL MEETING**
- R. **FUTURE AGENDA ITEMS: (NONE)**
- The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.*
- S. **BRIEFINGS: (ITEMS 29 - 33)**
- 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. [16-0697](#) **Ad Hoc Residential Street Infrastructure Advisory Committee Final Report**
- *Approximate Time will be 4:00 pm***
- Sponsors:** City Secretary's Office
30. [16-0689](#) **Discussion regarding the proposed ballot for November 8, 2016 election**
- Sponsors:** City Secretary's Office
31. [16-0691](#) **Nueces County Truancy Committee Final Report and Recommendations**
- *Approximate Time will be 5:00 pm***
- Sponsors:** Intergovernmental Relations
32. [16-0701](#) **Financial Audit of the Regional Transportation Authority (RTA) by Jerry Van Beveren from Flusche, Van Beveren, Kilgore, PC**
- Sponsors:** City Manager's Office
33. [16-0595](#) **Beach Operation and Maintenance Funding Update**
- Sponsors:** Parks and Recreation Department

T. ADJOURNMENT