



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, August 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 Pastor Richard Mendiola, La Mision de Cristo.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Peter Davidson, Marina Superintendent.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [16-0946](#) Proclamation declaring September 10, 2016, "Operation K.E.Y.S. - Keeping Every Youth in School Day".**

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. UPDATE ON WATER QUALITY
- b. WATER TASK FORCE BRIEFING
- c. OTHER

H. MINUTES:

2. [16-0951](#) City Council Workshop Session of August 9, 2016 and Regular Meeting of August 9, 2016.

I. BOARD & COMMITTEE APPOINTMENTS:

3. [16-0958](#) Board of Adjustment
Parks and Recreation Advisory Committee

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 - 15)

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. [16-0874](#) **Amendment No. 1 to Master Services Agreement for Water and Wastewater Treatment On-Call Support project**

Motion authorizing the City Manager, or designee, to continue Water and Wastewater Treatment On-Call Support services by executing Amendment No. 1 to a Master Services Agreement (MSA) with LNV Inc. of Corpus Christi, Texas in the amount of \$600,000, for a total restated fee not to exceed \$635,000 for the Water and Wastewater Treatment On-Call Support project. The project provides for a one-year base contract and allows for two (2) optional one-year administrative renewals/extensions beyond the original one-year base contract, subject to availability of funding and satisfactory consultant performance.

Sponsors: Water Utilities Department and Engineering Services

5. [16-0872](#) **Construction contract and materials testing contract for O. N. Stevens Water Treatment Plant High Service Pump Building No. 3**

Motion authorizing the City Manager, or designee, to execute a construction contract with PLW Cadagua Partners of The Woodlands, Texas in the amount of \$21,650,000 for the O.N. Stevens Water Treatment Plant High Service Pump Building No. 3 for the Base Bid plus Additive Alternates No. 1 through 4 and to execute a construction materials testing contract with Rock Engineering and Testing Laboratory, Inc. of Corpus Christi, Texas in the amount of \$54,765 for the O.N. Stevens Water Treatment Plant High Service Pump Building No. 3.

Sponsors: Water Utilities Department and Engineering Services

6. [16-0848](#) **Resolution authorizing the City Manager or designee to enter into outside city limit water contracts for properties in The Promenade Subdivision**

Resolution authorizing the City Manager or designee to enter into outside city limits water contracts with the property owners in The Promenade Subdivision to provide public water to their respective properties pursuant to Chapter 55, Article VIII, Code of Ordinances.

Sponsors: Development Services

7. [16-0849](#) **Resolution authorizing the City Manager or designee to enter into outside city limit water contracts for properties in the Melvin Estates Unit 1 Subdivision**

Resolution authorizing the City Manager or designee to enter into outside city limits water contracts with the property owners in the Melvin Estates Unit 1 Subdivision to provide public water to their respective

properties pursuant to Chapter 55, Article VIII, Code of Ordinances.

Sponsors: Development Services

8. [16-0839](#) **Resolution approving a Homebuyer Assistance Program Agreement for Type A Affordable Housing Program**

Resolution approving an agreement in the amount of \$221,000 between the Corpus Christi Business and Job Development Corporation and the City of Corpus Christi for the Type A Affordable Housing Program - Homebuyer Assistance Program and authorizing the City Manager or Designee to execute said agreement.

Sponsors: Housing and Community Development

9. [16-0900](#) **Resolution to sponsor a policy resolution for the Texas Municipal League Resolutions Committee to support Defense Economic Adjustment Assistance Grant (DEAAG) program**

Resolution authorizing the City of Corpus Christi to sponsor a policy resolution for the Texas Municipal League Resolutions Committee recommending the 85th Texas Legislature appropriate \$60 million for the Fiscal Years 2018-2019 biennium for the State of Texas to the Defense Economic Adjustment Assistance Grant (DEAAG) program.

Sponsors: Intergovernmental Relations

10. [16-0856](#) **Second Reading Ordinance - Rezoning property located at 2002 and 2020 Ramfield Road (1st Reading 8/9/16)**

Case No. 0716-01 The Estate of Joan Wakefield Urban: A change of zoning from the "RS-6" Single-Family 6 District and "FR" Farm Rural District to the "IL" Light Industrial District on Tract 1 and from the "RS-6" Single-Family 6 District and "FR" Farm Rural District to the "RS-22" Single-Family 22 District on Tract 2. Tract 1 is described as being 4.64 acres and Tract 2 being 23.59 acres with both tracts being out of Lots 31 and 32, Section 39, Flour Bluff and Encinal Farm and Garden Tracts, located on the northeast corner of Roscher Road and Ramfield Road.

Planning Commission and Staff Recommendation (July 13, 2016):
Tract 1: Denial of the change of zoning from the "RS-6" Single-Family 6 District and "FR" Farm Rural District to the "IL" Light Industrial District and, in lieu thereof, approval of the "RS-22/SP" Single-Family 22 District with a Special Permit, and Tract 2: Approval of the change of zoning from the "RS-6" Single-Family 6 District and "FR" Farm Rural District to the "RS-22" Single-Family 22 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by The Estate of Joan Wakefield Urban ("Owner"), by changing the UDC Zoning Map from the "FR" Farm Rural District and

the "RS-6" Single-Family 6 District to the "RS-22/SP" Single-Family 22 District with a Special Permit in reference to Tract 1 and to the "RS-22" Single-Family 22 District in reference to Tract 2, Tract 1 being 4.64 acres and Tract 2 being 23.59 acres with both tracts being out of Lots 31 and 32, Section 39, Flour Bluff and Encinal Farm and Garden Tracts, amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

11. [16-0857](#) **Second Reading Ordinance - Rezoning property located at 9525 Leopard Street (1st Reading 8/9/16)**

Case No. 0716-02 Shaws Development Joint Venture: A change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District. The property is described as being an 11.84-acre tract of land out of Lots 1, 8 and 9, Artemus Roberts Subdivision, located on the west side of Rand Morgan Road between Goodnight Loving Trail and McNorton Road.

Planning Commission and Staff Recommendation (July 13, 2016): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Shaws Development Joint Venture ("Owner"), by changing the UDC Zoning Map in reference to an 11.84-acre tract of land out of Lots 1, 8 and 9, Artemus Roberts Subdivision, from the "RS-6" Single-Family 6 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

12. [16-0831](#) **Second Reading Ordinance - Ratifying Acceptance of Emergency Management Performance Grant (EMPG) (1st Reading 8/9/16)**

Ordinance ratifying acceptance of a grant from the Texas Department of Public Safety, Governor's Division of Emergency Management, in the amount of \$70,159.20 for the Emergency Management Performance Grant (EMPG); and appropriating \$70,159.20 from the Emergency Management Performance Grant Program in the no. 1063 Emergency Management Grants Fund to improve mitigation, preparedness, response, and recovery capabilities for the City of Corpus Christi.

Sponsors: Fire Department

13. [16-0813](#) **Second Reading Ordinance - Closing a portion of a utility easement located north of Williams Drive and west of Airline Road (1st Reading 8/9/16)**

Ordinance abandoning and vacating a 0.060 acre portion of an existing 15-foot wide utility easement out of a part of Lot H5, Wilkey Addition Unit 2 Corpus Christi Subdivision, located north of Williams Drive and west of Airline Road; and requiring the owner, Williams Airline Partners, Ltd. to comply with the specified conditions

Sponsors: Development Services

14. [16-0873](#)

Second Reading Ordinance - Advance Funding Agreement and contract for professional services for Padres Island Mobility and Access Management Study (1st Reading 8/9/16)

Ordinance appropriating \$192,000 of anticipated revenues from the Texas Department of Transportation (TxDOT); authorizing the City manager or designee to execute an Advance Funding Agreement with TxDOT for an estimated local participation cost of \$9,600; and execute a contract for professional services with Maldonado-Burkett Intelligent Transportation Systems, LLP (MBITS) in an amount not to exceed \$239,643 for a mobility and access management study on Padre Island. (Bond 2014 Proposition 2)

Sponsors: Engineering Services

15. [16-0862](#)

Second Reading Ordinance - Amending City Code to improve traffic circulation for Fannin Elementary School (1st Reading 8/9/16)

Ordinance amending the Code of Ordinances, Chapter 53, Article VIII, Section 53-250 Schedule I - One Way Streets and Alleys by altering the direction of one-way traffic on Alexander Street from west to east and removing the one-way designation from Devon Drive, from Gollihar Road to Alexander Street; providing for severance; and providing for publication.

Sponsors: Office of Public Works

L. EXECUTIVE SESSION: (ITEMS 16 - 19)

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.

16. [16-0945](#) **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.
17. [16-0917](#) **Executive Session pursuant to Section Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to annexation, the provision of utility services, agreements related to the sale of water, and certificates of convenience and necessity in the City's extraterritorial jurisdiction and interlocal agreements with other cities and/or districts.
18. [16-0918](#) **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 potential economic development agreement(s) with entities that are considering the construction and/or ownership of industrial facilities, including, but not limited to, the production of ethylene glycol, petrochemicals, and/or other chemicals pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s)
19. [16-0965](#) **Executive Session pursuant to Section 551.071** of the Texas Government Code and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to disposal of waste in Type IV Landfill (as described in 30 TAC § 330.5) located at/near 1435 County Road 26 (also known as Gulley-Hurst Landfill) and municipal solid waste fees.

M. PUBLIC HEARINGS: (ITEMS 20 - 21)

20. [16-0814](#) **Public Hearing for the FY 2016/2017 budget for the Corpus Christi Crime Control and Prevention District**
Sponsors: Police Department
21. [16-0936](#) **Public Hearing and First Reading Ordinance - Approving the Fiscal Year 2016-2017 Capital Budget and Capital Improvement Planning Guide**

Ordinance approving the Fiscal Year 2016-2017 Capital Budget and Capital Improvement Planning Guide in the amount of \$214,979,600.

Sponsors: Assistant City Manager, Office of Management and Budget, Financial Services Department and Engineering Services

N. REGULAR AGENDA: (ITEMS 22 - 24)

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

22. [16-0916](#) **Second Reading Ordinance - Ordering General Election for Mayor and Eight Council Members - November 8, 2016 (1st Reading 8/9/16)**

Ordinance ordering a general election to be held on November 8, 2016, in the City of Corpus Christi for the election of Mayor and Eight Council Members; providing for procedures for holding such election; providing for notice of election and publication thereof; providing for establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County, and a runoff election, if one is necessary; and enacting provisions incident and relating to the subject and purpose of this ordinance.

Sponsors: City Secretary's Office

23. [16-0914](#) **Second Reading Ordinance - Ordering Special Election Replacing Type A Sales Tax to be administered by Type B Corporation; Continuing Crime Control and Prevention District; Consideration of Charter Amendments (1st Reading 8/9/16)**

Ordinance ordering a special election to be held on November 8, 2016, in the City of Corpus Christi on the questions of: (1) replacing the portion of the Type A sales tax that expires in 2018 with the adoption of a one-eighth of one percent sales and use tax to be administered by a Type B Corporation under Chapter 505 of the Texas Local Government Code, to be effective for 20 years, with the use of the proceeds for economic development, affordable housing, and streets; (2) continuing the Corpus Christi Crime Control and Prevention District and associated sales tax for 10 years; and (3) providing for consideration of amendments to the Charter of the City of Corpus Christi; providing for procedures for holding such election; providing for notice of election and publication thereof; providing for establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County; and enacting provisions incident and relating to the subject and purpose of this ordinance.

Sponsors: City Secretary's Office

24. [16-0913](#) **Second Reading Ordinance - Calling for Special Election - Bond 2016 Proposition (1st Reading 8/9/16)**

Ordinance ordering a special election to be held on November 8, 2016, in the City of Corpus Christi, authorizing bond issuances of the City supported by ad valorem taxes; providing for the procedures for holding such an election; providing for notice of election and publication thereof;

providing for the establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County; and enacting provisions incident and relating to the subject and purpose of this ordinance.

Sponsors: City Secretary's Office and Engineering Services

O. FIRST READING ORDINANCES: (ITEMS 25 - 27)

- 25. [16-0769](#) **First Reading Ordinance - Accepting the Texas Department of Health Services Community Preparedness Section-Laboratory Response Network Ebola Equipment (CPS/LRN-EBOLA) grant and ratifying acceptance of the grant agreement to begin June 10, 2016****

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend and appropriate a grant contract for the Community Preparedness Section - Laboratory Response Network Ebola Equipment (CPS/LRN-EBOLA) grant in the amount of \$200,000, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund, to purchase equipment to support accelerated local public health preparedness planning and operational readiness for responding to Ebola virus disease for the contract period June 10, 2016, through June 30, 2017; and ratifying acceptance of the grant agreement to begin June 10, 2016.

Sponsors: Health Department

- 26. [16-0915](#) **First Reading Ordinance - Approving the sale of Penn Place Park (4302 Aaron)****

Ordinance approving the sale of Penn Place Park (4302 Aaron) to Apostolic Assembly of the Faith in Christ Jesus for \$100,000 and authorizing the City Manager to execute documents necessary to complete the real estate sales transaction.

Sponsors: Parks and Recreation Department

- 27. [16-0870](#) **First Reading Ordinance - Ordinance authorizing the City Manager or designee to execute a license with the River View at Calallen, LP located at 11930 Leopard Street****

Ordinance authorizing the City Manager or designee to execute a License with River View at Calallen, LP ("Permittee") to install, operate, maintain, and remove a private two-inch sanitary sewer force main encased in six-inch Steel Pipe ("Wastewater Line") across the Leopard Street public street right-of-way, located west of Western Drive public right-of-way, subject to the Permittee' compliance with specified conditions.

Sponsors: Development Services

P. FUTURE AGENDA ITEMS: (ITEMS 28 - 31)

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

**28. [16-0825](#) **Engineering Construction contract for pavement markings
Indefinite Delivery/Indefinite Quantity (IDIQ)****

Motion authorizing the City Manager or designee, to execute a construction contract with Highway Barricades and Services, LLC. of Corpus Christi, Texas in the amount of \$173,250 for Pavement Markings Indefinite Delivery/Indefinite Quantity (IDIQ) for total base bid.

Sponsors: Engineering Services and Office of Public Works

**29. [16-0902](#) **Engineering Contract Amendment No. 3 for Nueces Bay System
Salinity and Freshwater Inflow Monitoring****

Motion authorizing the City Manager or designee to execute Amendment No. 3 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$97,835 for a total restated fee not to exceed \$386,555 for the Nueces Bay System Salinity and Freshwater Inflow Monitoring 2016-2017.

Sponsors: Engineering Services and Water Utilities Department

**30. [16-0903](#) **Engineering Contract Amendment No. 6 for Nueces River Quality,
Oso Creek Water Level & City of Corpus Christi Meteorological
Monitoring****

Motion authorizing the City Manager or designee to execute Amendment No. 6 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$121,022 for a total restated fee not to exceed \$775,696 for the Nueces River Water Quality, Oso Creek Water Level & City of Corpus Christi Meteorological Monitoring 2016-2017.

Sponsors: Engineering Services and Water Utilities Department

**31. [16-0893](#) **Authorizing Collection Fee Contract for the collection of delinquent
Municipal Court fees****

Motion to authorize the City Manager or designee to execute a contract for the collection of delinquent Municipal Court fees, fines and court costs with the law firm of Linebarger, Goggan, Blair, & Sampson, LLP for a fee of 30% of amounts collected on delinquent accounts turned over to law firm, with collection fee to be paid by defendants. This is a one-year contract and may be extended for up to three additional one-year terms.

Sponsors: Municipal Court Administration

Q. BRIEFINGS: (ITEMS 32 - 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.

32. [16-0953](#) **Remaining Budget Workshop Items**

Sponsors: Office of Management and Budget

33. [16-0967](#) **Street Improvement Plan**

Sponsors: Office of Public Works, Engineering Services and Street Department

R. ADJOURNMENT