



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final

### City Council

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Tuesday, August 23, 2016

11:30 AM

Council Chambers

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**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 Jesse Hinojosa, Diocese of Corpus Christi.
- C. Pledge of Allegiance to the Flag of the United States to be led by Esther Velazquez, Executive Liaison for Special Projects.
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.
- E. Proclamations / Commendations
  - 1. [16-0974](#) Proclamation declaring August 26, 2016, "Women's Equality 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. [16-0976](#) City Council Workshop Session of August 16, 2016 and Regular Meeting of August 16, 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 - 9)**

*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. [16-0825](#) **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

4.     [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

5.     [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

6.     [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

7.     [16-0769](#)     **Second 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 (1st Reading 8/16/16)**

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

8. [16-0915](#) **Second Reading Ordinance - Approving the sale of Penn Place Park (4302 Aaron) (1st Reading 9/16/16)**

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

9. [16-0870](#) **Second 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 (1st Reading 9/16/16)**

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

L. **EXECUTIVE SESSION: (ITEMS 10 - 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.*

10. [16-0981](#) **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.

11. [16-0980](#) **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 or sale of City property and pursuant to Texas Government Code § 551.072 to discuss and deliberate the purchase, exchange, lease, and/or value of City-owned property at/near State Highway 286 and/or Ayers Street where deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

**M. PUBLIC HEARINGS: (ITEMS 12 - 17)**

12. [16-0836](#) **Public Hearing on Fiscal Year 2017 Ad Valorem Tax Rate**

**Sponsors:** Financial Services Department

13. [16-0932](#) **Public Hearing and First Reading Ordinance - Various Amendments to the Unified Development Code**

Ordinance amending the Unified Development Code by revising subsection 4.2.5.B "Types of Yards", table 4.6.2 "Permitted Uses (Industrial Districts)", table 4.6.3 "Nonresidential Use (Industrial Districts)", subsection 5.3.2.D "Garages, Private", subsection 7.9.5 "Zoning District Buffer Yard- New Development", subsection 7.9.6 "Zoning District Buffer Yard- Redevelopment", subsection 9.5.2. "Authority to Utilize for Single-Family Residence", subsection 9.5.3 "Regulations for Single-Family Use of Nonconforming Lots" and subsection 3.25.2 "Review Process"; providing for severance; providing for penalties; and providing for publication.

**Sponsors:** Development Services

14. [16-0954](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 14101 Commodores Drive**

Case No. 0716-05 Oceanic B.C., LLC: A change of zoning from the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay to the "RS-TH/PUD" Townhouse District with a revised Planned Unit Development Overlay. The property is described as Lot 21, Block 34, Island Fairway Estates, located west of South Padre Island Drive (Park Road 22) on the southern corner of Commodores Drive and Aquarius Street.

Planning Commission and Staff Recommendation (July 27, 2016): Approval of the change of zoning from the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay to the "RS-TH/PUD" Townhouse District with a revised Planned Unit Development Overlay, subject to ten conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Oceanic B.C., LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 21, Block 34, Island Fairway Estates, from the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay to the "RS-TH/PUD" Townhouse District with a revised Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

15.     [16-0955](#)     **Public Hearing and First Reading Ordinance - Rezoning property located at 1021 Agnes Street**

Case No. 0716-07 V&M Equity Properties, LLC: A change of zoning from the "CI" Intensive Commercial District and "RM-3" Multifamily 3 District to the "CI/SP" Intensive Commercial District with a Special Permit for a warehouse facility. The property is described as Lot 10A, Block 10 Chamberlin's Subdivision, located on the south side of Agnes Street between South Staples Street and King Street.

Planning Commission and Staff Recommendation (July 27, 2016):

Approval of the change of zoning from the "CI" Intensive Commercial District and the "RM-3" Multifamily 3 District to the "CI/SP" Intensive Commercial District with a Special Permit for a warehouse facility, subject to the Owner meeting the requirements of the Unified Development Code and nine conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by V&M Equity Properties, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 10A, Block 10 Chamberlin's Subdivision, from the "CI" Intensive Commercial District and "RM-3" Multifamily 3 District to the "CI/SP" Intensive Commercial District with a Special Permit for a warehouse facility; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

16.     [16-0956](#)     **Public Hearing and First Reading Ordinance - Rezoning property located at 630 Robinson Street**

Case No. 0716-03 Corpus Christi Hope House, Inc.: A change of zoning from the "RM-1" Multifamily 1 District to the "CG-1/SP" General Commercial District with a Special Permit for a social service use. The property is described as Lot 8 and the east 20 feet of Lot 9, Block 38,

Lindale Park Subdivision Section 4, located on the west side of Robinson Street between Swantner Drive and Reid Drive.

Planning Commission and Staff Recommendation (July 13, 2016):

Denial of the change of zoning from the "RM-1" Multifamily 1 District to the "CG-1/SP" General Commercial District with a Special Permit for a social service use and, in lieu thereof, approval of the "RM-1/SP" Multifamily 1 District with a Special Permit for a social service use, subject to seven conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Corpus Christi Hope House, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Lot 8 and the east 20 feet of Lot 9, Block 38, Lindale Park Subdivision Section 4, from the "RM-1" Multifamily 1 District to the "RM-1/SP" Multifamily 1 District with a Special Permit for a social service use; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

17. [16-0957](#)

**Public Hearing and First Reading Ordinance - Rezoning property located at 658 Robinson Street**

Case No. 0716-04 Corpus Christi Hope House, Inc.: A change of zoning from the "RM-1" Multifamily 1 District to the "CG-1/SP" General Commercial District with a Special Permit for a social service use. The property is described as being the west or southwest portion of Lot 14 and all of Lot 15, Block 38, Lindale Park Subdivision Section 4, located on the northwest corner of Robinson Street and Swantner Drive.

Planning Commission and Staff Recommendation (July 27, 2016):

Denial of the change of zoning from the "RM-1" Multifamily 1 District to the "CG-1/SP" General Commercial District with a Special Permit for a social service use and, in lieu thereof, approval of the "RM-1/SP" Multifamily 1 District with a Special Permit for a social service use, subject to six conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Corpus Christi Hope House, Inc. ("Owner"), by changing the UDC Zoning Map in reference to the west or southwest portion of Lot 14 and all of Lot 15, Block 38, Lindale Park Subdivision Section 4, from the "RM-1" Multifamily 1 District to the "RM-1/SP" Multifamily 1 District with a Special Permit for a social service use; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services



**N. REGULAR AGENDA: (ITEMS 18 - 20)**

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

18. [16-0814](#) **Resolution approving the FY 2016/2017 budget for the Corpus Christi Crime Control and Prevention District**

Resolution approving the FY 2016-2017 budget for the Corpus Christi Crime Control and Prevention District

Sponsors: Police Department

19. [16-0936](#) **Second Reading Ordinance - Approving the Fiscal Year 2016-2017 Capital Budget and Capital Improvement Planning Guide (1st Reading 9/16/16)**

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

20. [16-0966](#) **One Reading Action Item - Awarding Collier Pool Renovations Rebid - Part B to Second Lowest Responsible Bidder**

Resolution rescinding the award to Cruz Maintenance & Construction, Inc. (CMCI) in the amount of \$598,874.00, authorizing the City Manager, or designee, to execute a construction contract with the second lowest responsible bidder, Barcom Construction, Inc. of Corpus Christi, Texas, in the amount of \$632,673.00 and execute a claim against CMCI's bid bond in the amount of \$33,799.00 for the Collier Pool Renovations Rebid - Part B (Restroom and Office Building) project due to failure of CMCI to comply with the terms and conditions of the Bid. (Bond 2012 Proposition 4 - Aquatic Facilities)

Sponsors: Parks and Recreation Department and Engineering Services

**O. FIRST READING ORDINANCES: (ITEMS 21 - 23)**

21. [16-0948](#) **First Reading Ordinance - Amending the Code of Ordinances regarding the Parking Advisory Committee**

Ordinance amending Section 53-196 Parking Advisory Committee of the Corpus Christi Code of Ordinance to update membership composition; providing for severance and an effective date.

Sponsors: Police Department

22. [16-0911](#) **First Reading Ordinance - Accepting and appropriating a grant to purchase equipment for the Emerging Robotics team**



Ordinance authorizing the City Manager or designee to accept a grant from NuStar Energy L. P. in the amount of \$2,500 to purchase equipment for the Emerging Robotics team; and appropriating \$2,500 from NuStar Energy L.P. into the No. 1062 Fire Grant Fund to be used specifically to purchase equipment for the Emerging Robotics team.

**Sponsors:** Fire Department

**23.     [16-0949](#)     **First Reading Ordinance - Accepting and appropriating a Regional Grant for the Web Based Emergency Operations Center (WebEOC)****

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$15,000 for the benefit of the City's WebEOC operations; and appropriating \$15,000 from the Coastal Bend Regional Advisory Council into the No. 1062 Fire Grant Fund to purchase equipment, services, technical support, training, and travel for the Corpus Christi Fire Department's WebEOC.

**Sponsors:** Fire Department

**P.     **FUTURE AGENDA ITEMS: (ITEMS 24 - 25)****

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

**24.     [16-0883](#)     **Resolution in support of Residential Street Reconstruction Test Projects****

Resolution authorizing the City Manager or designee to proceed with the Residential Street Reconstruction Test Project to gather pricing and scoping information in order to develop a Residential Street Reconstruction Program.

**Sponsors:** Street Department

**25.     [16-0961](#)     **Approving the FY2016-2017 HOME Program set-aside funds****

Motion to approve the FY2016-2017 HOME Program set-aside funds in the amount of \$231,634 and award the funding to Calallen Apartments.

**Sponsors:** Housing and Community Development

**Q.     **BRIEFINGS: (ITEM 26)****

*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.*

**26.     [16-0943](#)     **Bayshore Park Design / Build Update - August 2016****

**Sponsors:** Parks and Recreation Department and Engineering Services

R.     ADJOURNMENT