



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final

### City Council

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Tuesday, August 30, 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 Reverend John Hardie, St. Mark's Episcopal Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Mike Markle, Chief of Police.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
  - 1. [16-1020](#) Proclamation declaring September 10, 2016, "2016 Alzheimer's Association Walk to End Alzheimers Day".  
Proclamation declaring September 11, 2016, "9/11 Day of Service and Remembrance".  
Proclamation declaring September 2016, "Attendance Counts Awareness Month".  
Proclamation declaring September 2016, "Childhood Cancer Awareness Month" and September 8, 2016, "Childhood Cancer Awareness Day".  
Commendation to Errol Summerlin.  
Federal Emergency Management Agency (FEMA) Community Rating System Certification for Floodplain Management.  
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. [16-1018](#) Regular Meeting of August 23, 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 - 11)**

*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. [16-0883](#) **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

4. [16-0932](#) **Second Reading Ordinance - Various Amendments to the Unified Development Code (1st Reading 8/23/16)**

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

5. [16-0954](#) **Second Reading Ordinance - Rezoning property located at 14101 Commodores Drive (1st Reading 8/23/16)**

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

6. [16-0955](#) **Second Reading Ordinance - Rezoning property located at 1021 Agnes Street (1st Reading 8/23/16)**

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

7. [16-0956](#) **Second Reading Ordinance - Rezoning property located at 630 Robinson Street (1st Reading 8/23/16)**

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

8. [16-0957](#)

**Second Reading Ordinance - Rezoning property located at 658 Robinson Street (1st Reading 8/23/16)**

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

9. [16-0948](#) **Second Reading Ordinance - Amending the Code of Ordinances regarding the Parking Advisory Committee (1st Reading 8/23/16)**

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

10. [16-0911](#) **Second Reading Ordinance - Accepting and appropriating a grant to purchase equipment for the Emerging Robotics team (1st Reading 8/23/16)**

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

11. [16-0949](#) **Second Reading Ordinance - Accepting and appropriating a Regional Grant for the Web Based Emergency Operations Center (WebEOC) (1st Reading 8/23/16)**

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

L. **EXECUTIVE SESSION: (ITEM 12)**

*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.*

12. [16-1016](#) **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.

**M. PUBLIC HEARINGS: (ITEMS 13 - 15)**

**13. [16-0837](#) Public Hearing on Fiscal Year 2017 Ad Valorem Tax Rate**

**Sponsors:** Financial Services Department

**14. [16-0985](#) Public Hearing and First Reading Ordinance - Rezoning property located at 8110 and 8520 Agnes Street (State Highway 44)**

Case No. 0816-03 Rangeland Products Terminal, LLC: A change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for a Heavy Industrial Use consisting of above ground storage tanks containing wholesale storage of fuels and lubricants. The subject property contains 189.1490 acres and is located at 8110 and 8520 Agnes Street (State Highway 44) between Agnes and Alpine Streets and between Chickery Street (unimproved) and Manning Road (County Road 53).

Planning Commission and Staff Recommendation:

Approval of the change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit subject to eight conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Rangeland Products Terminal, LLC on behalf of Norma Lee Stockseth and Rafael Leal Cavazos ("Owners"), by changing the UDC Zoning Map in reference to a 189.1490-acre tract of land located on Agnes Street (State Highway 44) west of Manning Road, from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for the wholesale storage of fuels and lubricants; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Sponsors:** Development Services

**15. [16-0987](#) Public Hearing on Fiscal Year 2016-2017 Operating Budget**

Public hearing for the City of Corpus Christi Fiscal Year 2016-2017 Operating Budget for August 30, 2016 during the regular City Council meeting beginning at 11:30 am at City Hall, 1201 Leopard Street, Corpus Christi, Texas. This budget will raise more total property taxes than last year's budget by \$5,119,202 (General Fund \$3,138,202 Debt Service Fund \$1,981,000), or 4.8%, and of that amount an estimated \$2,436,281 is tax revenue to be raised from new property added to the tax roll this year.

**Sponsors:** Office of Management and Budget



**N. REGULAR AGENDA: (ITEM 16)**

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

**16. [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

**O. FIRST READING ORDINANCES: (ITEMS 17 - 18)****17. [16-1005](#) First Reading Ordinance - Accepting and appropriating the FY 2015 Operation Stonegarden Grant Program**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$280,000 from the State of Texas Governor's Homeland Security Grants Division for funding eligible under the FY2015 Department of Homeland Security Grant Program Operation Stonegarden to reimburse fuel, overtime, fringe benefits, and equipment expenditures for the Police Department's enforcement efforts to reduce border-security risk; and appropriating the \$280,000 in the No. 1061 Police Grants Fund.

**Sponsors:** Police Department

**18. [16-0960](#) First Reading Ordinance - Adoption of the 2015 International Property Maintenance Code (IPMC)**

Ordinance amending the Corpus Christi Code of Ordinances Chapter 13, Article II to repeal the Corpus Christi Property Maintenance Code, and to adopt the International Property Maintenance Code, 2015 Edition; providing for severance; providing for penalties; providing for publication; and providing for effective date.

**Sponsors:** Police Department

**P. FUTURE AGENDA ITEMS: (ITEMS 19 - 24)**

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

**19. [16-0969](#) Engineering Testing Agreement for Cefe F. Valenzuela Landfill FY 2016-2017 Groundwater Monitoring**

Motion authorizing the City Manager, or designee, to execute an engineering testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$130,400 for the Cefe F. Valenzuela Landfill FY 2016-2017 Groundwater Monitoring.

**Sponsors:** Solid Waste Operations and Engineering Services



20.     [16-0970](#)     **Engineering Testing Agreement for J.C. Elliott Landfill FY 2016-2017 Groundwater Monitoring**

Motion authorizing the City Manager, or designee, to execute an engineering testing agreement with Tolunay-Wong Engineers, Inc. of Corpus Christi, Texas in the amount of \$123,000 for the J.C. Elliott Landfill FY 2016-2017 Groundwater Monitoring.

**Sponsors:** Solid Waste Operations and Engineering Services

21.     [16-0978](#)     **Resolution for the acquisition of real property rights by eminent domain for the Creek View Drive Extension Project (Bond 2014, Proposition 2)**

Resolution of the City Council of the City of Corpus Christi, Texas (1) determining the public necessity and public use for the acquisition of a parcel of land by fee simple title, collectively known as Parcel 1, for a street improvement project known as the Creek View Drive Extension Project; (2) authorizing the City Manager or designee to negotiate and execute all documents necessary to acquire the property interests subject to availability of funds appropriated for such purposes; (3) authorizing the City Manager to institute condemnation by eminent domain proceedings to acquire the fee simple title in the property owned by the William E. McKinzie, Jr. Family Limited Partnership; (4) authorizing payment pursuant to an award by special commissioners; (5) authorizing acceptance and recording of appropriate legal instruments; and (6) approving condemnation for all units of property to be acquired by condemnation of the parcel described herein by a single record vote of the City Council.

**Sponsors:** Office of Public Works and Engineering Services

22.     [16-0944](#)     **Engineering Master Services Agreement for Water System Process Control and Reliability**

Motion authorizing the City Manager, or designee, to executed a Master Service Agreement with LNV, Inc. of Corpus Christi, Texas in the amount of \$300,000, for the Water System Process Control and Reliability project. This project is in the approved FY 2014-2015 Capital Improvement Plan.

**Sponsors:** Water Utilities Department and Engineering Services

23.     [16-0935](#)     **Annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS)**

Motion authorizing the City Manager or his designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Survey (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain

accurate records of all inflows and releases in the City's water reservoir, with the City's cost to be \$157,060.

Sponsors: Water Utilities Department

**24.     [16-0959](#)     Construction and donation of new Water Line by Port of Corpus Christi Authority in Joe Fulton International Trade Corridor**

Resolution authorizing the City Manager, or designee, to enter into an agreement with the Port of Corpus Christi Authority (POCCA) for the POCAA to design, construct and donate at no cost to the City a new 16-inch water main of approximately 14,250 linear feet to be used by the City to extend potable water service in an expanded area of the Joe Fulton International Trade Corridor.

Sponsors: Water Utilities Department

**Q.     FUTURE BOARD MEETING: (ITEM 25)**

**25.     [16-0994](#)     Annual Board of Directors Meeting of the Corpus Christi Community Improvement Corporation**

Annual Board of Directors Meeting of the Corpus Christi Community Improvement Corporation

Sponsors: Housing and Community Development

**R.     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.     [16-1011](#)     Water Supply (Discovery) - Demands**

Sponsors: Assistant City Manager and Environmental and Strategic Initiatives

**S.     ADJOURNMENT**