



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, April 11, 2017

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. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

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 ayudarlo.

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 Pro Tem Lucy Rubio to call the meeting to order.**
- B. Invocation to be given by Elder Jimmy Perez, New Life Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Jared Cruz, Roy Miller High School, Member of the National Hispanic Institute.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-0448](#)** Proclamation declaring April 11, 2017, "Court Appointed Special Advocate Volunteer Appreciation Day" and April 2017, "Child Abuse Prevention Month".
Proclamation declaring April 9 - 15, 2017, "Animal Control Officers, Staff and Volunteer Appreciation Week".
Proclamation declaring April 9 - 15, 2017, "National Public Safety Telecommunicators Week".
Proclamation declaring April 2017, "Safe Digging Month".

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**a. OTHER****G. MINUTES:**

2. [17-0452](#) Regular Meeting of March 28, 2017 and City Council Workshops of March 30, 2017 and April 5, 2017.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [17-0449](#) Airport Board
Animal Care Advisory Committee
Transportation Advisory Commission

I. 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.

- J. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. 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. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak MUST be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.**

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.

K. CONSENT AGENDA: (ITEMS 4 - 8)

NOTICE TO THE PUBLIC: The following items are consent motions, resolutions, and ordinances of a routine or administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

4. [17-0347](#) Supply Agreement for Sodium Bisulfite for the Wastewater Treatment Plant

Motion authorizing City Manager, or designee, to execute a supply agreement with Southern Ionics, Inc., of West Point, Mississippi for the purchase of Sodium Bisulfite ("chemical") in response to Request for Bid No. 1026 based on the lowest, responsive, responsible bid for a total amount not to exceed \$372,677.81, with an estimated expenditure of \$155,282.42 in FY2016-2017 and funded by the Wastewater Fund. The term of the agreement is for one year with an option to extend for up to two additional one year periods, subject to the approval of the supplier and the City Manager or designee.

Sponsors: Water Utilities Department and Purchasing Division

5. [17-0390](#) Motion authorizing renewal of property insurance

Motion authorizing the City Manager to execute all documents necessary to renew property insurance, including All Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown insurance through Carlisle Insurance Agency, Broker of Record, for upcoming policy year (May 5, 2017-May 5, 2018) and policy years 2018-19 and 2019-20 in exchange for an annual premium in amounts not to exceed the total amount of original bid (\$2,001,750) and further subject to the reduced premium of \$1,952,914.52 for upcoming policy

year, of which \$797,217.16 is required for the remainder of FY 2016-2017.

Sponsors: Legal Department

6. [17-0317](#) **Second Reading Ordinance - Appropriating Funds from Reimbursement of Sexual Assault Examinations (1st Reading 3/28/17)**

Ordinance appropriating \$72,000 in General Fund No. 1020 from the reimbursement of forensic sexual assault examinations in the amount of \$72,000, and changing the FY 2016-2017 Operating Budget adopted by Ordinance No. 030965 by increasing revenue and expenditures in the General Fund No. 1020 by \$72,000 each.

Sponsors: Police Department

7. [17-0340](#) **Second Reading Ordinance - Accepting and Appropriating Funds from the State of Texas Law Enforcement Standards and Education (LEOSE) Account (1st Reading 3/28/17)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an annual allocation payment from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$26,758.85; and appropriating funds from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$26,758.85 in the No. 1074 Police Grants Fund for training of police personnel and purchase of training equipment.

Sponsors: Police Department

8. [17-0343](#) **Second Reading Ordinance - Conveying City-Owned Property to Habitat for Humanity to Build Affordable Housing (1st Reading 3/28/17)**

Ordinance authorizing the conveyance of property located within the city at 1906 Lipan Street, 1910 Lipan Street and 1914 Lipan Street to Habitat for Humanity for construction of single-family affordable housing, subject to specified conditions; authorizing the City Manager or designee to execute all necessary documents related to the transactions; and providing for severance.

Sponsors: Housing and Community Development and Facilities Management Services

L. **RECESS FOR LUNCH**

The City Council will take a lunch break at approximately 1:30 p.m.

M. **PUBLIC HEARINGS: (ITEMS 9 - 11)**

9. [17-0328](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 1744 Rand Morgan Road (FM 2292)**

Case No. 0217-01 Carlos and Rhonda Garcia: A change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District. The property to be rezoned is described as a 1.615 acre tract out of the original 58.07 acre tract out of State Land Survey 416, Land Script No. 962, also being known as the F.J. Picha Tract, Corpus Christi, Nueces County, Texas, located on the east side of Rand Morgan Road, between Good-Night Loving Trail and McNorton Road.

Planning Commission and Staff Recommendation (February 9, 2017): Approval of the change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Carlos and Rhonda Garcia ("Owner"), by changing the UDC Zoning Map in reference to a 1.615 acre tract out of the original 58.07 acre tract out of State Land Survey 416, Land Script No. 962, also being known as the F.J. Picha Tract, Corpus Christi, Nueces County, Texas from the "FR" Farm Rural to the "RE" Residential Estate District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

10. [17-0373](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 522 South Padre Island Drive (State Highway 358)**

Case No. 0317-01 Estate of W.R. Durrill: A change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District. The property to be rezoned is described as being 1.823 acres out of 100 South Padre, Block 3, Lot 62, located on the north side of South Padre Island Drive (State Highway 358) between Investment Boulevard and Old Brownsville Road.

Planning Commission and Staff Recommendation (March 8, 2017): Approval of the change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by the Estate of W.R. Durrill ("Owner"), by changing the UDC Zoning Map in reference to a 1.823 acres out of 100 South Padre, Block 3, Lot 62, from the "IL" Light Industrial to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

11. [17-0415](#) **Public Hearing and First Reading Ordinance - Urban Transportation Plan Amendment - Deletion of proposed Coverdale Street (Widgeon Drive) extension between the proposed County Road 52 extension and Starlite Lane**

Ordinance amending the Urban Transportation Plan Map, of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by deleting the proposed extension of Coverdale Street (Widgeon Drive) between the proposed extension of County Road 52 and Starlite Lane; amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

Sponsors: Development Services

N. REGULAR AGENDA: (ITEMS 12 - 13)

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

12. [17-0463](#) **One Reading Action Item - Appropriating Funds for the purchase of a recycling truck for Solid Waste Services**

Ordinance appropriating \$219,000 from the reserved future replacement account into the capital outlay expenditure account in Maintenance Services Fund No. 5110 for the purchase of one 2012 Peterbilt 320 compressed natural gas (CNG) recycling truck; amending the FY2016-17 operating budget adopted by Ordinance No. 030965 by increasing expenditures by \$219,000; authorizing the City Manager or designee to execute all necessary documents to purchase the recycling truck for \$219,000 from Rush Truck Center, of New Braunfels, through the Texas Local Government Purchasing Cooperative dba Buyboard, for use by Solid Waste Operations; and declaring an emergency.

Sponsors: Fleet Maintenance Services, Solid Waste Operations and Purchasing Division

13. [17-0319](#) **Second Reading Ordinance - Ordinance adopting the London Area Wastewater Master Plan and the Storm Water Master Plan as elements of the Comprehensive Plan (Tabled 3/21/17) (Reconsidered 3/28/17)**

Ordinance adopting the London Area Wastewater Master Plan, an element of the Comprehensive Plan; adopting the London Area Storm Water Master Plan, an element of the Comprehensive Plan; amending related elements of the Comprehensive Plan; providing for severance; and providing for publication.

Sponsors: Environmental and Strategic Initiatives

O. FIRST READING ORDINANCES: (ITEMS 14 - 18)

14. [17-0417](#) **First Reading Ordinance - Accepting and appropriating grant funds for the Internet Crimes Against Children (ICAC) program within the Police Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Office of the Attorney General for the Internet Crimes Against Children (ICAC) Task Force program, in the amount of \$10,150.00 to purchase equipment and supplies for the ICAC program within the Police Department; and appropriating the \$10,150.00 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

15. [17-0391](#) **First Reading Ordinance - Accepting and appropriating Grant funds for the Homeland Security Grant Program (HSGP)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept 4 grants totaling \$280,108.79 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program for law enforcement terrorism prevention activities; and appropriating \$280,108.79 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program into the No. 1062 Fire Grant Fund to carry out homeland security projects.

Sponsors: Fire Department

16. [17-0258](#) **First Reading Ordinance - Accepting and appropriating Insurance Claim Payments for Golf Fund**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate \$95,734.24 received from insurance claim payments in the No. 4691, golf Capital Reserve Fund to be used to replace damaged Golf Cart Barn at Oso Golf Course and amending the Fiscal Year 2017 operating budget adopted by Ordinance No. 030965 by increasing revenues and expenditures by \$95,734.24 each.

Sponsors: Parks and Recreation Department

17. [17-0401](#) **First Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for property located east of Waldron Road and south of Don Patricio Road**

Ordinance exempting Flour Bluff Gardens Unit 2, Block 2, Lots 2A & 2B, located east of Waldron Road and south of Don Patricio Road, from the payment of the Wastewater Lot/Acreage Fees Under Section 8.5.2.G.1 of The Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Sponsors: Development Services

18. [17-0409](#) **First Reading Ordinance - Closing portions of two utility easements at the Del Mar College East Campus, located at 101 Baldwin Blvd.**

Ordinance abandoning and vacating portions of two existing utility easements, 0.237-acre portion of an existing utility easement and 0.390-acre portion of an existing utility easement out of a part of Del Mar College East Campus, Block 1, Lot 1, located at 101 Baldwin Blvd. and requiring the owner, Del Mar College, to comply with the specified conditions.

Sponsors: Development Services

P. FUTURE AGENDA ITEMS: (ITEMS 19 - 21)

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

19. [17-0441](#) **Service Agreement for Emergency Medical Services (EMS) Billing and Collection Services**

Motion authorizing the City Manager or designee to execute a service agreement with Advanced Data Processing, Inc., a subsidiary of Intermedix Corporation of Fort Lauderdale, Florida for Emergency Medical Services "EMS" Billing and Collection Services in accordance with Request for Proposal No. 984, based on best value with a not-to-exceed amount totaling \$9,351,660.00. The contract not-to-exceed amount is the possible amount based on a 100% collection rate, and does not include the potential revenue that will be owed to the City. The current collection rate in 2015 was 36.95%, and in 2016 it was 39%. The recommended contractor has outlined a program to increase the collection rate. The term of the contract will be for three years with up to two additional one year extension option periods.

Sponsors: Fire Department and Purchasing Division

20. [17-0421](#) **Supply Agreement for solar portable restrooms at Packery Channel for Beach Operations**

Resolution authorizing the City Manager, or designee, to execute a supply agreement with A.M.S. Global, Inc., of DeKalb, Texas, to furnish solar portable restrooms at Packery Channel for Beach Operations in an amount not to exceed \$302,668.00, with funding available in the FY2016-2017 Tax Increment Reinvestment Zone #2 Fund.

Sponsors: Parks and Recreation Department and Purchasing Division

21. [17-0345](#) **Approval for Amendments to Construction Inspection Staff Support Contracts (Council Priority - Streets)**

Motion authorizing City Manager, or designee, to execute amendments

for twelve Construction Inspection Staffing Contracts totaling \$1,530,435.50 for providing Construction Inspection Staff Support within the Engineering Services Department.

Sponsors: Engineering Services

Q. BRIEFINGS: (NONE)

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.

R. LEGISLATIVE UPDATE:

This item is for Council's informational purposes only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.

S. EXECUTIVE SESSION: (ITEMS 22 - 25)

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.

- 22. [17-0400](#) Executive Session pursuant to Texas Government Code § 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 litigation related to the case of *Mary Zuniga vs. City of Corpus Christi, Texas, et al.* including authorization of attorney's fees and expenses for further proceedings.
- 23. [17-0461](#) Executive Session pursuant to Texas Government Code § 551.071**
and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning confidential legal issues related to the U.S. Fair Housing Act, the Americans with Disabilities Act, the City's regulation of social services, community homes, group homes, the City's Uniform Development Code, and other federal, state, and local laws related to disabilities, fair housing, and land use regulation.
- 24. [17-0462](#) 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 (including TCEQ and EPA regulations) related to the provision of utility services in industrial districts, desalination, reuse, utility rate design, and water and wastewater treatment and distribution and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or

financial information pertaining to 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).

25. [17-0474](#) **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 provision of incentives pursuant to any previously executed or proposed economic development / business incentive agreement(s) between the City and/or related entities and Upper Padre Partners, LP and/or North Padre Waterpark Holdings, Ltd. and possible development agreements or other funding mechanisms related to the construction of Park Road 22 and related infrastructure, including, but not limited to, bridges, culverts, canals, sewers, lift stations, pump stations, revetments, pilings, and ditches, and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to 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).

T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Per Council Policies, an item may be added to the agenda by four members of the City Council. Council may give direction to the City Manager to add an item to a future agenda, but no other action will be taken, and no public comment solicited.

U. ADJOURNMENT