



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, April 18, 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 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 Pro Tem Lucy Rubio to call the meeting to order.**
- B. Invocation to be given by Chaplain Lynne Blackler, Christus Spohn Health System.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Mia Garcia, Foy H. Moody High School, National Honor Society.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-0475](#)** Proclamation declaring April 2017, "Lions Club International Centennial Celebration Month".
Commendation presentation to Coach James McMinn, Flour Bluff Girls Basketball Coach.
Swearing-In Ceremony for Newly Appointed Board, Commission and Committee Members.

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

2. [17-0488](#) Regular Meeting of April 11, 2017 and the Workshop of March 22, 2017.

H. BOARD & COMMITTEE APPOINTMENTS: (NONE)**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 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. [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

4. [17-0328](#) Second Reading Ordinance - Rezoning property located at 1744 Rand Morgan Road (FM 2292) (1st Reading 4/11/17)

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

5. [17-0373](#) Second Reading Ordinance - Rezoning property located at 522 South Padre Island Drive (State Highway 358) (1st Reading 4/11/17)

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

6. [17-0415](#) **Second Reading Ordinance - Urban Transportation Plan Amendment - Deletion of proposed Coverdale Street (Widgeon Drive) extension between the proposed County Road 52 extension and Starlite Lane (1st Reading 4/11/17)**

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

7. [17-0417](#) **Second Reading Ordinance - Accepting and appropriating grant funds for the Internet Crimes Against Children (ICAC) program within the Police Department (1st Reading 4/11/17)**

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

8. [17-0391](#) **Second Reading Ordinance - Accepting and appropriating Grant funds for the Homeland Security Grant Program (HSGP) (1st Reading 4/11/17)**

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

9. [17-0258](#) **Second Reading Ordinance - Accepting and appropriating Insurance Claim Payments for Golf Fund (1st Reading 4/11/17)**

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

10. [17-0401](#) **Second Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for property located east of Waldron Road and south of Don Patricio Road (1st Reading 4/11/17)**

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

11. [17-0409](#) **Second Reading Ordinance - Closing portions of two utility easements at the Del Mar College East Campus, located at 101 Baldwin Blvd. (1st Reading 4/11/17)**

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

L. RECESS FOR LUNCH

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

M. PUBLIC HEARINGS: (ITEM 12)**12. [17-0438](#) Public Hearing and First Reading Ordinance - Rezoning property located at 4325 South Padre Island Drive (State Highway 358)**

Case No. 0317-05 Vishal Hotel, LP: 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 Byron Willis, Block 2-A, Lot I, less a portion to right-of-way, located on the south side of South Padre Island Drive (State Highway 358) between Oakhurst Drive and Flynn Parkway.

Planning Commission and Staff Recommendation (March 22, 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 Vishal Hotel, LP ("Owner"), by changing the UDC Zoning Map in reference to Byron Willis, Block 2-A, Lot I, less a portion to right-of-way, from the "IL" Light Industrial District 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

N. REGULAR AGENDA: (ITEMS 13 - 14)

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

13. [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

14. [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

O. FIRST READING ORDINANCES: (ITEMS 15 - 19)

15. [17-0476](#) First Reading Ordinance - Accepting and appropriating donations for the dog park at Bayshore park

Ordinance authorizing the City Manager or designee to execute a donation agreement with the Coastal Bend Community Foundation and accept \$51,000 in donated funds from the Coastal Bend Community Foundation; authorizing the City Manager or designee to execute a donation and naming agreement with the Vishal Raju Bhagat Foundation and accept \$75,000 in donated funds from the Vishal Raju Bhagat Foundation; appropriating \$126,000 in the No. 4720 Community Enrichment Fund for construction of a dog park at Bayshore Park; and naming the dog park the "Vishal Bhagat Dog Park."

Sponsors: Parks and Recreation Department

16. [17-0480](#) First Reading Ordinance - Rebranding of Bayshore Park Development to The Water's Edge and adding "Veterans' Memorial" to Sherrill Park

Ordinance to name and rebrand the Bayshore Park Development along Shoreline Blvd. generally from Furman Ave. to Cooper's Alley to "The Water's Edge", and to rename Sherrill Park as "Sherrill Veterans' Memorial Park".

Sponsors: Parks and Recreation Department

17. [17-0446](#) First Reading Ordinance - One-way traffic flow along Rancho Vista Boulevard, between Yorktown Boulevard and future extension of Oso Parkway

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-250 Schedule I - One Way Streets and Alleys by changing designated portions of Rancho Vista Boulevard East and Rancho Vista Boulevard West from a two-way traffic pattern to a one-way traffic pattern; providing for severance; and providing for publication.

Sponsors: Office of Public Works and Engineering Services

18. [17-0454](#) **First Reading Ordinance - Establishing a school zone for Tuloso-Midway High School**

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-254 Schedule V - Increase of State Speed Limit in Certain Zones; designating a school speed zone; providing for severance; and providing for publication.

Sponsors: Engineering Services and Office of Public Works

19. [17-0489](#) **First Reading Ordinance - Approving the Amendments to the Tax Increment Reinvestment Zone Number Two Amended Project & Financing Plans**

Ordinance approving the amendments to the Tax Increment Reinvestment Zone #2 amended Project and Financing Plans approved by the Board of Directors of Reinvestment Zone Number Two, Corpus Christi, Texas on July 22, 2014, February 21, 2017, and March 7, 2017, regarding Packery Channel monitoring and improvements, and updated information on other Packery Channel projects;

Sponsors: Assistant City Manager

P. **FUTURE AGENDA ITEMS: (ITEMS 20 - 23)**

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

20. [17-0470](#) **Purchase and installation of playground equipment at West Haven Park**

Motion approving the purchase and installation of playground equipment at West Haven Park from Park Place Recreation Designs, Inc., of San Antonio, Texas for a total amount not to exceed \$83,200.00, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative dba BuyBoard.

Sponsors: Parks and Recreation Department and Purchasing Division

21. [17-0444](#) **Resolution authorizing Interlocal Agreement with West Oso ISD for West Haven Park Maintenance**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with West Oso Independent School District regarding operation and maintenance of Westhaven Park located near intersection of Cliff Maus Drive at Rockford Drive.

Sponsors: Parks and Recreation Department

22. [17-0378](#) **Construction Contract for Yorktown Boulevard from Everhart Road to Staples Street (Bond 2014, Proposition 1)**

Motion authorizing the City Manager, or designee, to execute a

construction contract with Berry Contracting, LLC dba Bay, Ltd of Corpus Christi, Texas in the amount of \$8,838,277 for Yorktown Boulevard from Everhart Road to Staples Street for Base Bid Part 2 and to execute a construction materials testing agreement with Rock Engineering and Testing Laboratory, Inc. in the amount of \$99,071 for Yorktown Boulevard from Everhart Road to Staples Street. (Bond 2014 Proposition 1)

Sponsors: Engineering Services

23. [17-0464](#) **Resolution of Support for the City of Corpus Christi Application for State Water Implementation Fund for Texas**

Resolution requesting financial assistance from the Texas Water Development Board for payment of costs of studying, evaluating, determining feasibility of, and undertaking preliminary design work relating to a Seawater Desalination Project; authorizing City staff and consultants to coordinate the submission of the application to the Texas Water Development Board for funding from the State Water Implementation Fund for Texas; and other matters in connection therewith.

Sponsors: Water Utilities Department

Q. **BRIEFINGS: (ITEMS 24 - 25)**

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.

24. [17-0016](#) **Utility Department Water Meter Program**

Sponsors: Office of Public Utilities

25. [17-0423](#) **North Beach Redevelopment Initiative**

Sponsors: Environmental and Strategic Initiatives

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 26 - 27)**

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.

26. [17-0486](#) **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).
27. [17-0487](#) **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 purchase, exchange, lease, or value of real property at or in the vicinity of Island Gate Plaza or legal actions related thereto and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property at or in the vicinity of Island Gate Plaza) because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

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