



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final

City Council

Tuesday, May 9, 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 Pastor Kevin Jennings, Mt. Olive Lutheran Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Ethan Brown, Mary Carroll High School Senior, National Honor Society Member.**
- D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [17-0578](#)** Proclamation declaring May 7 - 13, 2017 "National Hurricane Preparedness Week".
Proclamation declaring May 8-13, 2017, "National Economic Development Week".
Proclamation declaring May 9, 2017, "The HOSPIS Awards to Celebrate the Tourism Industry Day".
Proclamation declaring May 13-17, 2017, "First Mahakumbhabhishekam Celebration Days".
Proclamation declaring May 15, 2017, "National Peace Officers

Memorial Day" and May 14 - 20, 2017 "National Peace Officers Memorial Week".

Proclamation declaring May 2017, "Elder Abuse Prevention Month".

Proclamation declaring May 2017, "Older Americans Month".

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

a. OTHER

G. MINUTES:

2. [17-0574](#) Regular Meeting of April 25, 2017 and Workshops of April 27, 2017 and May 1, 2017.

H. BOARD & COMMITTEE APPOINTMENTS:

3. [17-0579](#) Building Code Board of Appeals
Coastal Bend Council of Governments
Corpus Christi Convention and Visitors Bureau
Electrical Advisory Board
Library Board
Senior Companion Program 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 - 7)

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. [17-0506](#) Second Reading Ordinance - Accepting and appropriating grant funds for the Houston High Intensity Drug Trafficking Area (HIDTA) program (1st Reading 4/25/17)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant subaward in the amount of \$20,000 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for additional overtime in an effort to eradicate the synthetic cannabinoid epidemic; and appropriating the \$20,000 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

5. [17-0468](#) Second Reading Ordinance - Amending the City Code to update the Hazardous Substance Pipeline Ordinance (1st Reading 4/25/17)

Ordinance amending Chapter 35 of the Corpus Christi Code of Ordinances to revise Article VII. - HAZARDOUS SUBSTANCES, LIQUIDS, AND GAS PIPELINES AND DISTRIBUTION SYSTEM; and providing for severance, publication, penalty, and an effective date.

Sponsors: Fire Department

6. [17-0472](#) **Second Reading Ordinance - Approval of agreement and appropriating funds for developer for the construction of wastewater collection line extension located south of Holly Road and east of Rodd Field Road (1st Reading 4/25/17)**

Ordinance authorizing City Manager or designee to execute a wastewater collection line extension construction and reimbursement agreement ("Agreement") with Palm Land Investments Inc. ("Developer"), for the construction of a sanitary sewer collection line and appropriating \$14,724.00 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

7. [17-0490](#) **Second Reading Ordinance - Exemption from the sanitary sewer infrastructure construction and wastewater lot and acreage fees for Don Patricio, Block G, Lot 1R, located west of Waldron Road and south of Don Patricio Road. (1st Reading 4/25/17)**

Ordinance exempting Don Patricio, Block G, Lot 1R, located west of Waldron Road and south of Don Patricio Road, from the payment of 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

L. **RECESS FOR LUNCH**

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

M. **PUBLIC HEARINGS: (ITEMS 8 - 9)**

8. [17-0527](#) **Public Hearing and First Reading Ordinance - Rezoning property located at 3825 County Road 69**

Case No. 0317-06 Prosperity Bank: A change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District. The property to be rezoned is described as a 0.629-acre tract of land out of River Ridge Unit 2, Block 1, Lot 1A, as recorded in Volume 68, Page 509, Map Records of Nueces County, Texas, located on the west side of Hazel Bazemore Parkway (County Road 69) between Northwest Boulevard (FM 624) and Riverway Drive.

Planning Commission and Staff Recommendation (April 5, 2017):
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Prosperity Bank ("Owner"), by changing the UDC Zoning Map in reference to a 0.629-acre tract of land out of River Ridge Unit 2, Block 1, Lot 1A, as recorded in Volume 68, Page 509, Map Records of Nueces County, Texas, from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District; amending Plan CC to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

9. [17-0532](#) **Public Hearing and First Reading Ordinance - Amending the Urban Transportation Plan by removing the proposed extension of Delgado Street between Greenwood Drive and Castenon Street**

Ordinance amending the Urban Transportation Plan Map of MobilityCC, a transportation element of the comprehensive plan of the City of Corpus Christi (the "City"), by deleting the proposed extension of Delgado Street, between Greenwood Drive and Castenon Street; amending related elements of the comprehensive plan of the City; providing for severance; and providing for publication.

Sponsors: Development Services

N. **REGULAR AGENDA: (NONE)**

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

O. **FIRST READING ORDINANCES: (ITEMS 10 - 17)**

10. [17-0540](#) **First Reading Ordinance - Accepting and appropriating funds for the FY 2016 Operation Stonegarden Grant Program within the Police Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$310,000 from the State of Texas Governor's Homeland Security Grants Division for funding eligible under the FY2016 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 \$310,000 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

11. [17-0557](#) **First Reading Ordinance - Accepting and appropriating grant funds for the FY 2017 Click It Or Ticket Program within the Police Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$27,964.96

from the State of Texas, Department of Transportation for the FY2017 Click It Or Ticket program grant; and appropriating the \$27,964.96 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

12. [17-0478](#) **First Reading Ordinance - Accepting and appropriating funds for the Community Preparedness Section - Laboratory Response Network - Public Health Emergency Preparedness (CPS-LRN-PHEP) grant within the Health Department**

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 - Public Health Emergency Preparedness (CPS-LRN-PHEP) grant in the amount of \$201,123.00, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund, to provide continued emergency preparedness and response laboratory activities for the contract period July 1, 2017, through June 30, 2018.

Sponsors: Health Department

13. [17-0479](#) **First Reading Ordinance - Accepting and appropriating funds for grant amendment for the Women, Infant and Children's Nutrition Program (WIC) grant within the Health Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an amendment to a grant contract for the Women, Infant and Children's Nutrition Program (WIC) grant in the amount of \$1,012,631.00, increasing the total amount to \$2,025,262.00, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund, to provide funds for the WIC program for the amended contract period October 1, 2016, through September 30, 2018; appropriating the increased grant amount; and ratifying acceptance of the grant agreement to begin February 15, 2017.

Sponsors: Health Department

14. [17-0568](#) **First Reading Ordinance - Authorizing a Service Agreement for Temporary Management and Operation of Al Kruse Tennis Center**

Ordinance authorizing the City Manager or designee to execute a Service Agreement with Sweet Spot Tennis, LLC ("Contractor") for management and operations of Al Kruse Tennis Center for a term of 4 months at \$3,166 per month, with up to four additional one-month extension option periods; and the Contractor will receive 95% of all Pro Revenue and 50% of collected City Revenue at Al Kruse Tennis Center and the City will receive 5% of all Pro Revenue and 50% of collected City Revenue at Al Kruse Tennis Center.

Sponsors: Parks and Recreation Department

15. [17-0525](#) **First Reading Ordinance - Closing a portion of a utility easement located at 3733 South Port Avenue**

Ordinance abandoning and vacating a 268-square foot portion of an existing utility easement out of a part of Great Gulf Corporation, Block 1, Lot 3, located at 3733 South Port Ave. and requiring the owner, Nueces County Health and Retardation Community Center, to comply with the specified conditions.

Sponsors: Development Services

16. [17-0492](#) **First Reading Ordinance - Appropriating funds bequeathed from Paralee Price estate for Library**

Ordinance appropriating \$20,000 bequeathed from Paralee Price into the Library Grants fund No 1068 to provide the opportunity for all children to have access to cost-free educational materials at Corpus Christi Public Libraries; and appropriating \$5,000 bequeathed from Paralee Price into the Library Grants fund No 1068 for the designated purpose of purchasing reading materials in large print format for the Anita & W.T. Neyland library branch.

Sponsors: Libraries

17. [17-0556](#) **First Reading Ordinance - Creation of new Industrial District Agreement for Basic Equipment Co. Owned Property**

Ordinance disannexing from the City of Corpus Christi, Texas, an approximately 3.41-acre tract of land owned by Basic Equipment Company and located in Nueces County; adjusting the City boundaries; amending Ordinance no. 029958 by adjusting the boundary of the City's Industrial District No. 1 to include the disannexed tract; authorizing the City Manager, or designee, to execute an Industrial District Agreement with Basic Equipment Company, requiring the payment of 100 percent of the ad valorem taxes that would be due if the tract was in city limits, and to file the Industrial District Agreement in the official records of Nueces County; providing for publication; and providing for severance.

Sponsors: Business Liaison and Environmental and Strategic Initiatives

P. FUTURE AGENDA ITEMS: (ITEMS 18 - 21)

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

18. [17-0524](#) **Construction Contract for Community Park Development and Improvements - Salinas Park (Bond 2012, Proposition 4)**

Motion authorizing the City Manager, or designee, to execute a construction contract with D&SS Construction, Inc. of Corpus Christi, Texas in the amount of \$424,853 for the Community Park Development

and Improvements - Salinas Park. (Bond 2012, Proposition 4).

Sponsors: Engineering Services and Parks and Recreation Department

19. [17-0508](#) **Supply Agreement for Aggregate Trap Rock for the City's Street Seal Coat Program**

Motion authorizing City Manager, or designee, to execute a supply agreement with Vulcan Construction Materials, LLC, of San Antonio, Texas for the purchase of aggregate trap rock in response to Request for Bid No. 938 based on the lowest, responsive, responsible bid for a total amount not-to-exceed \$243,720.00, with an estimated expenditure of \$81,240.00 in FY2016-2017 and funded by the Street 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 sole discretion of the City.

Sponsors: Street Department and Purchasing Division

20. [17-0541](#) **Resolution to intervene in AEP's filing at the Public Utility Commission for an amendment to its Distribution Cost Recovery Factors**

Resolution of the City of Corpus Christi, Texas authorizing intervention in the Public Utility Commission of Texas Docket No. 47015 regarding AEP Texas Inc.'s application to amend its distribution cost recovery factors to increase distribution rates within the City; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

Sponsors: Legal Department

21. [17-0552](#) **Reimbursement Resolution for Bond 2016 General Obligation Bonds**

Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes in an amount not to exceed \$18,350,000; authorizing other matters incident and related thereto; and providing an effective date.

Sponsors: Financial Services Department

Q. **BRIEFINGS: (ITEMS 22 - 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.

22. [17-0289](#) **CCREDC Quarterly Update to City Council (Q2 2017)**

Sponsors: Economic Development

23. [17-0554](#) **Water Quality Projects Update**

Sponsors: Water Utilities Department

24. [17-0576](#) **Drought Contingency Plan Recommended Changes**

Sponsors: Water Utilities Department

25. [17-0581](#) **Variable Salinity Desalination Project**

Sponsors: Water Utilities Department

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 - 28)

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. [17-0570](#) **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 annexation, disannexation, apportionment of extra-territorial jurisdiction between municipalities, interlocal agreements with water districts and neighboring municipalities, contracts for the potential economic development agreement(s) with entities that are considering the construction, expansion, and/or ownership of industrial facilities that will be consumers of water and wastewater services and 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).**

27. [17-0569](#) **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).

28. [17-0575](#) **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 Municipal Court and **Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of Municipal Court Judges with possible discussion and action in open session.

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