



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Agenda - Final City Council

Tuesday, May 27, 2014

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., or the end of the Council Meeting, whichever is earlier. Please speak into the microphone located at the podium and state your name and address. Your presentation will be limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.

Si Usted desea dirigirse al Concilio y cree que su inglés es limitado, habrá un intérprete inglés-español en todas las juntas del Concilio para ayudarle.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (at 361-826-3105) at least 48 hours in advance so that appropriate arrangements can be made.

- A. Mayor Nelda Martinez to call the meeting to order.**
- B. Invocation to be given by Deacon Jesse Hinojosa, Diocese of Corpus Christi.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Peter Davidson, Marina Superintendent**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations**
 - 1. [14-00600](#)** Proclamation declaring May 28, 2014, as "Engineering Olympics Innovative Academy for Engineering, Environmental, & Marine Science at Moody High School"
Proclamation declaring June 9-19, 2014, as "149th Anniversary of the Juneteenth Celebration, the Spirit of Emancipation Days"
Certificate of Commendation Presentation to Ryan Patrick Curtin, Operation Homefront's 2014 Navy Military Child of the Year

- 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 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. City Performance Report - Fleet Maintenance**
- b. Other**

H. EXECUTIVE SESSION: (ITEMS 2 - 3)

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. In the event 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.

- 2. [14-00611](#)** Executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, and Section 551.087, Deliberations regarding economic development negotiations with possible discussion and action in open session.
- 3. [14-00599](#)** Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding fire collective bargaining negotiations with possible discussion and action in open session

I. MINUTES: (ITEM 4)

4. [14-00606](#) Regular Meeting of May 20, 2014

J. **BOARDS & COMMITTEE APPOINTMENTS: (ITEM 5)**

5. [14-00605](#) Advisory Committee on Community Pride
Animal Control Advisory Committee
Building Standards Board
Clean City Advisory Committee
Coastal Bend Council of Governments
Island Strategic Action Committee
Sister City Committee
Transportation Advisory Committee

K. **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.

L. **CONSENT AGENDA: (NONE)**

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.

M. **PUBLIC HEARINGS: (ITEMS 6 - 8)**

6. [14-00567](#) **Public Hearing and First Reading Ordinance - Rezoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, on property located at 7801 Slough Road**

Case 0414-06 Grangefield Development, LLC: A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property is described as being a 19.704-acre tract of land out of Lot 6, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Slough Road, approximately 350 feet east of Freds Folly Drive.

Planning Commission and Staff Recommendation (April 23, 2014):

Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Grangefield Development, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 19.704-acre tract of land out of Lot 6, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

Sponsors: Development Services

7. [14-00568](#)

Public Hearing and First Reading Ordinance - Rezoning from the "CR-2" Resort Commercial District and "CR-2/IO" Resort Commercial District with an Island Overlay to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay on property located at 14313-14361 Nemo Court

Case No. 0414-05 Upper Padre Partners, LP: A change of zoning from the "CR-2" Resort Commercial District and "CR-2/IO" Resort Commercial District with an Island Overlay to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay. The property is described as being a 7.24-acre tract of land out of all of Lots 11 through 23, Block 46, Padre Island - Corpus Christi, Island Fairway Estates, and a portion of Lot 27D, Padre Island - Corpus Christi, Island Fairway Estates, located along the west side of Nemo Court, approximately 250 feet west of South Padre Island Drive (PR 22) and north of Whitecap Boulevard.

Planning Commission and Staff Recommendation (April 23, 2014):

Approval of the change of zoning from the "CR-2" Resort Commercial District and "CR-2/IO" Resort Commercial District with an Island Overlay to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Upper Padre Partners, LP, and Bryan R. Gulley ("Owners"), by changing the UDC Zoning Map in reference to a 7.24-acre tract of land out of all of Lots 11 through 23, Block 46, Padre Island - Corpus Christi, Island Fairway Estates, and a portion of Lot 27D, Padre Island - Corpus Christi, Island Fairway Estates, from the "CR-2" Resort Commercial District and "CR-2/IO" Resort Commercial District with an Island Overlay to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a

repealer clause and publication.

Sponsors: Development Services

8. [14-00569](#) **Public Hearing and First Reading Ordinance - Request for a Special Permit Time Extension, on property located at 8801 State Highway 44.**

Case No. 0313-01 Thomas Petroleum, LLC: A request for a Special Permit time extension for an additional two years. The property requiring the Special Permit time extension is described as Lot 1, Block 1, Thomas Petroleum Subdivision, located on the south side of State Highway 44, approximately 670 feet east of South Clarkwood Road.

Planning Commission and Staff Recommendation (April 23, 2014):
Denial of the applicant's requested two-year time extension and approval of a one-year time extension.

Ordinance

Ordinance amending Ordinance No. 029841, upon request by Thomas Petroleum, LLC ("Owner"), by adding a one-year time extension to the special permit time limit initially approved; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

N. **REGULAR AGENDA: (ITEM 9)**

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

9. [14-00508](#) **Second Reading Ordinance - Rezoning from the "RM-2" Multifamily 2 District to the "CG-2" General Commercial District, on property located at 7601 South Staples Street (FM 2444) (1st Reading 5/13/14)**

Case No. 0414-04 BCH Investment Group, LLC: A change of zoning from the "RM-2" Multifamily 2 District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being an 8.080-acre tract of land out of Lots 23 and 24, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, located along the west side of South Staples Street (FM 2444), approximately 400 feet south of Yorktown Boulevard.

Planning Commission and Staff Recommendation (April 9, 2014):
Approval of the rezoning from the "RM-2" Multifamily 2 District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon

application by BCH Investment Group, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 8.080-acre tract of land out of Lots 23 and 24, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, from the "RM-2" Multifamily 2 District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

O. FIRST READING ORDINANCES: (ITEMS 10 - 12)

10. [14-00523](#) First Reading Ordinance - Accepting and appropriating grant funds for Stonegarden Grant Program

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$262,595 from Nueces County for funding eligible under the FY2013 Department of Homeland Security Grant Program Operation Stonegarden to reimburse fuel, overtime, fringe benefits, and equipment expenditures for the Police Department's collaborative enforcement efforts with Nueces County along routes of ingress and egress to include (but not limited to) U. S. Highway 77 and State Highway 44; and appropriating the \$262,595 in the No. 1061 Police Grants Fund.

Sponsors: Police Department

11. [14-00509](#) First Reading Ordinance - Approving an agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located north along Saratoga Boulevard (SH 357), east of Ayers Street

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with Spear Consolidated, Ltd., ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$84,536.35 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Sponsors: Development Services

12. [14-00051](#) First Reading Ordinance - Type A Grant for the Del Mar College Process and Instrumentation

Ordinance approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Del Mar College Foundation ("Del Mar") to provide a grant of up to \$1,390,071, to expand Del Mar College's Process and Instrumentation Technology Program by purchasing a Process Technology Base Unit and Glycol Distillation Unit with ancillary

equipment/software and a Process Control Learning System and authorizing the City Manager, or designee, to execute a Business Incentive Project Service Agreement with the Type A Corporation regarding implementation and administration of the Del Mar Business Incentive Agreement; and appropriating \$1,390,071 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for said business incentive grant from the Type A Corporation to Del Mar and changing the FY 2013-2014 operating budget, adopted by Ordinance No. 029915, by increasing proposed expenditures by \$1,390,071.

Sponsors: Economic Development

P. FUTURE AGENDA ITEMS: (ITEMS 13 - 16)

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

13. [14-00507](#) Resolution approving submission of grant applications for the Highway Safety Improvement Program

Resolution supporting the submission of multiple grant applications with the Texas Department of Transportation (TxDOT) Highway Safety Improvement Program (HSIP) for projects to improve and interconnect traffic signals at selected locations throughout the City of Corpus Christi.

Sponsors: Street Department and Capital Programs

14. [14-00506](#) Resolution supporting submission of a grant application for the Harbor Bridge Livable Community Plan

Resolution supporting submission of a grant application to the United States Department of Transportation for a "Transportation Investment Generating Economic Recovery" (TIGER) Discretionary Grant for the Harbor Bridge Livable Community Plan; in the amount of \$1,000,000.

Sponsors: Street Department and Capital Programs

15. [14-00544](#) Engineering design contract for Municipal Communication Studio facility renovation

Motion authorizing the City Manager, or designee, to execute a Design Services Contract with Russ Berger Design Group, Inc. from Addison, Texas in the amount of \$59,300 for the City of Corpus Christi Municipal Communication Studio Facility Renovation.

Sponsors: Public Communications and Capital Programs

16. [14-00549](#) Agreement for Bond Counsel Services

Motion authorizing the City Manager to enter into an agreement with Fulbright & Jaworski, LLP of San Antonio, Texas to perform bond counsel services for the City of Corpus Christi.

Sponsors: Financial Services Department and Legal Department

Q. BRIEFINGS TO CITY COUNCIL: (ITEMS 17 - 19)

The following items are 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.

17. [14-00559](#) Homeless Solutions Vision and Strategies

Sponsors: ACM - Safety, Health, & Neighborhoods and Police Department

18. [14-00563](#) New Approach to Operation Proud Partnership

Sponsors: ACM - Safety, Health, & Neighborhoods and Police Department

19. [14-00598](#) Consolidated Annual Action Plan FY2014

Sponsors: Housing and Community Development

R. ADJOURNMENT