



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, October 14, 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.

A. Mayor Nelda Martinez to call the meeting to order.

Mayor Martinez called the meeting to order.

B. Invocation to be given by Rabbi Ilan Emanuel, Congregation Beth Israel.

Rabbi Ilan Emanuel gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Kristina Leal, Mayor's Chief of Staff.

Mayor's Chief of Staff Kristina Leal led the Pledge of Allegiance.

D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.

Mayor Martinez congratulated Council Member Loeb on the birth of his daughter, Isla Annabel Loeb.

City Secretary Rebecca Huerta called the roll and stated that a quorum of the Council and the required Charter Officers were present to conduct the meeting. City Secretary Huerta announced that Council Member Leal has been granted a leave of absence.

Charter Officers:

Deputy City Manager Margie Rose, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

Present: 8 - Mayor Nelda Martinez, Council Member Kelley Allen, Council Member Rudy Garza, Council Member David Loeb, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Mark Scott

Absent: 1 - Council Member Priscilla Leal

E. Proclamations / Commendations

1. Proclamation declaring October 9-15, 2014 as, "Wildlife In Focus - Wondrous Wildlife Week"
Proclamation declaring October 13-17, 2014 as, "Court Observance"

Week"

Proclamation declaring October 25, 2014 as, "Drug Free Youth Day"

Proclamation declaring October 27-31, 2014 as, "Red Ribbon Week"

Certificate of Commendation - Susan Shelby Torrance, Member of the Class of 2014 Texas Sports Hall of Fame

Swearing-in Ceremony for Municipal Court Judge Ray Gonzalez

Swearing-in Ceremony for Newly Appointed Board, Commission and Committee Members

Mayor Martinez presented the proclamations and conducted the swearing-in ceremony for newly appointed board and committee members. Judge Missy Medary conducted the swearing-in ceremony for Municipal Court Judge Ray Gonzalez.

- 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.**

Mayor Martinez called for comments from the public. The following individuals spoke in opposition to the southside annexation: John Kelley, on behalf of Neighborhoods First; Carolyn Moon; David Owen; Susie Luna Saldana; Diane Vandemark; Tom Hartman; John Sloan, Craig Pierce; Carrie Robertson Meyer; and Hugo Berlanga. The following individuals spoke in support of the southside annexation: Alan Rasmussen; Ralph Quiroz, KIII TV; Michael Bridges; Gene Guernsey; Gabe Lopez; John Helm; Mark Crawford; Dick Messberger; Jane Helm; and Commissioner Mike Pusley. Abel Alonzo stated he knows that whatever decision the City Council makes on annexation, will be the best decision for the entire community.

H. EXECUTIVE SESSION: (ITEM 2 - 3)

Mayor Martinez referred to the day's executive sessions. Mayor Martinez stated that Item 2 was withdrawn. City Secretary Huerta announced that Council Member Magill would be recusing himself from the discussion on Item 3. The Council went into executive session.

- 2.** 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.

This E-Session Item was withdrawn.

- 3.** Executive Session pursuant to Section 551.071 of the Texas Government Code and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys on annexation, with possible action and discussion in open session.

This E-Session Item was discussed in executive session.

J. BOARD & COMMITTEE APPOINTMENTS: (NONE)**K. EXPLANATION OF COUNCIL ACTION:****M. PUBLIC HEARINGS: (NONE)****N. REGULAR AGENDA: (ITEMS 10 - 12)****10. Second Reading Ordinance - Approving the Southside FM 2444 Annexation (1st Reading 9/16/14) (Tabled 9/30/14) (Requires 2/3 vote)**

Ordinance annexing Laureles Farm Tracts adjacent to the City limits located along and on both sides of FM 2444, areas south of FM 2444 and west of County Road 41, commonly referred to as a portion of the Chapman Ranch and a portion of the proposed APEX Wind Farm; providing for a Municipal Services Plan for the annexed tracts of land; providing that the owner and inhabitants are entitled to all rights, privileges, and burdens of other citizens and property owners of the City of Corpus Christi and are subject to and bound by the City Charter, Ordinances, Resolutions and Rules; providing for amendment of the official maps of the City of Corpus Christi; designating area to be added to City Council District number 5; providing for severance; and providing an effective date.

The Council returned from executive session and Mayor Martinez referred to Item 10. At the direction of Mayor Martinez, Assistant City Manager Wes Pierson provided information on the negotiation process with Apex and the key issues and options discussed. Mr. Pierson said that staff has been working since July to reach an agreement and requires direction from the City Council on whether the agreement is acceptable or if continued negotiations need to occur.

Council members spoke regarding the following topics: concerns that the windfarm will interfere with radar and broadcast signals; the risk of the potential loss of military operations; concerns with annexing an area the City could have difficulty supporting; a study sponsored by the Department of Defense, Department of Energy, Department of Homeland Security and the Federal Aviation Administration stating that windfarms will result in radar interference; the technology to address radar interference not being mature enough; annexation being the Council's only tool to deal with the windfarm because of the lack of legislation from the Texas Legislature; the cost, timeframe, and funding mechanism to place infrastructure in the annexed area; the debt service plan; growth on the southside; the location of the windfarm project; and the development agreements for existing land owners.

Mayor Martinez called for comments from the audience. Tom Hollingsworth asked questions regarding the purpose of the annexation; whether the annexation would prevent the windfarm development; and the negotiations

with Apex on the City's percentage of the pilot payment. Carol Kirkpatrick spoke in opposition to the annexation and asked questions regarding the severance clause in the ordinance; the effective date; and the development agreements. Louise Chapman spoke regarding the City annexing Chapman Ranch for financial gain. Dan McQueen spoke regarding the funding mechanism for the annexation and proposed revenues and asked whether annexing the windfarm would stop the windfarm development on the rest of Chapman Ranch. Shane Torno and Prasant Chhotu spoke in support of the annexation. Debbie McCusker asked whether the City Council plans to annex the rest of the windfarm area. Mayor Martinez stated that the intention is to annex the remainder of the windfarm area in Phase 2.

City Secretary Huerta stated that Council Member Magill would be abstaining from the vote on this item. This Ordinance was passed on second reading and approved with the following vote: Martinez, Allen, Garza, Loeb, McIntyre, Riojas, and Scott, voting "Aye"; Leal was absent; Magill abstained.

After the discussion on Item 11, City Attorney Risley asked the Council to reconsider Item 10 and stated that the ordinance would need to be amended to include the Exhibits E, F, and G from Item 12, Resolution File 14-001045, as attachments. Mayor Martinez made a motion to amend the ordinance to add Exhibits E (J.W. Owens), F (R. L. Owens) and G (Catherine Marie Sims), from Item 12, Resolution File 14-001045, as attachments describing property under development agreements to be excluded from this annexation, seconded by Council Member Loeb and passed unanimously (Leal was absent, Magill abstained). This Ordinance was passed on second reading as amended and approved with the following vote:

Aye: 7 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 1 - Council Member Magill

Enactment No: 030307

11.

Approving the funding of utility improvements in the Southside FM 2444 Annexation Area (Tabled 9/30/14) (Requires 2/3 vote)

Resolution regarding the funding of utility improvements in the Southside FM 2444 Annexation Area with property taxes from the area.

Mayor Martinez referred to Item 11. Assistant City Manager Wes Pierson stated that the purpose of this item is to approve a resolution directing staff to create a special revenue fund and use property taxes generated from the Southside FM 2444 Annexation area to fund utility improvements required by the annexation. Mayor Martinez called for comments from the public. Susie Luna Saldana asked whether the funds would be used solely for annexation. Mr. Pierson explained that the funds will first be used for infrastructure in the annexed area, and after that requirement has been met, the funds will be used for any general fund purpose. There were no comments from the Council. City Secretary Huerta announced that Council Member Magill would abstain from the vote on this item. This Resolution was passed and approved with the

following vote:

Aye: 7 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 1 - Council Member Magill

Enactment No: 030308

12. Development Agreements for Property Owners with Exemptions in the Southside FM 2444 Annexation Area (Tabled 9/30/14) (Requires 2/3 vote)

Resolution granting a Development Agreement for properties in the Proposed Southside FM 2444 Annexation Area where the property contains an agricultural, wildlife management, or timber land exemption established by the Nueces County Appraisal District and where the property owner has requested the City grant a development agreement in lieu of annexation on their qualifying property; providing for a 15 year time limit; providing that the City will not annex land that is the subject of a Development Agreement; providing that the development agreement authorizes the City to enforce all regulations and planning authority of the municipality provided the authority does not interfere with the use of the area for agriculture, wildlife management, or timber land uses; providing that the area under the Development Agreement is considered adjacent or contiguous to the city; providing that the agreement is automatically terminated if the landowner files any type of subdivision plat or related development document regardless of how the property is appraised by the Nueces County Appraisal District; providing that the agreement will be filed with the Nueces County Clerk; providing for severance; and providing an effective date.

Mayor Martinez referred to Item 12. Assistant City Manager Wes Pierson stated that the purpose of this item is to approve a resolution approving development agreements for property owners in the Southside FM 2444 Annexation area. Mr. Pierson explained that state law requires that the City offer development agreements to property owners whose property contains agricultural, wildlife management or timber land exemptions and where the property owner maintains that exemption. Mr. Pierson provided a revised map of the properties with development agreements. There were no comments from the Council or the public. This Resolution was passed and approved with the following vote:

Aye: 7 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 1 - Council Member Magill

Enactment No: 030309

O. FIRST READING ORDINANCES: (ITEM 13)

13. First Reading Ordinance - Appropriating Funds for and awarding the purchase and installation of two (2) 911 workstations (Requires 2/3 vote)

Ordinance appropriating \$335,866.17 from the Unreserved Fund Balance into the No. 5210 Municipal Information System Fund for the purchase and installation of two (2) 911 workstations; changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing expenditures by \$335,866.17 in the No. 5210 Municipal Information System Fund; and approving the purchase and installation of two (2) workstations from Intrado System Corporation for \$335,866.17 based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments.

Mayor Martinez referred to Item 13. Procurement Manager Christela Morales stated that the purpose of the item is to appropriate \$335,866.17 from the Unreserved Fund Balance into the Municipal Information System Fund for the purchase and installation of two (2) 911 workstations. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Mayor Martinez, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030311

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

Mayor Martinez deviated from the agenda and referred to City Manager's Comments.

a. Other

Deputy City Manager Rose acknowledged the Gas Department for recently receiving a 96% rating on an annual audit by the Texas Municipal League Intergovernmental Risk Pool based on the following categories: 1) dealing with document records; 2) pipeline safety compliance; 3) safety and training; 4) qualifications of personnel; and 5) gas system integrity.

I. MINUTES:

4. Regular Meeting of September 30, 2014

Mayor Martinez called for approval of the minutes. Council Member Garza made a motion to approve the minutes, seconded by Council Member Magill and passed unanimously.

L. CONSENT AGENDA: (ITEMS 5 - 9)

Mayor Martinez deviated from the agenda and referred to the Consent Agenda. There were no comments from the public. Council Member McIntyre requested that Items 5 and 7 be pulled for discussion. Council Member Garza announced that he was abstaining from Item 7.

Mayor Martinez referred to Item 5. Procurement Manager Christela Morales stated that the purpose of this item is to approve a supply agreement for lease of computers, servers and related products for various departments. In response to Council Member McIntyre, Ms. Morales stated that she would provide the Council with information on whether a wireless router was being provided to the City's Detention Center.

7. Type A Grant for Acción Texas Loan Buy Down Program for Fiscal Year 2014-2015

Resolution approving the renewal of a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Acción Texas, Inc. ("Acción") to provide grant amount up to \$250,000 for the interest buy down and grant programs for small businesses.

Mayor Martinez referred to Item 7. Mike Culbertson with the Corpus Christi Regional Economic Development Corporation, stated that the purpose of this item is to renew the Type A grant with ACCION Texas for a loan buy down program. In response to Council Member McIntyre, Mr. Culbertson stated that home-based businesses are ineligible for the program whether located inside or outside the city limits. Council Member McIntyre made a motion to amend the contract on page 6, e., ii. to read "Home-based business.", seconded by Council Member Loeb and passed unanimously. This Resolution was passed as amended on the Consent Agenda as follows:

Aye: 6 - Mayor Martinez, Council Member Allen, Council Member Loeb, Council Member Magill, Council Member McIntyre and Council Member Riojas

Absent: 2 - Council Member Leal and Council Member Scott

Abstained: 1 - Council Member Garza

Enactment No: 030304

Approval of the Consent Agenda

Mayor Martinez referred to the remaining items on the Consent Agenda (Items 5, 6, 8 and 9. Consent agenda items 5, 6, 8 and 9 were passed and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

5. Supply agreement for lease of computers, servers and other computer peripherals and related products (Requires 2/3 vote)

Motion approving a supply agreement with CSI Leasing, Inc., Saint Louis, Missouri for lease of approximately 300 desktop computers, 200 laptop computers, 20 servers, and other computer peripherals and related products in accordance with the State of Texas cooperative purchasing program and the City's Master Lease Agreement No. 1880CCC for an estimated expenditure of \$1,398,138.27, of which \$30,503.23 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve months with an option to extend for up to three additional twelve month periods subject to the approval of the supplier and the City Manager or designee.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-141

6. Engineering construction contract for the Schanen Ditch Improvements Phase 2 Project (Requires 2/3 vote)

Motion authorizing the City Manager, or designee, to execute a construction contract with Saenz Brothers Construction, LLC, in the amount of \$678,276.00 for the Schanen Ditch Improvements Phase 2 project for Total Base Bid.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-142

8. Second Reading Ordinance - Amending City Code to implement cost of living increase for City employees (1st Reading 9/30/14)

Ordinance amending the Corpus Christi Code of Ordinances, Chapter 39, Personnel, Article III Employee Classification and Compensation System to revise Section 39-303, adjusting the pay grades and steps to implement a one and a half percent (1.5%) cost of living increase as approved in the Fiscal Year 2015 Budget and to add new pay grades 401 and 402; repealing conflicting ordinances and rules; providing for effective date and providing for severance.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030305

9. Second Reading Ordinance - Appropriating program income revenue for laboratory and public health services (1st Reading 9/30/14) (Requires 2/3 vote)

Ordinance appropriating \$459,000 from the estimated program income revenue in the No. 1066 Health Grants Fund as State fiscal year 2014-2015 program income to fund laboratory and public health services for the period of September 1, 2014 through August 31, 2015.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030306

FIRST READING ORDINANCES: (ITEMS 14-21)

14. First Reading Ordinance - Appropriating funds for and awarding the purchase of two (2) Peterbilt trucks (Requires 2/3 vote)

Ordinance appropriating \$437,530 from the Unreserved Fund Balance into the No. 4200 Wastewater Fund for the purchase of two (2) trucks; changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing expenditures by \$437,530 in the No. 4200 Wastewater Fund; and approving the purchase of two (2) trucks from Rush Truck Center of Texas for \$437,530 based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments.

Mayor Martinez referred to Item 14. Director of Fleet Maintenance Jim Davis stated that that the purpose of this item is to approve the purchase of two diesel vehicles for Solid Waste Operations. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030312

15. First Reading Ordinance - Appropriating funds for and awarding the purchase of twenty-three (23) round bottom containers (Requires 2/3 vote)

Ordinance appropriating \$164,149 from the Unreserved Fund Balance into the No. 4200 Wastewater Fund for the purchase of 23 containers; changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing expenditures by \$164,149 in the No. 4200

Wastewater Fund; and approving the purchase of 23 containers from Wastequip, Beeville, Texas, for \$164,149 based on the cooperative purchasing agreement with the National Joint Powers Alliance.

Mayor Martinez referred to Item 15. Director of Fleet Maintenance Jim Davis stated that the purpose of this item is to approve the purchase of 23 round bottom containers to haul sludge. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030313

16. First Reading Ordinance - Approving the FY2014-2015 Crime Control and Prevention District Budget (Requires 2/3 vote)

Ordinance approving the FY 2014-2015 amended budget for the Corpus Christi Crime Control and Prevention District to include expenditures of \$1,296,212 for the addition of eleven (11) officers, two (2) lieutenants, four (4) vehicles, and related equipment and supplies; and amending the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294, by increasing the number of authorized "Police Lieutenant" positions by two (2) and the number of authorized "Police Officer and Senior Police Officer" by forty eight (48).

Mayor Martinez referred to Item 16. Police Chief Floyd Simpson stated that the purpose of this item is to approve an ordinance amending the budget for the Corpus Christi Crime Control and Prevention District to include expenditures of \$1,296,212 for the addition of eleven (11) officers, two (2) lieutenants and related expenditures; and amending Ordinance No. 030294 by increasing the number of authorized police lieutenant positions by two (2) and the number of authorized police officers and senior police officers by forty eight (48). Chief Simpson stated that the ordinance will need to be amended to change the word "include" to "appropriate". Council Member Scott made a motion to amend the ordinance as stated, seconded by Council Member Loeb and passed unanimously. Mayor Martinez called for comments from the public. Joan Vieth spoke regarding the need for more police officers and praised Chief Simpson for work. Council members asked questions regarding the difference between the authorized and budgeted amount of officers. This Ordinance was passed on first reading as amended and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030314

17. First Reading Ordinance - Accepting and appropriating State grant for Law Enforcement Terrorism Prevention Activities (LETPA) (Requires 2/3 vote)

Ordinance Authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency in the amount of \$73,235.00 for FY 2014 Homeland Security Grant Program, State Homeland Security Program Law Enforcement Terrorism Prevention Activity; and appropriating \$73,235.00 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency, FY 2014 Homeland Security Grant Program, State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out law enforcement terrorism prevention and protection-oriented activities such as planning, organization, training, exercises, and purchase needed equipment

Mayor Martinez referred to Item 17. Fire Chief Robert Rocha stated that the purpose of this item is to accept a grant from the Texas Homeland Security State Administrative Agency in the amount of \$73,235.00 for law enforcement terrorism prevention. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 6 - Mayor Martinez, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member Riojas and Council Member Scott

Absent: 3 - Council Member Allen, Council Member Leal and Council Member McIntyre

Abstained: 0

Enactment No: 030315

18. First Reading Ordinance - Accepting and appropriating State grant for homeland security projects (Requires 2/3 vote)

Ordinance authorizing the Mayor or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency in the amount of \$161,165.00 for FY 2014 Homeland Security Grant Program, State Homeland Security Program; and appropriating \$161,165.00 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency, FY 2014 Homeland Security Grant Program, State Homeland Security Program, into the No. 1062 Fire Grants Fund to carry out homeland security projects that will significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities

Mayor Martinez referred to Item 18. Fire Chief Robert Rocha stated that the

purpose of this item is to accept a grant from the Texas Homeland Security State Administrative Agency in the amount of \$161,165 for homeland security projects. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 6 - Mayor Martinez, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member Riojas and Council Member Scott

Absent: 3 - Council Member Allen, Council Member Leal and Council Member McIntyre

Abstained: 0

Enactment No: 030316

19. First Reading Ordinance - Accepting and appropriating regional grant for Emergency Medical Services (EMS) supplies (Requires 2/3 vote)

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$2,961.57 to be used for the purchase of supplies to support the delivery of emergency medical services for the Corpus Christi Fire Department; and appropriating \$2,961.57 from the Coastal Bend Regional Advisory Council into the No. 1056 Ambulance Grant Fund to purchase supplies to support the delivery of emergency medical services for the Corpus Christi Fire Department

Mayor Martinez referred to Item 19. Fire Chief Robert Rocha stated that the purpose of this item is to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$2,961.57 to support the delivery of emergency medical services (EMS). There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 6 - Mayor Martinez, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member Riojas and Council Member Scott

Absent: 3 - Council Member Allen, Council Member Leal and Council Member McIntyre

Abstained: 0

Enactment No: 030317

20. First Reading Ordinance - Approving and appropriating funds for an engineering design contract for Choke Canyon Dam Spillway Gate Rehabilitation (Requires 2/3 vote)

Ordinance approving and appropriating a transfer of \$4,300,000 from the Unreserved Fund Balance in No. 4050 Choke Canyon Fund Account No. 251400 Reserve for Choke Canyon Maintenance into Water CIP Fund 4080 for Project No. E14043 Choke Canyon Dam Spillway Gate Rehabilitation; amending the FY2014-2015 Operating Budget adopted by Ordinance No. 030294 to increase expenditures in

the amount of \$4,300,000; and authorizing the City Manager or designee to execute the engineering contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$381,220 for the Choke Canyon Dam Spillway Gate Rehabilitation for design, bid, and construction phase services.

Mayor Martinez referred to Item 20. Interim Executive Director of Public Works Valerie Gray stated that the purpose of this item is to authorize the transfer of funds from the Unreserved Coke Canyon Fund Balance to the Choke Canyon Dam Spillway Gate Rehabilitation project and execute an engineering contract with Freese and Nichols, Inc. for the design, bid and construction phase services for the repair and rehabilitation improvements to the seven (7) spillway gates. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre and Council Member Scott

Absent: 2 - Council Member Leal and Council Member Riojas

Abstained: 0

Enactment No: 030318

21. First Reading Ordinance - Type A Grant for Conexia Inc (Requires 2/3 vote)

Ordinance approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Conexia Inc ("Conexia") to provide a grant of up to \$160,000, for the creation of jobs 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 Conexia Business Incentive Agreement for the creation of jobs; and appropriating \$160,000 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for said business incentive grant from the Type A Corporation to Conexia; and changing the FY 2014-2015 operating budget, adopted by Ordinance No. 030294, by increasing proposed expenditures by \$160,000.

Mayor Martinez referred to Item 21. Mike Culbertson with the Corpus Christi Regional Economic Development Corporation stated that the purpose of this item is to approve a Type A grant with Conexia in the amount of \$160,000 for the creation of 80 jobs with an average salary of \$73,000 per job over a five-year period. Matthew Daly, Vice President of Conexia, thanked the City and the EDC for the welcome they have received. Council members welcomed Mr. Daly and thanked Conexia for their investment. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030319

P. FUTURE AGENDA ITEMS: (ITEMS 22 - 24)

Mayor Martinez referred to Future Agenda Items. Deputy City Manager Rose stated that staff did not have any planned presentations.

22. Supply Agreement(s) for the purchase of supplies for the manufacturing and installation of traffic signs (Requires 2/3 vote)

Motion approving supply agreement(s) with the following companies in the following amounts for traffic sign blanks, sheeting/roll goods, and traffic sign posts/anchors in accordance with Bid Invitation No. BI-0240-14, based on lowest responsible bidder, for an estimated annual expenditure of \$201,523.65. The terms of the agreements shall be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the suppliers and the City Manager or designee. Funds have been budgeted by Streets Department in FY 2014- 2015.

Custom Products Corp. <u>Jackson, Mississippi</u>	Vulcan Signs <u>Foley, Alabama</u>	3M Company <u>St. Paul, Minnesota</u>
Group I	Group II	Group III
\$42,114.00	\$38,530.75	\$53,110.40

Centerline Supply LLC
San Antonio, Texas
Group IV
\$67,768.50

Total: \$201,523.65

This Motion was recommended to the consent agenda.

Enactment No: M2014-143

23. Approving agreement for temporary tax abatement for the development located in the 900 block of North Water Street (Requires 2/3 vote)

Resolution authorizing the execution of an agreement with Prosperity Bank providing for temporary property tax abatement.

This Resolution was recommended to the consent agenda.

Enactment No: 030310

24. Approve the FY2014-2015 HOME Program set-aside funds.

Motion to approve the FY2014-2015 HOME Program set-aside funds.

This Motion was recommended to the consent agenda.

FUTURE CORPORATION MEETING: (ITEM 25)**25. Future Board of Director's Meeting of the Corpus Christi Community Improvement Corporation**

Board of Director's Meeting of the Corpus Christi Community Improvement Corporation

This Corporation Meeting was recommended to be held.

Q. BRIEFINGS TO CITY COUNCIL: (ITEM 26)**26. Texas Municipal League Presentation - Credit Access Business Regulation Ordinance**

Mayor Martinez referred to Item 26. Director of Intergovernmental Relations Tom Tagliabue stated that the purpose of this item is to present information on a credit access business regulation ordinance. Executive Director of the Texas Municipal League Bennett Sandlin stated that payday lenders have no limits on their interest rates. Mr. Sandlin said there has been a recent legislative effort to regulate credit access lenders to bring them under the usury statute, but none of those bills have passed. As a result, 21 Texas cities have enacted ordinances to regulate these payday lenders. Mr. Tagliabue and Mr. Sandlin presented a joint presentation including the definitions of an auto title loan and payday loan; a summary of the 2013 Texas payday and auto title loans; a map of credit access business in the city limits, with 14 business located in the 78411 area and 13 businesses in the 78415 zip code; auto title lending data from 2012 and 2013 in the Corpus Christi Metropolitan Statistical Area (MSA); cities with credit access business regulations and land use regulations; the key features of the model regulations; the Military Lending Act of 2007; and outreach efforts. Council members spoke regarding the following topics: the renewal or refinancing of installation loans; the legislative loophole for payday lenders; usury laws; and the number of credit access lenders in the 78415 zip code.

R. LEGISLATIVE AGENDA: (ITEM 27)**27. Adopting the State Legislative Agenda for the 84th Texas Legislature**

Resolution Adopting the City of Corpus Christi's State Legislative Agenda for the 84th Texas Legislature.

Mayor Martinez referred to Item 27. Director of Intergovernmental Relations Tom Tagliabue stated that this item is a future agenda item, the purpose of which is to provide an update on the City's State Legislative Agenda. Mr.

Tagliabue stated that the agenda has been modified to include items recommended by Council and staff as follows: support of Del Mar, Workforce Solutions and other government recommendations; support for enhanced state regulation of payday and auto title lenders; transparency for bond ballot language discussed with the Corpus Christi Independent School District; eliminate the limitations on the number of design-build civil works projects a governmental entity is allowed to do; and recommendations from the Texas Recreation and Parks Society and the Texas Coalition for Affordable Power. Mr. Tagliabue provided an overview of the legislative agenda items the City prioritizes, endorses and supports. Mayor Martinez called for comments from the audience since the item was placed on the agenda for action. There were no comments. This Resolution was recommended to the consent agenda.

Enactment No: 030320

S. ADJOURNMENT

The meeting was adjourned at 5:46 p.m.