



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, November 11, 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 Pastor David Bendett, Rock City Church.

Pastor David Bendett gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Mark Van Vleck, Executive Director - Utilities.

Executive Director of Utilities Mark Van Vleck led the Pledge of Allegiance.

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

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:

City Manager Ron Olson, 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 November 11, 2014 as, "CITGO's Coastal Bend Restoration Project for Nueces Delta and Oso Bay Day"

Mayor Martinez presented the proclamations.

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

Mayor Martinez deviated from the agenda and referred to City Manager's Comments. City Manager Olson stated that he had nothing to report.

a. Other

None.

I. MINUTES:**6. Regular Meeting of October 28, 2014**

Mayor Martinez deviated from the agenda and referred to approval of the minutes. Council Member McIntyre made a motion to approve the minutes, seconded by Council Member Allen and passed unanimously.

J. BOARD & COMMITTEE APPOINTMENTS: (NONE)**K. EXPLANATION OF COUNCIL ACTION:****L. CONSENT AGENDA: (ITEMS 7 - 12)****Approval of the Consent Agenda**

Mayor Martinez referred to the Consent Agenda. There were no comments from the Council or the public. The consent agenda items were approved by one vote as follows:

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

7. Approving an engineering construction contract for the Oso Water Reclamation Plant clarifier no. 5 trough replacement and chlorine contact chamber repairs (Requires 2/3 vote)

Motion authorizing the City Manager or designee to execute a construction contract with CSA Construction, Inc. of Houston, Texas in the amount of \$444,800 for the Oso Water Reclamation Plant Clarifier No. 5 Trough Replacement & Chlorine Contact Chamber Repairs for the base bid plus additive alternative No. 1 and 2.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-145

8. Approving Contribution-In-Aid-Of-Construction agreement for Oso Bay Area Development, Phase 2 (Bond 2008) (Requires 2/3 vote)

Motion authorizing the City Manager, or his designee, to execute a Contribution-In-Aid-Of-Construction Agreement with American Electric Power (AEP) in the amount of \$65,900.18 for electric distribution service for the Oso Bay Area Park Development Project, Phase 2 and execute an Easement and Right of Way instrument to AEP containing 225 square feet out of Lot 1, Block 1, Oso Bay Park, necessary for the installation and connection of an electrical service transformer for this project.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-146

9. Approving amendment no. 1 to an engineering design contract for the Citywide Street Preventative Maintenance Program Year 2 (Requires 2/3 vote)

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 with Coym, Rehmet & Gutierrez Engineering, L.P. of Corpus Christi, Texas in the amount of \$749,530.00 for the Citywide Street Preventative Maintenance Program (SPMP) Year 2 project.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-147

10. Approving a work plan and budget agreement with the Nueces River Authority (Requires 2/3 vote)

Motion authorizing the City Manager or designee to execute a work plan and budget agreement with the Nueces River Authority in the amount of \$99,996 to provide water planning, protection, development, and data management services to the City for FY 2015.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-148

11. Authorizing and adoption of Restated and Amended Articles of Incorporation for the Corpus Christi Business and Job Development Corporation (CCBJDC) (Requires 2/3vote)

Resolution finding that it is advisable that the Corpus Christi Business and Job Development Corporation Articles of Incorporation be restated and amended; authorizing adoption of the restated and amended articles; approving the form of the restated and amended Articles.

This Resolution was passed on the Consent Agenda.

Enactment No: 030326

12. Second Reading Ordinance - Accepting and appropriating donation for the purchase of police equipment (1st Reading 10/28/14) (Requires 2/3 vote)

Ordinance authorizing the City Manager or designee to accept a donation from Exxon Mobil Corporation in the amount of \$2,000.00 to be used for the purchase of police equipment; and appropriating \$2,000.00 from Exxon Mobil Corporation into the General Fund No. 1020 to purchase police equipment and changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing revenue and expenditures in the General Fund No. 1020 by \$2,000.00 each.

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

Enactment No: 030327

M. PUBLIC HEARINGS: (ITEMS 13 - 15)

13. Public Hearing and First Reading Ordinance - Rezoning from "RS-5" Single-Family to "RS-4.5" Single-Family at 8001 Holly Road (Requires 2/3 vote)

Case No. 0914-02 The George B. Gaines, Jr. Family Limited Partnership, Ltd.: A change of zoning from the "RS-6" Single-Family 6 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 28.461-acre tract of land out of Lots 1 and 2, Section 32, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Holly Road west of Paul Jones Avenue.

Planning Commission and Staff Recommendation (September 24, 2014): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by The George B. Gaines, Jr. Family Limited Partnership, Ltd. ("Owners"), by changing the UDC Zoning Map in reference to a 28.461-acre tract of land out of Lots 1 and 2, Section 32, Flour Bluff and Encinal Farm and Garden Tracts; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 13. Interim Assistant Director of Development

Services Julio Dimas stated that the purpose of this item is to rezone the subject property to allow for the development of 173 single-family lots. Mr. Dimas stated that the Planning Commission and staff are in favor of the zoning change. Council Member Garza made a motion to open the public hearing, seconded by Council Member Magill and passed. Mayor Martinez called for comments from public. Luis A. Rodriguez spoke in opposition to the zoning change. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Garza and passed. 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: 030336

14. Public Hearing and First Reading Ordinance - Rezoning from Neighborhood Commercial to General Commercial at 6197 Dunbarton Oak Drive (Requires 2/3 vote)

Case No. 0914-01 Patrick H. Nolan and Amy L. Nolan: A change of zoning from the "CN-1" Neighborhood Commercial District to "CG-2" General Commercial District, not resulting in a change to the Future Land Use Plan. The property is described as being a 1.34 acre portion of Lot 1, Block 3, Cimarron Center, located on the southwest corner of Dunbarton Oak Drive and Cimarron Boulevard.

Planning Commission and Staff Recommendation (September 24, 2014):

Denial of the "CG-2" General Commercial District and, in lieu thereof, approval of a Special Permit subject to a site plan and conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Patrick H. Nolan and Amy L. Nolan ("Owners"), by changing the UDC Zoning Map in reference to a 1.34 acre portion of Lot 1, Block 3, Cimarron Center, from the "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 14. Interim Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to rezone the subject property to allow for continued development of additional self-storage units. Mr. Dimas stated that the Planning Commission and staff recommends denial of the "CG-2" General Commercial District and, in lieu thereof, approval of a Special Permit subject to a site plan and 10 conditions. Council Member Garza made a motion to open the public hearing, seconded by Council Member

McIntyre and passed. There were no comments from the Council or the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Garza. 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: 030337

15. Public Hearing and First Reading Ordinance - Closing a portion of Bockholt Road between the Old State Highway 44 and the New State Highway 44 rights-of-way (Requires 2/3 vote)

Ordinance abandoning and vacating an undeveloped and unsurfaced 21,690 square-foot portion of the Bockholt Road public street right-of-way, out of GC&SF RR CO Survey, Abstract No. 1005, Nueces County, Texas, being a portion of those certain tracts of land described as Tract Two and Tract Three, located between the Old State Highway 44 right-of-way and the New State Highway 44 right-of-way; and requiring the owner, George Picha, to comply with the specified conditions.

Mayor Martinez referred to Item 15. Director of Development Services Dan Grimsbo stated that the purpose of this item is to abandon and vacate a portion of Bockholt Road due to the fact that this unimproved portion of public street right-of-way leads to a dead end and serves no purpose for future use. Council Member Magill made a motion to open the public hearing, seconded by Council Member Garza. There were no comments from the Council or the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Garza. 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: 030338

N. REGULAR AGENDA: (NONE)

O. FIRST READING ORDINANCES: (ITEMS 16 - 18)

16. First Reading Ordinance - Accepting and appropriating the Violence Against Women (VAWA) grant within the Police

Department for Year 15 (Requires 2/3 vote)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$44,356.71 for Year 15 of the Violence Against Women (VAWA) Program within the Police Department with a City match of \$20,280.21 and an in-kind match of \$5,520 from the No. 1020 Police General Fund; appropriating the \$44,356.71 in the No. 1061 Police Grants Fund for the VAWA grant in the Police Department; and authorizing the transfer of \$20,280.21 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$70,156.92.

Mayor Martinez referred to Item 16. Police Chief Floyd Simpson stated that the purpose of this item is to accept and appropriate a grant from the State of Texas for Year 15 of the Violence Against Women (VAWA) Program in the amount of \$44,356.71. A council member requested that the Police Department provide information on the ability to assist Nueces County with their domestic violence endeavors. 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: 030339

17. **First Reading Ordinance - Accepting and appropriating the Victims of Crime Act (VOCA) Outreach Program grant within the Police Department for Year 2 (Requires 2/3 vote)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$68,163.15 for Year 2 of the Victims of Crime Act (VOCA) Outreach Program within the Police Department with a City match of \$13,840.79 and an in-kind match of \$3,200.00 from the No. 1020 Police General Fund; Appropriating the \$68,163.15 in the No. 1061 Police Grants Fund for the VOCA Outreach grant in the Police Department; and authorizing the transfer of \$13,840.79 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$85,203.94.

Mayor Martinez referred to Item 17. Police Chief Floyd Simpson stated that the purpose of this item is to accept and appropriate a grant for the Victims Against Crime Act (VOCA) for Year 2 in the amount of \$68,163.15. 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: 030340

18. First Reading Ordinance - Accepting and appropriating the Victims of Crime Act (VOCA) grant within the Police Department for Year 15 (Requires 2/3 vote)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$77,084.05 to continue the Victims of Crime Act (VOCA) Grant within the Police Department for Year 15 with a City match of \$20,271.01 and an in-kind match of \$4,000 from the No. 1020 Police General Fund; appropriating the \$77,084.05 in the No. 1061 Police Grants Fund to continue the VOCA grant in the Police Department; and authorizing the transfer of \$20,271.01 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same as grant matching funds for a total project cost of \$101,355.06.

Mayor Martinez referred to Item 18. Police Chief Floyd Simpson stated that the purpose of this item is to accept and appropriate the Victims of Crime Act (VOCA) grant within the Police Department for Year 15 in the amount of \$77,084.05. 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: 030341

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 deviated from the agenda and referred to comments from the public. Bill King spoke regarding the implications of homelessness and studies revealing that it costs less to provide the homeless with housing than to leave them on the streets. Brian Watson expressed concerns with allowing water to be transferred overseas. Susie Luna Saldana congratulated the incumbents of

the election and asked the Council to remember the voice of the people and to make decisions on the people's behalf. Lonnie Lenningham spoke regarding traffic in the community and consideration for a future freeway system south of the Oso to handle future growth. Mr. Lenningham also expressed concern regarding the use of funds for the recently approved bond projects.

H. EXECUTIVE SESSION: (ITEMS 2 - 5)

Mayor Martinez deviated from the agenda and referred to the day's executive sessions. The Council went into executive session. City Secretary Huerta stated that Council Member Mark Scott recused himself from the discussion on Item 4.

2. Executive session pursuant to Texas Government Code § 551.071 for consultation with attorneys regarding pending or contemplated litigation involving the City, including *City of Corpus Christi v. MPM Homes, Inc.*, with possible discussion and/or action in open session.

This E-Session Item was discussed in executive session.

3. 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 discussed in executive session.

4. Executive session pursuant to Texas Government Code § 551.071 for consultation with attorneys regarding legal issues concerning the interpretation of economic development contract(s) involving tourism oriented development, and pursuant to Texas Government Code § 551.087 to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations, involving tourism oriented development.

This E-Session Item was discussed in executive session.

5. Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code to consult with attorneys regarding Cause No. 2014-DCV-1755-G, styled *City of Corpus Christi and Corpus Christi Community Improvements Corporation vs. Texas League of United Latin American Citizens (LULAC) Apartments of the Village, Henry Gorham, LULAC Council #1 Foundation, Inc, TX LULAC Village Housing, LP TX LULAC Oasis at the Park Housing, LP, Affordable Housing Consultants, Inc., and David Marquez*, for discussion and possible action in open session.

This E-Session Item was discussed in executive session.

FIRST READING ORDINANCES: (ITEMS 19 - 27)**19. First Reading Ordinance - Accepting and appropriating the Sea and Aquatic Life Activities grant (Requires 2/3 vote)**

Ordinance authorizing the City manager or designee to execute all documents necessary to accept and appropriate a grant of \$22,500 from the Texas Department of State Health Services in the Health Grants Fund No. 1066 to provide laboratory services for the analysis of bay water samples for the contract period of September 1, 2014, through August 31, 2015; and to ratify acceptance of the grant to begin as of September 1, 2014.

Mayor Martinez referred to Item 19. Assistant Director of Public Health Aurora Parlamas stated that the purpose of this item is to accept and appropriate a grant in the amount of \$22,500 from the Texas Department of State Health Services to provide laboratory services for analysis of bay water samples. 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: 030342

20. First Reading Ordinance - Authorizing a lease agreement for use of the McCampbell House at Heritage Park (Requires 2/3 vote)

Ordinance authorizing the City Manager or designee to execute a one-year lease agreement with the Corpus Christi Chamber of Commerce for use of the McCampbell House at Heritage Park with rent of \$1,500 per month.

Mayor Martinez referred to Item 20. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to approve the renewal of a one-year lease agreement with the Corpus Christi Chamber of Commerce for the use of the McCampbell House. 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: 030343

21. First Reading Ordinance - Approving contract and appropriating funds for Community Youth Development Program (CYD) (Requires 2/3 vote)

Ordinance authorizing the City Manager or designee to execute a contract with the Texas Department of Family and Protective Services for funding for September 1, 2014 through February 28, 2015 in the total amount of \$193,384.84; authorizing appropriation in the Grants Fund No. 1060 for Community Youth Development program contracts for the 78415 Zip Code area; to include the extension of the subcontracts as follows: \$26,100.46 to The Boys and Girls Club, \$40,275.46 to Communities In Schools of the Coastal Bend, \$52,849.80 to SERCO of Texas and \$ 17,496.71 to Youth Odyssey for subcontract period September 1, 2014 through February 28, 2015.

Mayor Martinez referred to Item 21. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to approve the renewal of the Community Youth Development (CYD) 78415 program grants for an additional six (6) months from the Texas Department of Family and Protective Services. 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: 030344

22. First Reading Ordinance - Authorizing an interlocal agreement and appropriating funds for a Downtown Safety & Security Partnership Program (Requires 2/3 vote)

Ordinance authorizing the City Manager or his designee to execute a nine-month interlocal agreement from January 2015 through September 2015 with the Corpus Christi Downtown Management District to pay the District \$166,500 for contracting with Off-Duty Bike Patrol Officers and Security Ambassadors to patrol the District; appropriating \$166,500 from the unreserved fund balance in the No. 1020 General Fund; changing the fiscal year 2014-2015 operating budget adopted by Ordinance Number 030294 by increasing appropriations by \$166,500.

Mayor Martinez referred to Item 22. Business Liaison Alyssa Barrera stated that the purpose of this item is to execute an interlocal agreement with the Corpus Christi Downtown Management District and appropriate \$166,500 for contracting with off-duty bike patrol officers and security ambassadors to patrol downtown. Ms. Barrera provided background regarding the Downtown Management District's three-year strategic plan and stated that the highest

priority item was to improve the safety and perception of safety in the downtown area. Council Member Allen thanked the Executive Director of the Corpus Christi Downtown Management District Terry Sweeney and Police Chief Floyd Simpson for coordinating this effort. 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: 030353

23. First Reading Ordinance - Authorizing Issuance of Utility System Revenue Bonds - Fixed Rate (Related items 24, 25, 38) (Requires 2/3 vote)

Ordinance authorizing the issuance of one or more series of City of Corpus Christi, Texas Utility System Junior Lien Revenue Improvement Bonds, in an aggregate principal amount, when combined with other City Utility System Revenue Obligations authorized on the date hereof, not to exceed \$115,000,000, pursuant to the delegation provisions set forth herein; making provisions for the payment and security thereof by a junior and inferior lien on and pledge of the net revenues of the City's Utility System on a parity with certain currently outstanding Utility System Revenue Obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; prescribing the forms, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of each series of bonds; including the approval and distribution of one or more Official Statements pertaining thereto; authorizing the execution of one or more paying agent/registrar agreements, and one or more purchase contracts; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; establishing the City's intention to reimburse itself from the proceeds of any such series of bonds for the prior lawful expenditure of funds to construct various City improvements; delegating the authority to the certain members of the City staff to execute certain documents relating to the sale of each series of bonds; and providing an effective date.

Mayor Martinez referred to Item 23. Director of Financial Services Constance Sanchez stated that Items 23, 24 and Future Agenda Item 38 are related. Ms. Sanchez explained that the purpose of Items 23 and 24 are to authorize the issuance of up to \$115,000,000 of Utility System Revenue Bonds to fund utility projects for Year 1 of the FY2015 Capital Improvement Plan. Ms. Sanchez said that in effort to provide the City with the most flexibility, authorization is being

requested for the issuance of both fixed rate bonds (Item 23) and variable rate bonds (Item 24). Ms. Sanchez also provided information on the structured parameters of the ordinance. Ms. Sanchez referred to Item 38 and stated that the purpose of this item is to request the approval of M.E. Allison, & Co. as Financial Advisor. Mayor Martinez asked questions regarding the difference on interest rates between the short-term variable rate and the fixed rate. There were no comments from 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: 030346

24. First Reading Ordinance - Authorizing the Issuance of Utility System Revenue Bonds - Variable Rate (Related items 23, 25, 38) (Requires 2/3 vote)

Ordinance authorizing the issuance of one or more series of City of Corpus Christi, Texas Utility System Variable Rate Junior Lien Revenue Improvement Bonds, in an aggregate principal amount, when combined with other City Utility System Revenue Obligations authorized on the date hereof, not to exceed \$115,000,000, pursuant to the delegation provisions set forth herein; making provisions for the payment and security thereof by a junior and inferior lien on and pledge of the net revenues of the City's Utility System on a parity with certain currently outstanding Utility System Revenue Obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; prescribing the forms, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of each series of bonds; including the approval and distribution of one or more Official Statements pertaining thereto; authorizing the execution of one or more paying agent/registrar agreements, and one or more remarketing agreements, one or more tender agent agreements, and one or more purchase contracts; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; establishing the City's intention to reimburse itself from the proceeds of any such series of bonds for the prior lawful expenditure of funds to construct various City improvements; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of each series of bonds; and providing an effective date.

Item 24 was discussed during the discussion on Item 23. 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: 030347

25. First Reading Ordinance - Authorizing the Issuance of Utility System Refunding Bonds (Related items 23, 24, 38) (Requires 2/3 vote)

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Utility System Junior Lien Revenue Refunding Bonds, Series 2015", in an amount not to exceed \$166,240,000; making provisions for the payment and security thereof by a junior and inferior lien on and pledge of the net revenues of the City's Utility System on a parity with certain currently outstanding utility system revenue obligations; stipulating the terms and conditions for the issuance of additional Revenue Bonds on a parity therewith; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrars agreement; an escrow agreement, and a purchase contract; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the bonds, and providing an effective date.

Mayor Martinez referred to Item 25. Director of Financial Services Constance Sanchez stated that Item 25 and Future Agenda Item 38 are related. Ms. Sanchez explained that the purpose of Item 25 is a refunding opportunity for the utility system's debt up to \$166,240,000. Ms. Sanchez stated that if all eligible outstanding bonds are refunded at today's interest rate, a net present value savings of over \$5 million or 8.82% would be realized. However, the actual amount to be refunded will be determined at the time of pricing. Ms. Sanchez referred to Item 38 and stated that the purpose of this item is to request the approval of M.E. Allison, & Co. as Financial Advisor. In response to Mayor Martinez, Ms. Sanchez stated that the pricing will be done in January of 2015. There were no comments from 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: 030348

26. First Reading Ordinance - Appropriating funds for Solid Waste debt service payment (Related items 39, 40) (Requires 2/3 vote)

Ordinance appropriating \$1,100,000 from the unreserved fund balance in the No. 1020 General Fund and transferring to and appropriating in the No. 2010 Debt Service Fund to pay principal and interest in Fiscal Year (FY) 2014-2015 for Solid Waste certificates of obligation; and changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 to increase revenues by \$1,100,000 and expenditures by \$1,100,000 in the No. 2010 Debt Service Fund and to increase expenditures by \$1,100,000 in the General Fund

Mayor Martinez referred to Item 26. Director of Financial Services Constance Sanchez stated that Item 26 and Future Agenda Items 39 and 40 are related to the issuance of up to \$14,500,000 in Certificates of Obligation to fund health and public safety projects related to the J.C. Elliott Transfer Station and the Cefe Valenzuela Landfill outlined in the FY2015 Capital Improvement Plan. Ms. Sanchez explained that Item 26 relates to the debt service payment estimated at approximately \$1,100,000 for FY2015. Ms. Sanchez stated that since this amount was not included in the FY2015 Operating Budget, approval is being requested to appropriate these funds out of the fund balance of the General Fund from excess funds generated by Solid Waste. Ms. Sanchez referred to Item 40 and stated that the purpose of this item is to request to publish a Notice of Intention in the Corpus Christi Caller Times to comply with the Texas Local Government Code as it relates to Certificates of Obligation. Ms. Sanchez referred to Item 39 and stated that the purpose of this item is to request the approval of M.E. Allison, & Co. as Financial Advisor. City Manager Olson provided clarification on the reason staff is recommending the issuance of the Certificates of Obligation for this item. 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: 030352

27. First Reading Ordinance - Authorizing the issuance of tax notes related to Texas Military Preparedness Commission (Related items 41, 42) (Requires 2/3 vote)

Ordinance by the City of Council of the City of Corpus Christi, Texas authorizing the issuance of "City of Corpus Christi, Texas Tax notes, Series 2014A" in an amount not to exceed \$5,090,000, levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the obligations; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale,

and delivery of the obligations; authorizing the execution of paying agent/registrar agreement and a purchase and investment letter; complying with the provisions of the depository trust company' s letter of representations; and providing an effective date.

Mayor Martinez referred to Item 27. Director of Financial Services Constance Sanchez stated that Item 27 and Future Agenda Items 41 and 42 are related to the repurposing of an existing loan that the City has with the Texas Military Preparedness Commission. Ms. Sanchez explained that when Naval Station Ingleside was closed through the Base Realignment and Closure process, the City applied for a \$10.5 million Texas Military Value Revolving Loan Fund through the Texas Military Preparedness Commission for the two following projects: the reconstruction and expansion of Port Avenue from Interstate 37 to U.S. 181 and the extension of Waldron Field and realignment of Flour Bluff Drive. Ms. Sanchez added that in 2007, the City issued two series of debts to fund these projects and both series were sold to the Texas Public Finance Authority (TPFA), acting on behalf of the Texas Military Preparedness Commission, to provide the City with assistance for projects targeting infrastructure related to military facilities located around the City. Ms. Sanchez stated that the Port project was completed and the Waldron Field Project was never started. The City has made semi-annual payments on the loan since 2007, but under the terms of the loan agreement, the earliest the loan can be paid off is September 2016. Staff worked with the Governor's Office on alternate options for the unused proceeds and the City has the opportunity to put unused funds to use on military value projects. Ms. Sanchez referred to Item 42 and stated that the purpose of this item is to authorize the redemption of unspent proceeds from the original debt . Ms. Sanchez referred to Item 27 and stated that the purpose of this item is to authorize the issuance of new tax notes in the amount of \$5,090,000. Ms. Sanchez said that once the City receives approval from the TPFA and the Texas Military Preparedness Commission to use the remaining proceeds for additional projects, the City can issue new debt for new military projects. Ms. Sanchez referred to Item 41 and stated that the purpose of this item is to appoint M.E.Allison, & Co. as Financial Advisor.

Director of Intergovernmental Relations Tom Tagliabue provided information on the history of the bond issuance, the Military Value Loan Fund balance; the timeline for approval; and the five recommended projects as follows: 1) Sam Rankin Road Improvements; 2) Land Acquisition of Clear Zones, Accident Prevention Zones and Encroachments; 3) Naval Air Station Corpus Christi South Gate Truck Lane; 4) Naval Air Station Corpus Christi Fence Line Replacement; and 5) Corpus Christi International Airport Taxiway Expansion & Safety Enhancements. Council members spoke regarding the following topics: the City's allocation to the South Texas Military Task Force; an update on the City's investment in military efforts; and the Corpus Christi International Airport Taxiway project. 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: 030350

P. FUTURE AGENDA ITEMS: (ITEMS 28 - 42)

Mayor Martinez referred to Future Agenda Items. City Manager Olson stated that staff had a planned presentation on Item 32. Council members requested information on Items 30 and 31.

28. Approving a maintenance agreement with Intrado for hardware and software support for the Emergency 911 Call Taker System (Requires 2/3 vote)

Motion authorizing the City Manager or his designee to execute a maintenance agreement with Intrado in the amount of \$336,644, of which \$50,496.60 is required for the remainder of FY 2014-2015 for software and hardware support services on the Emergency 911 System. The term of the contract is five years.

This Motion was recommended to the consent agenda.

Enactment No: M2014-149

29. Approving an engineering construction contract for Master Channel 31 drainage excavation to provide drainage relief for Oso Bay Basin (Requires 2/3 vote)

Resolution authorizing the City Manager or designee to execute a construction contract in the amount of \$883,128.79 with DRC Emergency Services, LLC for the Master Channel 31 Drainage Channel Excavation Project.

This Resolution was recommended to the consent agenda.

Enactment No: 030330

30. Approving a project cooperation agreement for the McGee Beach Nourishment project (Requires 2/3 vote)

Motion authorizing the City Manager or designee to execute a Project Cooperative Agreement with the Texas General Land Office in the amount of \$264,000 for the McGee Beach Nourishment project for design, data collection, permitting, engineering and construction oversight.

This Motion was recommended to the consent agenda.

Enactment No: M2014-150

31. Ratifying and amending Anti-litter Campaign Contract (Requires 2/3 vote)

Motion ratifying expenditures of \$106,017.15 incurred through the advertising firm of Bucket Works, and authorizing the City Manager to execute an addendum to the Bucket Works contract for additional expenditures not to exceed \$20,000 to complete the ongoing anti-litter campaign.

This Motion was recommended to the consent agenda.

Enactment No: M2014-151

32. Amending the Corpus Christi Convention and Visitors Bureau (CCVB) agreement to align it with the City's fiscal year and amending the board composition (Requires 2/3 vote)

Motion authorizing the City Manager or designee to execute an Amended Consulting Services Agreement with the Corpus Christi Convention and Visitors Bureau for a period ending September 30, 2015.

This Motion was recommended to the consent agenda.

Enactment No: M2014-155

33. Nominating voestalpine Texas LLC as a Double Jumbo Texas Enterprise Zone Project (Requires 2/3 vote)

Resolution nominating voestalpine Texas, LLC ("voestalpine") to the Office of the Governor Economic Development & Tourism ("EDT") through the Economic Development Bank ("Bank") as a Double Jumbo Enterprise Project pursuant to the Texas Enterprise Zone Act ("Act").

This Resolution was recommended to the consent agenda.

Enactment No: 030331

34. Nominating Flint Hills Resources, LP as a Double Jumbo Texas Enterprise Zone Project (Requires 2/3 vote)

Resolution nominating Flint Hills Resources Corpus Christi, LLC ("Flint Hills") to the Office of the Governor Economic Development & Tourism ("EDT") through the Economic Development Bank ("Bank") as a Double Jumbo Enterprise Project pursuant to the Texas Enterprise Zone Act ("Act").

This Resolution was recommended to the consent agenda.

Enactment No: 030332

35. Approving a Type A Grant for Service Corps of Retired Executives (SCORE) Chapter 221 for Fiscal Year 2015 (Requires 2/3 vote)

Resolution approving a Small Business Incentives Agreement between

the Corpus Christi Business and Job Development Corporation and Service Corps of Retired Executives (SCORE) Chapter 221 to provide grant up to \$50,000 to assist small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the SCORE Chapter 221 Small Business Incentives Agreement.

This Resolution was recommended to the consent agenda.

Enactment No: 030333

36. Approving a Type A Grant extension for Del Mar College Internship Program (Requires 2/3 vote)

Resolution approving extension of a Small Business Incentives Agreement between the Corpus Christi Business And Job Development Corporation and Del Mar College ("Del Mar") for one year until September 30, 2015, and to provide a grant amount of up to \$173,223 for an intern program for small businesses.

This Resolution was recommended to the consent agenda.

Enactment No: 030334

37. Approving Type A Grant Extension for Texas A&M University - Corpus Christi Internship Program (Requires 2/3 vote)

Resolution approving extension of a Small Business Incentives Agreement between the Corpus Christi Business And Job Development Corporation and Texas A&M University - Corpus Christi ("TAMUCC") for one year until September 30, 2015, and to provide a grant amount of up to \$190,635 for an intern program for small businesses.

This Resolution was recommended to the consent agenda.

Enactment No: 030335

38. Appointing a financial advisor for Utility System Revenue Bond Sale and Utility System Revenue Refunding Bond Sale (Related items 29 - 32) (Requires 2/3 vote)

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for one or more series of City of Corpus Christi, Texas Utility System Junior Lien Revenue Improvement Bonds (fixed rate and/or variable rate) in an aggregate principal amount not to exceed \$115,000,000; and for one or more series of City of Corpus Christi, Texas Junior Lien Revenue Refunding Bonds in an amount not to exceed \$166,240,000.

This Motion was recommended to the consent agenda.

Enactment No: M2014-152

39. Appointing a financial advisor for Solid Waste Certificates of Obligation (Related items 36 - 38) (Requires 2/3 vote)

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the of City of Corpus Christi, Texas, Combination Tax and Solid Waste Revenue Taxable Certificates of Obligation, Series 2015 in an amount not to exceed \$14,500,000.

This Motion was recommended to the consent agenda.

Enactment No: M2014-154

40. Authorizing the issuance of Solid Waste Certificates of Obligation (Requires 2/3 vote)

Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

This Resolution was recommended to the consent agenda.

Enactment No: 030351

41. Appointing a financial advisor for Texas Military Preparedness Commission debt transactions (Related items 33 - 35) (Requires 2/3 vote)

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the transaction to call for redemption prior to stated maturity "City of Corpus Christi, Texas General Improvement Bonds, Series 2007" and "City of Corpus Christi, Texas Combination Tax and Utility System Revenue Certificates of Obligation, Series 2007" and as Financial Advisor for the issuance of "City of Corpus Christi, Texas Tax Notes, Series 2014A" in an amount not to exceed \$5,090,000.

This Motion was recommended to the consent agenda.

Enactment No: M2014-153

42. Repurposing of existing Texas Military Preparedness loan (Requires 2/3 vote)

Resolution by the City Council of the City of Corpus Christi, Texas calling for redemption prior to stated maturity certain of its currently

outstanding obligations designated as “City of Corpus Christi, Texas General Improvement Bonds, Series 2007” and “City of Corpus Christi, Texas Combination Tax and Utility System Revenue Certificates of Obligation, Series 2007”; directing that the City Secretary or designee thereof, effectuate the redemption of these obligations; and other matters in connection therewith.

This Resolution was recommended to the consent agenda.

Enactment No: 030349

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

R. LEGISLATIVE UPDATE:

None.

S. ADJOURNMENT

The meeting was adjourned at 3:25 p.m.