



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, December 8, 2015

11:30 AM

Council Chambers

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**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 Srygley, Arlington Heights Church of Christ.**

Pastor David Srygley gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Norma Davison, Customer Call Center Manager - Communication, Media Relations & E-Government Department.**

Customer Call Center Manager Norma Davison 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 verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

(Council Member McIntyre arrived at 11:35 a.m.)

Charter Officers:

City Manager Ron Olson, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

**Present:** 9 - Mayor Nelda Martinez, Council Member Rudy Garza, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, Council Member Lucy Rubio, Council Member Brian Rosas, Council Member Mark Scott, and Council Member Carolyn Vaughn

**E. Proclamations / Commendations**

**1. Proclamation declaring December 12, 2015, "Christmas Tree Forest, A Reading Wonderland Day".**

Mayor Martinez presented the proclamation.

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

Mayor Martinez referred to City Manager's Comments. City Manager Ron Olson referred to the following topic:

**a. CITY HALL SECURITY UPDATES - Senior Officer Denise Pace, Corpus Christi Police Department****2. City Hall Security Updates**

Senior Officer Denise Pace provided a brief update on the security upgrades to City Hall. The upgrades include: employee-only entrances at the Sam Rankin and Staples Street entrances with card read access and a public entrance at the Lipan Street entrance with the installation of a metal detector. The upgrades are on schedule and will go into effect on December 21, 2015.

**b. OTHER**

None.

**H. MINUTES:****3. Regular Meeting of November 17, 2015**

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

**I. BOARD & COMMITTEE APPOINTMENTS:****4. Arts & Cultural Commission  
Corpus Christi Downtown Management District  
Human Relations Commission  
Museum of Science and History Advisory Board  
Oil and Gas Advisory Committee  
Port of Corpus Christi Authority of Nueces County, TX  
Water Resources Advisory Committee**

Mayor Martinez referred to board and committee appointments. The following appointments were made:

**Arts and Cultural Commission**

Mayor Martinez made a motion to reappoint Cathy Harrison (Economic Development/Tourism) and Stephen Rybak (Marketing), seconded by Council Member Scott and passed unanimously.

Mayor Martinez made a motion to appoint Sarah Coles (Youth/Education) and Dr. Laura Petican (Visual Arts), seconded by Council Member McIntyre and passed unanimously.

**Human Relations Commission**

Mayor Martinez made a motion to appoint Laura Commons, seconded by Council Member Magill and passed unanimously.

**Museum of Science and History Advisory Board**

Mayor Martinez made a motion to reappoint Steve Arnold (Friends of the Museum), Sonia Castillo (Business Community), Anita Eisenhower (Advisory, non-voting), Jonda Halcomb (Higher Education), Amanda Leal (Friends of the Museum), Cary Perales (K-12 Education), and Scott Sutherland (Business Community), seconded by Council Member McIntyre and passed unanimously.

Mayor Martinez made a motion to appoint Ruben E. Rocha, Jr. (K-12 Education), seconded by Council Member Garza and passed unanimously.

**Oil and Gas Advisory Committee**

Mayor Martinez made a motion to reappoint Patrick McCullough (Oil Industry), Gary Meurer (General Public), William Moffitt (Oil Industry), Gerald Rogen (General Public), and Randy Schnettler (General Public), seconded by Council Member Garza and passed unanimously.

Mayor Martinez made a motion John W. Newman (Oil and Gas Industry), Armando Mendez (Oil and Gas Industry, Alternate), and Elizabeth Perez (Not Connected with Oil and Gas Industry, Alternate), seconded by Council Member Magill and passed unanimously.

**Water Resources Advisory Committee**

Mayor Martinez made a motion to appoint Roberto Reece (Military Facility Representative), seconded by Council Member Garza and passed unanimously.

**Corpus Christi Downtown Management District**

Council Member Scott made a motion to appoint Cherylyn M. Boyd (Property Owner) and Lexi Buquet (Resident), seconded by Council Member Magill and passed unanimously.

**Port of Corpus Christi Authority of Nueces County, TX**

Council Member Scott made a motion to reappoint Richard Valls, Jr., seconded by Council Member Garza and passed unanimously.

**J. EXPLANATION OF COUNCIL ACTION:****K. CONSENT AGENDA: (ITEMS 5 - 13)**

**Approval of the Consent Agenda**

Mayor Martinez referred to the Consent Agenda. There were no comments from the public. City Secretary Rebecca Huerta announced that Council Member Scott was abstaining on Item 8. Council Member Rubio requested that Item 8 be pulled for individual consideration.

A motion was made by Council Member McIntyre, seconded by Council Member Garza, to approve the Consent Agenda. The consent agenda items were passed and approved by one vote as follows:

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**5. Aviator Memorial Donation Agreement for Ropes Park**

Motion authorizing the City Manager or designee to execute an agreement with NAS Corpus Christi Aviator Memorial Association for the donation and acceptance of the aviator statue made by Total Statue to be placed in Ropes Park.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-132

**6. Approval of a Developer Participation Agreement for the City's cost to extend Brooke Road located along Airline Road, east of Cimarron Boulevard and south of Saratoga Boulevard (SH 357) along Airline Road, south of Saratoga Boulevard (SH 357) and east of Cimarron.**

Resolution authorizing the City Manager or designee to execute a developer participation agreement with MPM Development, LP., ("Developer"), to reimburse the Developer up to \$77,536.80 for the City's share of the cost to extend Brooke Road, in accordance with the Unified Development Code.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 030698

**7. Resolution authorizing the City Manager or designee to enter into outside city limit water contracts for properties in Nottingham Acres Subdivision**

Resolution authorizing the City Manager or his designee to enter into outside city limits water contracts, which is attached to this resolution

and incorporated herein for all purposes, with property owners of up to 31 lots in the Nottingham Acres Subdivision to provide public water to their respective properties located outside the city limits pursuant to Section 55-113 of the City Code of Ordinances.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 030699

**9. Interlocal Agreement with Del Mar College for training services and facilities use**

Resolution authorizing the City Manager, or his designee, to execute an Interlocal Agreement with Del Mar College for the training of City employees and the use of Del Mar training facilities.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 030700

**10. Second Reading Ordinance - Street Closure for a portion of Hacala Street which is located east of Greenwood Drive, south of Frio Street and west of Martin Street (1st Reading 11/17/15)**

Ordinance abandoning and vacating an undeveloped and unsurfaced 37,786-square foot (0.87 acres) portion of a 60-foot wide public right-of-way, as shown and dedicated by Plat of Los Encinos 10 Acre School Tract, a map of which is recorded in Volume 26, Page 63, Map Records of Nueces County, Texas, and requiring the owners, Corpus Christi Independent School District, and Seaside Builders, LLC to comply with specified conditions.

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

Enactment No: 030701

**11. Second Reading Ordinance - Rezoning Property Located at 6810 South Staples Street (FM 2444)(1st Reading 11/17/15)**

Case No. 1015-01 Golden Real Estate and Construction Consulting Group, Inc.: A change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District. The property to be rezoned is described as being a 12.00 acre tract of land deeded to Golden Real Estate and Construction Group, Inc., in document File No. 2012038800 Official Public Records Nueces County, Texas and being out of Lots 18, 19, 20, 29, 30 and 31, Section 11 of the Flour Bluff & Encinal Farm Garden Tracts, located approximately 850 feet east of South Staples Street (FM 2444) between Corsica Road and Timbergate Drive.

Planning Commission and Staff Recommendation (October 21, 2015):

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 Golden Real Estate and Construction Consulting Group, Inc. ("Owner"), by changing the UDC Zoning Map in reference to a 12.00 acre tract of land deeded to Golden Real Estate and Construction Group, Inc., in document File No. 2012038800 Official Public Records Nueces County, Texas and being out of Lots 18, 19, 20, 29, 30 and 31, Section 11 of the Flour Bluff & Encinal Farm Garden Tracts, from the "RS-6" Single-Family 6 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 and publication.

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

Enactment No: 030702

**12. Second Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for property located east of Flour Bluff Drive and north of Ramfield Road within the Flour Bluff Service Area (1st Reading 11/17/15)**

Ordinance exempting the Layton Manor, Block 1, Lot 4 property located east of Flour Bluff Drive and north of Ramfield Road, from the payment of the wastewater lot/acreage fees under section 8.5.2.G.1 of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

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

Enactment No: 030703

**13. Second Reading Ordinance - Accepting grant funds to benefit the Corpus Christi Fire Department's WebEOC(1st Reading 11/17/15)**

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$10,000 for the benefit of the City's WebEOC operations; and appropriating \$10,000 from the Coastal Bend Regional Advisory Council into the No. 1062 Fire Grant Fund to purchase equipment, services, technical support and training for the Corpus Christi Fire Department's WebEOC.

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

Enactment No: 030704

**8. Professional Services Contract for Wastewater Treatment Plant**

## Consolidation Program Development

Motion authorizing the City Manager or designee to execute a professional services contract with Stantec Consulting Services, Inc. of San Antonio, Texas in the amount of \$1,427,186 for the Wastewater Treatment Plant Consolidation Program to develop a phased project implementation plan.

**Mayor Martinez referred to Item 8, a professional services contract with Stantec Consulting Services, Inc. to development of a phased project implementation plan for the Wastewater Treatment Plant Consolidation Program. City Secretary Huerta previously announced that Council Member Scott was abstaining from this item.**

**Council members spoke regarding the following topics: the selection of the project team members; providing transparency that Stantec Consulting Services worked previously with Goody Clancy who also subcontracted with Kailo Communications; the estimated total of the contract provided to Kailo Communications; whether an evaluation was performed on the cost to maintain and improve the six (6) existing wastewater treatment plants; how the study will determine whether consolidation of the wastewater plants is the best strategy and return on investment; the risks associated with the impacts of a natural disaster; the key deliverables of the study; and that consideration be taken to build the Greenwood Wastewater Treatment Plant at a higher level.**

**Council Member McIntyre made a motion to approve the motion, seconded by Council Member Garza. This Motion was passed and approved with the following vote:**

**Aye:** 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

**Abstained:** 1 - Council Member Scott

Enactment No: M2015-133

- 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 called for comments from the public. Susie Luna Saldana, 4710 Hakel, spoke regarding transparency and the public's perception when a sitting council member's family member is involved with an agenda item. John Kelley, 3621 Austin, spoke regarding infill revitalization and the sale of City parks. Jack Gordy, 4118 Bray Drive, spoke regarding his request for a document from the United States Department of Justice grandfathering the palm trees on Airline Road from being removed. Mr. Gordy said the mediation on this item is schedule for December 17, 2015. Shirley Thornton, 1917 Woodcrest Drive, provided information on the recent Ad Hoc Residential Street Infrastructure Advisory Committee and said she has a renewed hope for the success of the committee. Ms. Thornton thanked the**

volunteers that serve on that committee. The following individuals spoke in support of the use of hotel occupancy tax (HOT) funds for North Beach: Barbara Welder, 202 Reef Avenue; Dennis Patel, 202 Kleberg Place; Barbara Cowling, 202 Reef Avenue #502; and Carrie Robertson Meyer, 4401 Gulf Breeze. Greg Smith, 1746 Glenoak, provided an update on the following topics discussed at the December 1, 2015 Island Strategic Action Committee (ISAC): the cost estimate provided for the SPID bridge; the Mustang/Padre Island Area Development Plan; Plan CC 2035; and sand accumulation at the base of the seawall. Gerald Sansing, 5426 Chevy Chase Drive, spoke in support of Mr. Gordy's request regarding the palm trees on Airline Road. City Attorney Miles K. Risley responded to comments made by Mr. Gordy and clarified that he never stated that the Legal Department had an official letter from the Department of Justice indicating there was any grandfathering of the palm trees on Airline Road. City Attorney Risley explained that this issue was personally addressed by Human Relations Director Sylvia Wilson. Ms. Wilson contacted the Department of Justice and was informed that municipalities are not required to make every route accessible. Unless an individual is prevented from accessing government services, only one accessible route is required. In this case, there is an accessible route on the other side of the street. Carolyn Moon, 4902 Calvin, spoke regarding storm water and new construction. Abel Alonzo, 1701 Thames, spoke regarding accessibility on Airline Road and stated that the City of Corpus Christi is one of the most accessible cities for persons with disabilities. Efrain Del Prado, 4117 Angela Drive, presented a proposal to fund pothole repairs by using a percentage of debit/credit card processing fees.

**L. EXECUTIVE SESSION: (ITEMS 14 - 17)**

Mayor Martinez referred to the day's executive sessions. The Council went into executive session. City Secretary Huerta announced that Council Members Magill and Riojas recused themselves from portions of Item 15. Specifically, Council Member Riojas recused herself from the portion related to industrial district agreements and Council Member Magill recused himself from the portion related to annexation.

- 14. Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining negotiations and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters' Association. This E-Session Item was discussed in executive session.
- 15. Executive session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05** to consult with attorneys concerning legal issues related to economic development agreements, industrial district agreements, entities that are signatories to the City's industrial district agreements, annexation, and disannexation, and pursuant to **Texas Government Code § 551.087** to discuss or deliberate regarding commercial or financial information relating to some or all of the aforementioned matters and entities 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 and/or financial or other incentives involving said business prospect.

This E-Session Item was discussed in executive session. Council Members Magill and Riojas recused themselves from portions of Item 15. Specifically, Council Member Riojas recused herself from the portion related to industrial district agreements and Council Member Magill recused himself from the portion related to annexation.

16. **Executive session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to Interstate 37, State Highway 286, U.S. Highway 181, and existing and proposed sewer, water, street, bridge, park, and other public infrastructure in or near said highways.

This E-Session Item was discussed in executive session.

17. **Executive session pursuant to Texas Government Code § 551.074** (personnel matters) to deliberate employment issues concerning the City Manager.

This E-Session Item was discussed in executive session.

M. **PUBLIC HEARINGS: (ITEM 18)**

18. **Public Hearing and First Reading Ordinance - Rezoning property located at 6425 King Trail (3/4 Vote Required)**

Case No. 1015-02 Edward Gonzalez: A change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District, resulting in a change to the Future Land Use Map from estate residential uses to low density residential uses. The property is described as Lot 21, Block 2, The Coves at Lago Vista Unit 3, located approximately 1,200 feet east of King Ranch Drive and 600 feet south of the corner of Oso Parkway and Green Jay Court.

Planning Commission and Staff Recommendation (November 4, 2015):

Approval of the change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Edward Gonzalez ("Owner"), by changing the UDC Zoning Map in reference to Lot 21, Block 2, The Coves at Lago Vista Unit 3, from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District; amending the Comprehensive Plan to

account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 18, a public hearing and first reading for property located at 6425 King Trail. Assistant Director of Development Services Julio Dimas stated that a request was received from the applicant to table this zoning case until January 12, 2016.

Council Member McIntyre made a motion to table Item 18 until January 12, 2016, seconded by Council Member Scott and passed unanimously.

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

**O. FIRST READING ORDINANCES: (ITEMS 19 - 30)**

**19. First Reading Ordinance - Accepting and appropriating grant funds to purchase Hazmat Communication System equipment**

Ordinance authorizing the City Manager or designee to accept a grant from Koch Companies Public Sector, LLC 2015 Helping Heroes Grant Program in the amount of \$10,000.00 to be used to purchase Hazmat Communication System Equipment; and appropriating \$10,000.00 from Koch Companies Public Sector; LLC into the Fire Grant Fund No. 1062.

Mayor Martinez referred to Item 19. Fire Chief Robert Rocha stated that the purpose of this item is to accept and appropriate a grant from Koch Companies Public Sector, LLC in the amount of \$10,000. The funds will be used to purchase Hazmat Communication System Equipment. There were no comments from the Council or the public.

Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Magill. The Ordinance was passed on first reading and approved with the following vote:

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**20. First Reading Ordinance - Accepting and appropriating additional grant funds for Tuberculosis Prevention and Control**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an amendment to a grant contract for the Tuberculosis Prevention and Control-Federal (TB/PC-FED) grant increasing the total amount to \$64,693, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund, with an increase in the city match to \$12,939, for a total project cost of \$77,632, for the amended contract period September 1, 2014, through

December 31, 2015; authorizing the transfer of \$3,235, from the No. 1020 General Fund to the No. 1066 Health Grants Fund, appropriating the increased cash match and increased grant amount; and ratifying acceptance of the amended grant agreement to begin September 1, 2015.

**Mayor Martinez referred to Item 20. Director of Public Health Annette Rodriguez stated that the purpose of this item is to accept an amendment to the Tuberculosis Prevention and Control-Federal (TB-PC-FED) Grant, which will increase the total project cost to \$77,632, extend the grant through December 31, 2015, and ratify acceptance of the agreement. There were no comments from the Council or the public.**

**Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**21. First Reading Ordinance - Advancing, accepting and appropriating funds for the Texas Medicaid Managed Care Initiative 1115 Waiver - Childhood Healthy Weight Obesity Project**

Ordinance authorizing the advance of up to \$903,592, from the No. 1046 Health Medicaid Waiver Fund to the Texas Health and Human Services Commission (TXHHSC) and in turn the Centers for Medicare and Medicaid Services (CMS) for the City's local match for City projects under the Corpus Christi - Nueces County Public Health District's (CCNCPHD) 1115 Waiver; funds to be repaid from the CMS by January 31, 2016. Additionally authorizing the City Manager, or designee, to execute all documents necessary to accept and appropriate the award fund upon receipt in the amount of approximately \$1,204,158, from CMS and the TXHHSC to implement a program to reduce and prevent obesity in children and adolescents for the period of October 1, 2015, through September 30, 2016; and ratifying acceptance of the award fund to begin October 1, 2015.

**Mayor Martinez referred to Item 21. Director of Public Health Annette Rodriguez stated that the purpose of this item is to approve the advancement, acceptance, and appropriation of funds for the 1115 Waiver - Childhood Healthy Weight Obesity Project. Ms. Rodriguez said all of the goals were met for Year 4. There were no comments from the public.**

**Council members spoke regarding the following topics: the goals and objectives for Year 4; the percentage of students from Catholic Charities; and collaboration with partners in the community.**

**Council Member Riojas made a motion to approve the ordinance, seconded by**

**Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**22. First Reading Ordinance - License for an electronic sign located within the Street Right of Way at 6652 Yorktown Blvd**

Ordinance authorizing the City Manager or designee to execute a License for an electronic sign located within the Street Right of Way for Butler & Diaz, Inc., d/b/a Yorktown Mini Storage, a Texas small business corporation, ("Licensee") for an electronic Advertisement Sign installation, subject to the Licensee' compliance with specified conditions.

**Mayor Martinez referred to Item 22. Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to authorize the execution of a License for Street Right-of-Way Use with Butler & Diaz, Inc., d/b/a Yorktown Mini Storage for an advertisement sign. There were no comments from the public.**

**Council members spoke regarding the following topics: the difference between the requirements for an advertisement sign and a school zone sign; the challenges associated with the crosswalk for West Oso Independent School District; and signage allowances on Yorktown Boulevard.**

**Council Member Garza made a motion to approve the ordinance, seconded by Council Member Rosas. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**23. First Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for property located at the intersection of Agnes Street (Business State Hwy No. 44) and Bockholt Road within the Greenwood Wastewater Treatment Plant, Service Area 6**

Ordinance exempting the Lewis & Cook Addition, Block 1, lot 1 subdivision located at the intersection of Agnes Street (Business State HWY No. 44) and Bockholt Road, from the payment of the wastewater lot/acreage fees under Section 8.5.2.g.1 of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Mayor Martinez referred to Item 23. Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to exempt the property owner of Lewis & Cook Addition, Block 1, Lot 1 from paying wastewater lot and acreage fees. It is staff's opinion that wastewater facilities will not be available within the next 15 years. Planning Commission and staff recommend approval of the exemption subject to the execution of a Sanitary Sewer Connection Agreement. There were no comments from the Council or the public.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**24. First Reading Ordinance - Amending the Capital Improvement Budget to execute a Master Services Agreement for On Call Engineering Services with Solid Waste Operations**

Ordinance amending the FY 2016 Capital Improvement Budget adopted by Ordinance No. 030621 to add Project No. E15103 On Call Services/Solid Waste; transferring funds in the amount of \$280,000 from Solid Waste Project Reserves to the On Call Services/Solid Waste Project; and authorizing the City Manager or designee to execute a master service agreement with Naismith Engineering, Inc. of Corpus Christi, Texas in the amount of \$250,000.00 for On Call Services/Solid Waste for engineering services as may be required.

Mayor Martinez referred to Item 24. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute a master service agreement with Naismith Engineering, Inc. for On-Call Services for Solid Waste Operations. In response to a council member, Ms. Gray stated that the City does not have in-house staff with this level of expertise. There were no comments from the public.

Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:

**Aye:** 8 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Absent:** 1 - Council Member Garza

**Abstained:** 0

**25. First Reading Ordinance - Amending the Capital Improvement Budget to execute the Construction Contract for Tuloaso Road from IH 37 to Leopard Street (BOND 2012)**

Ordinance amending the FY 2016 Capital Improvement Budget adopted by Ordinance No. 030621 by transferring \$450,000 from Fund 3549 Street 2013 GO Bond 2012, Project #E12095 South Staples Street from Brawner Parkway to Kostoryz Road to the Tuloso Road from IH 37 to Leopard Street Project (Bond 2012); increasing expenditures in the amount of \$450,000; and authorizing the City Manager, or designee, to execute a construction contract with Haas Anderson Construction, Inc. of Corpus Christi, Texas in the amount of \$5,014,449.60 for Tuloso Road from IH 37 to Leopard Street Project (BOND 2012) for the total Base Bid.

**Mayor Martinez referred to Item 25. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute a construction contract with Haas-Anderson, Inc. for the Tuloso Road, from IH 37 to Leopard Street, Bond 2012 project. Ms. Gray said the project includes full-depth repair and widening of the existing tow lane rural roadway to three-lane roadway with two travel lanes and a continuous left turn lane. Other improvements include: curb and gutter, sidewalks, ADA curb ramps, lane striping and pavement markings. The construction is estimated to be completed in approximately eight (8) months.**

**Council members spoke regarding the follow topics: the length of the road from Leopard to IH 37; the bond language for this project; the reason for the turn lane for Tuloso Road; whether the turn lane can be removed; re-evaluating the design of this project and bond language; whether a recent traffic study has been done; the budgeted amount for the street construction; the definition of "obscene" and comments made by the contractor at the Ad Hoc Street Residential Street Infrastructure Advisory Committee meeting; the bidding process and the bids received; the increase to the original budget which was attributed to concerns and assumed risk working in proximity to the high pressure gas lines; the cost associated with utilities, including the curb and gutter; drainage improvement in Douglas Estates; use of concrete for this project; an explanation of the transfer of funds from the South Staples Street from Brawner Parkway to Kostoryz Road Project; and direction to evaluate cost, design and other factors.**

#### **MOTION OF DIRECTION**

**Council Member Magill made a motion directing the City Manager to bring back a resolution, after evaluating Bond 2012 language with respect to the cost, design and other factors as printed in the Bond 2012 Information Guide, seconded by Council Member Vaughn and passed unanimously.**

**26.**

#### **First Reading Ordinance - Adjusting Public Agency for Resale Water Rates**

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, Utilities, regarding public agency for resale water rates; providing for publication, and providing effective date.

**Mayor Martinez referred to Item 26. Assistant City Manager Gus Gonzalez stated that the purpose of this item is to amend the Code of Ordinances, Chapter 55, regarding public agency for resale water rates. The rate change will**

affect four (4) customers. There were no comments from the Council or the public.

**Council Member Garza made a motion to approve the ordinance, seconded by Council Member McIntyre. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**27. First Reading Ordinance - Transfer of City Council Member's Salary**

Ordinance approving the transfer of an amount budgeted for Council Member Carolyn Vaughn's salary, plus applicable payroll taxes, in the total amount of \$6,459 from the No. 1020 General Fund to the No. 1042 Residential Street Fund and changing the FY 2015-2016 Operating Budget adopted by Ordinance 030620 to increase revenues and expenditures by \$6,459 in the No. 1042 Residential Street Fund.

**Mayor Martinez referred to Item 27. City Secretary Rebecca Huerta stated that the purpose of this item is to transfer Council Member Carolyn Vaughn's annual salary and associated payroll taxes into the Residential Street Fund. Council Member Vaughn requested that her salary be applied to residential streets. City Secretary Huerta noted that Council Members Vaughn and McIntyre donated their car allowances, as part of the FY2015-2016 budget approval process, to the Street Preventative Maintenance Plan. There were no comments from the Council or the public.**

**Council Member Garza made a motion to approve the ordinance, seconded by Council Member Magill. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**28. First Reading Ordinance - Continuing Texas Municipal Retirement System (TMRS) Updated Service Credits for current participants and increases for prior and current annuities**

Ordinance authorizing and allowing, under the act governing the Texas Municipal Retirement System, "Updated Service Credits" in said system for service performed by qualifying members of such system who presently are members of the City of Corpus Christi; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; establishing an effective

date for such actions; and providing for severance.

**Mayor Martinez referred to Item 28. Director of Human Resources Yasmine Chapman stated that the purpose of this item is approve an ordinance, required by the Texas Municipal Retirement System (TMRS), for continued funding on an "Ad Hoc" basis. Ms. Chapman explained the two funding methods for TMRS: Ad Hoc and Annual Repeating. In December 2010, the City changed to "Ad Hoc" funding as a cost saving measure. This created a long-term funding liability. The City has developed a plan to resolve this issue, which will require the City to increase the funding and change to "Annual Repeating" beginning on January 1, 2019. There were no comments from the Council or the public.**

**Council Member Riojas made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

## **29. First Reading Ordinance - Depository Banking Services Agreement**

Ordinance to accept staff recommendation to designate Frost Bank as the depository for municipal funds in accordance with section 105.016 of the Texas Local Government Code and authorizing the City Manager or designee to execute a depository services contract for a period of 3 years to commence on January 1, 2016 and end on December 31, 2018 with an option to renew for two additional one-year periods.

**Mayor Martinez referred to Item 29. City Treasurer Judy Villalon stated that the purpose of this item is to approve an ordinance to accept staff's recommendation to designate Frost Bank as the depository for municipal funds for a period of three (3) years to commence on January 1, 2016, with the option to renew for two additional one-year periods. Ms. Villalon presented information on the following: the Request for Application process; the factors considered during the evaluation process; and the recommendation of Frost Bank. There were no comments from the public.**

**A council members asked questions regarding the scoring matrix; the summary of the fee schedule; and an explanation of the technical solution criteria.**

**Council member Scott made a motion to approve the ordinance, seconded by Council Member McIntyre. This Ordinance was passed on first reading and approved with the following vote:**



**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**30. First Reading Ordinance - Amending the Code of Ordinances to create the City of Corpus Christi Infill Housing Incentive Program (IHIP)**

Ordinance Amending the Corpus Christi Code of Ordinances by adding a new chapter, Chapter 20, Housing; Creating Chapter 20, Article I - IN GENERAL; Creating Chapter 20, Article II - INFILL HOUSING INCENTIVE PROGRAM to set forth requirements, procedures and incentives for the development of new home construction in existing Community Development Block Grant (CDBG) neighborhoods; providing for severance; and providing an effective date.

Mayor Martinez referred to Item 30 and Future Agenda Items 31 and 32 regarding affordable housing programs. Assistant City Manager Susan Thorpe stated that at the November 17, 2015 Council meeting, staff received direction to bring back for discussion and adoption, the City's Infill Housing Incentive Program (IHIP) and the Type A Pilot Program. The plan is to implement the programs once they are adopted and provide periodic progress reports to City Council. Ms. Thorpe provided the following information: an overview of the City's Infill Housing Incentive Program, the benefits, and program guidelines; an overview of the Type A Pilot Program; and next steps.

Council members spoke regarding the following: the guidelines for the Type A Program including the timing to build, sell and re-pay the loan; inclusion of the requirements at the next meeting to memorialize the process; and the revolving circulation of the Type A funds. There were no comments from the public.

Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Rubio. This Ordinance was passed on first reading and approved with the following vote:

**Aye:** 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Scott

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

**P. FUTURE AGENDA ITEMS: (ITEMS 31 - 46)**

Mayor Martinez referred to Future Agenda Items. Items 31 and 32 were discussed during the discussion on Item 30. City Manager Olson stated that staff had a planned presentation on Item 41. A council member requested

information on Item 42. City Secretary Huerta announced that Council Member Riojas would recuse herself from the discussion on Item 42.

**31. Resolution approving the Affordable Housing - Type A Pilot Program**

Resolution approving the Affordable Housing - Type A Pilot Program which uses Type A funds for up front/interim construction costs for a qualified builder to construct a new affordable home for an income-qualified homebuyer.

This Resolution was recommended to the regular agenda.

**32. Resolution Approving the Program Guidelines for the Infill Housing Incentive Program (IHIP).**

This Resolution was recommended to the regular agenda.

**33. Resolution authorizing a purchase of a Digital Information Management System Hardware and Storage Upgrade**

Resolution authorizing the City Manager, or designee, to purchase a Digital Information Management System Server and storage upgrade from Linear Systems, Rancho Cucamonga, California, for a total cost of \$50,164. The final cost includes a \$10,000 trade in credit for the existing outdated hardware. Funds are being used by the Police Grant Fund 1061 for the fiscal year 2016.

This Resolution was recommended to the consent agenda.

**34. Resolution amending the Radio Communications System Interlocal Agreement to include the Nueces County Emergency Services District #3 as a participant**

Resolution authorizing the City Manager, or his designee, to execute an amendment to the Radio Communications System Interlocal Agreement between the City of Corpus Christi, the Regional Transportation Authority and Nueces County to include the Nueces County Emergency Services District #3 as a participant.

This Resolution was recommended to the consent agenda.

**35. Resolution amending the Radio Communications System Interlocal Agreement to include the Nueces County Emergency Services District #6 as a participant**

Resolution authorizing the City Manager, or his designee, to execute an amendment to the Radio Communications System Interlocal

Agreement between the City of Corpus Christi, the Regional Transportation Authority and Nueces County to include the Nueces County Emergency Services District #6 as a participant.

**This Resolution was recommended to the consent agenda.**

**36. Lease-Purchase of Ambulances**

Motion approving the lease-purchase of two ambulances from Knapp, Chevrolet, of Houston, Texas based on the Cooperative Purchasing Agreement with the Texas Local Government Cooperative, in the amount of \$319,700.00. The ambulances will be used by the EMS Division of the Fire Department. These units are a replacement to the fleet. Funds for the lease purchase of the ambulances will be provided through the City's lease/financing program.

**This Motion was recommended to the consent agenda.**

**37. Resolution approving the appointment of Dr. William Burgin, Jr. as the Local Health Authority for the Public Health District**

Resolution approving the Director of the Corpus Christi Nueces County Public Health District's (CCNCPHD), appointment of Dr. William Burgin, Jr., to serve as the Local Health Authority for the Public Health District for a two year term beginning December 17, 2015 and ending December 17, 2017.

**This Resolution was recommended to the consent agenda.**

**38. Real Estate Brokerage Service for Sale of 14 Surplus Parks**

Motion authorizing the City Manager to execute a service agreement with The Clower Company, Inc., Corpus Christi, Texas for the sale of 14 surplus parks in accordance with Bid Event No. 64 at a commission interest rate of 4.5 percent.

**This Motion was recommended to the consent agenda.**

**39. Resolution for an Interlocal Agreement for Packery Channel Aids to Navigation**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with Texas A&M University - Corpus Christi regarding Aids to Navigation at Packery Channel in amount of \$60,941.

**This Resolution was recommended to the consent agenda.**

**40. Construction Contract for Repair of City Hall Skylight and Associated Improvements**

Motion authorizing the City manager or designee to execute a construction contract with Gourley Contracting, Corpus Christi, Texas in accordance with Bid Event No. 88 based on only bid for a total cost of \$230,690.00 for the repair of City Hall Skylight and Associated Repairs.

This Motion was recommended to the consent agenda.

**41. Lease-Purchase of One Box Van and One Mobile Camera Inspection Unit**

Motion approving the lease-purchase of one box van and one mobile camera inspection unit from the following companies for the amounts below for a total cost of \$170,322.62. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Government (H-GAC). Funding is available from the City's lease purchase financing contractor.

<u>Houston Freightliner</u>	<u>Green Equipment Company</u>
Houston, TX	Manvel, TX
Box Van	Mobile camera inspection unit
\$47,861.00	\$122,461.62

**Total Cost: \$170,322.62**

This Motion was recommended to the consent agenda.

**42. Second amendment and extension to agreement for reservation of recycled water**

Motion authorizing the City Manager or designee to execute a Second Amendment and Extension to the Agreement for Exclusive Reservation of Recycled Water with Valero Refining - Texas, L.P. (Valero) for 4 million gallons per day (mgd).

This Motion was recommended to the consent agenda.

**43. Construction Contract for the Greenwood Wastewater Treatment Plant Flare Permit Metering**

Motion authorizing the City Manager or designee to execute a construction contract with Palacios Marine & Industrial Coating, Inc. of Palacios, Texas in the amount of \$87,788.60 for the Greenwood Wastewater Treatment Plant Flare Permit Metering for the total Base Bid.

This Motion was recommended to the consent agenda.

**44. Amendments to two contracts for engineering design services within the City-Wide Wastewater Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program**

Motion authorizing the City Manager or designee to execute two contract amendments, Amendment No. 6 with LNV, Inc. of Corpus Christi, Texas in the amount of \$129,275 for a total restated fee not to exceed \$671,745, and Amendment No. 2 with Urban Engineering of Corpus Christi, Texas in the amount of \$120,880 for a total restated fee not to exceed \$362,640. These two contract amendments provide for engineering design services for the City's wastewater collection system.

This Motion was recommended to the consent agenda.

**45. Change Order No. 16 for the Runway 17-35 Extension/Displacement and Connecting Taxiway Project**

Motion authorizing the City Manager or designee to execute Change Order No. 16 with Bay, Ltd. of Corpus Christi, Texas in the amount of \$270,000.00 for a total restated fee of \$15,631,021.36 for the Corpus Christi International Airport Runway 17-35 Extension/Displacement and Connecting Taxiway project.

This Motion was recommended to the consent agenda.

**46. Resolution amending and reaffirming the City's Investment Policy and Strategies for FY2015-2016**

Resolution amending and reaffirming the City of Corpus Christi's Investment Policy and Investment Strategies for Fiscal Year 2015-2016.

This Resolution was recommended to the consent agenda.

**Q. BRIEFINGS: (ITEM 47 - 48)**

**47. Timeline for Preliminary FEMA Flood Map Adoption**

Mayor Martinez referred to Item 47. Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to provide a timeline for the adoption of the FEMA preliminary maps. Mr. Dimas provided the following information: a background on the FEMA maps and Community Rating System; the preliminary flood insurance maps (FIRMS) issued; the proposed timeline; the presentation on "higher standards" which will help gain more points on the rating system. Mr. Dimas said staff will be presenting more technical and higher standards information at the next presentation.

Council members spoke regarding the following topics: public outreach to

stakeholders; the ability for stakeholders to formally challenge the maps; the date of the scheduled meeting for the Greenwood area; additional information to residents on the community outreach dates and locations; and the notification letters to property owners that have land in a flood zone.

#### **48. Hotel Occupancy Tax (HOT) Fund use on Bay Beaches**

Mayor Martinez referred to Item 48. Mayor Martinez recused herself from the discussion on this item. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to provide information on the use of Hotel Occupancy Tax (HOT) funds for bay beaches. Mr. Ellington provided the following information: the criteria for use of local hot funds; total budgeted amount for HOT funds; breakdown of HOT fund expenditures; and the proposed spending plan for the new state HOT funds.

Council members spoke regarding the following topics: state and federal funds used on beach maintenance, shoreline protection, and nourishment projects; whether local funds could be utilized for the U.S.S. Lexington; the amount of funding expended for the convention center; initiation of a study on the return on investment before and after construction of the American Bank Center; former Council Member David Loeb's inclusion of the "tourist area amenities" expenditure; a previous request to prepare a resolution when the new state funding becomes available to maintain efforts from previous funding and increasing the efforts on beach cleaning; the ability to use local HOT funds on North Beach; clarification and a request for a formal legal opinion on the provision in Texas Local Tax Code, Chapter 351.1055(b) on whether only the revenues collected on the island can be used to fund beach cleaning; a distinction from the Convention and Visitors Bureau regarding convention business, visitor business, and business related activities driving HOT funds; an extensive review of the convention center and its deterioration; strategic use of HOT funds; whether there are constraints on the fund balance; the types of uses for the unreserved fund balance and a history of the fund balance; use of HOT funds for the entire city; consideration to give North Beach a higher percentage of state HOT funds; the need for parking signs on North Beach; payment of deferred maintenance at the American Bank Center; and whether there is a market "niche" for Corpus Christi.

#### **MOTION OF DIRECTION**

Council Member Magill made a motion directing the City Manager to look at the unreserved local HOT funds for tourist area amenities; previously purposed deferred maintenance funding, with emphasis on the North Beach area, seconded by Council Member Rubio and passed unanimously.

#### **R. ADJOURNMENT**

The meeting was adjourned at 7:48 p.m.