



# Corpus Christi

1201 Leopard St  
Corpus Christi, TX 78401  
CCTexas.com

## Meeting Minutes - Final City Council

---

Tuesday, November 13, 2012

12:00 PM

Council Chambers

---

### A. CALL MEETING TO ORDER.

Mayor Adame called the meeting to order.

### B. INVOCATION.

The invocation was delivered by Ms. Kelly Denson, Chief of Staff, Mayor's Office.

### C. PLEDGE OF ALLEGIANCE.

The Pledge of Allegiance was led by Council Member Chris Adler.

### D. ROLL CALL.

City Secretary Armando Chapa verified that the necessary quorum of the Council and the foregoing necessary Charter Officers, City Manager Ron Olson, City Attorney Carlos Valdez and City Secretary Armando Chapa were present to conduct the meeting.

**Present:** 8 - Mayor Joe Adame, Council Member Chris Adler, Council Member Kelley Allen, Council Member Larry Elizondo, Council Member Priscilla Leal, Council Member John Marez, Council Member Nelda Martinez, and Council Member Mark Scott

**Absent:** 1 - Council Member David Loeb

### E. Proclamations / Commendations

- 1 Proclamation declaring November 11-17, 2012 as "National Hunger and Homelessness Awareness Week"  
Proclamation declaring November 15, 2012 as "GIS Technology is Changing Our World Day"  
"At Your Service" Award, City Employee Recognition  
Mayor Adame read and presented the Proclamation(s).

### F. MINUTES:

- 2 Approval of Meeting Minutes - October 30, 2012.

A motion was made by Council Member John Marez, seconded by Council Member Larry Elizondo to approve the minutes as presented.

**G. BOARDS & COMMITTEE APPOINTMENTS: (NONE)****Q. SPECIAL PRESENTATION AND OUTGOING SPEECHES**

Mayor Adame deviated from the agenda and referred to Special Presentation and Outgoing Speeches. Mayor Adame and outgoing Council Members thanked their friends, family and constituents for their support during their tenure as council members.

**I. CONSENT AGENDA: (ITEMS 3 - 7)**

Mayor Adame called for consideration of the Consent Agenda, Items 3 through 7. Mayor Adame asked for council and comments from the audience and there were none. The following items were approved by one vote:

- 3** Second Reading Ordinance - A change of zoning from the "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District, at 4222 South Staples Street (1st Reading 10/30/12) (Requires 2/3 vote)

Case No. 0812-04 International Resistive Company Advanced Film Division: A change of zoning from the "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District, resulting in a change of future land use from commercial to light industrial. The property to be rezoned is described as South Staples Center, Lot B-4, located on the northeast corner of South Staples Street and Gollihar Road between Everhart Road and Caddo Street.

Planning Commission and Staff Recommendation (August 15, 2012): Denial of the change of zoning from the "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a modified Special Permit subject to the specified conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by International Resistive Company of Texas, LLC ("Owner"), by changing the UDC Zoning Map in reference to South Staples Center, Lot B-4, from a "CG-2/SP" General Commercial District with a Special Permit to a "CG-2/SP" General Commercial District with a modified Special Permit; amending the Comprehensive Plan to account for any deviations; providing a repealer clause; and providing for penalties and publication.

The foregoing ordinance was passed and approved on second reading with the following vote:

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

Enactment No: 029671

**4** Second Reading Ordinance - Accepting and appropriating a State grant to support local Emergency Management Programs (1st Reading 10/30/12) (Requires 2/3 vote)

Ordinance ratifying acceptance of a grant from the Texas Department of Public Safety, Governor's Division of Emergency Management, in the amount of \$77,693.08 for the Emergency Management Performance Grant (EMPG); and appropriating \$77,693.08 from the Emergency Management Performance Grant Program in the no. 1063 Emergency Management Grants Fund to improve mitigation, preparedness, response, and recovery capabilities for the City of Corpus Christi.

**The foregoing ordinance was passed and approved on second reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

Enactment No: 029672

**5** Second Reading Ordinance - Accepting and appropriating a State grant for detection capabilities of threats, man-made or natural disasters, and acts of terrorism (1st Reading 10/30/12) (Requires 2/3 vote)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA) in the amount of \$45,221.80 for FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP); and appropriating \$45,221.80 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA), FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out homeland security projects that will significantly improve local and regional terrorism prevention,

preparedness, response, and recovery capabilities.

**The foregoing ordinance was passed and approved on second reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

Enactment No: 029673

- 6** Second Reading Ordinance - Accepting and appropriating a State grant to provide emergency response and security capabilities for deterrence of potential threats and acts of terrorism. (1st Reading 10/30/12) (Requires 2/3 vote)

Ordinance Authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA) in the amount of \$57,254.20 for FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP) Law Enforcement Terrorism Prevention Activity (LETPA); and appropriating \$57,254.20 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA), FY 2012 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out law enforcement terrorism prevention and protection-oriented activities (LETPA) such as planning, organization, training, exercises, and purchase needed equipment.

**The foregoing ordinance was passed and approved on second reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

Enactment No: 029674

- 7** Second Reading Ordinance - Accepting and appropriating a State grant for Women, Infants, and Children (WIC) program (1st Reading 10/30/12) (Requires 2/3 vote)

Ordinance authorizing the City Manager, or his designee, to execute all documents necessary to accept and appropriate a grant in the amount of \$442,380 from the Texas Department of State Health

Services in the Health Grants Fund No. 1066, to provide funds for the Women, Infants, and Children (WIC) program; and to ratify acceptance of the grant to begin as of October 1, 2012.

**The foregoing ordinance was**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

Enactment No: 029675

**J. EXECUTIVE SESSION: (NONE)**

**K. PUBLIC HEARINGS: (ITEMS 8 - 11)**

Mayor Adame referred to Item No. 8. Mark Van Vleck, Interim Director of Development Services stated the purpose of this rezoning is to allow for construction of a single-family subdivision and apartment complex. Mr. Van Vleck stated that the Planning Commission and Planning Staff recommend approval of the zoning from the "FR" Farm Rural District to the "RM-2" Multifamily 2 District on Tract 1 and the "RS-6" Single-Family 6 District on Tract 2.

A motion was made by Council Member Scott, seconded by Council Member Adler to open the public hearing. Mayor Adame asked for comments from the audience. A citizen spoke about concerns about a multi-family district adjacent to a single-family district. A motion was made by Council Member Adler, seconded by Council Member Scott to close the public hearing.

- 8** Second Reading Ordinance - A change of zoning from the "FR" Farm Rural District to the "RM-2" Multifamily 2 District on Tract 1 and the "RS-6" Single-Family 6 District on Tract 2, at 4033, 4013, 4001, 3933, 3901 Airline Road (1st Reading 11/13/12)

Case No. 1012-01 The Mostaghasi Investment Trust DBA Sun George Contracting and Development Co.: A change of zoning from the "FR" Farm Rural District to the "RM-2" Multifamily 2 District on Tract 1 and the "RS-6" Single-Family 6 District on Tract 2, resulting in a change of future land use from commercial to high density residential on Tract 1 and from medium density residential to low density residential on Tract 2. The property to be rezoned is described as being a 21.179-acre tract of land out of Lots 7 and 8, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, located on the southwest corner of Airline Road and Lipes Boulevard.

Planning Commission and Staff Recommendation (October 10, 2012): Approval of the change of zoning from the "FR" Farm Rural District to

the "RM-2" Multifamily 2 District on Tract 1 and the "RS-6" Single-Family 6 District on Tract 2.

#### Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by The Mostaghasi Investment Trust DBA Sun George Contracting and Development Co. ("Owner"), by changing the UDC Zoning Map in reference to a 21.179-acre tract of land out of Lots 7 and 8, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District to the "RM-2" Multifamily 2 District on Tract 1 and the "RS-6" Single-Family 6 District on Tract 2; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

**Mayor Adame referred to Item No. 9. Mark Van Vleck, Interim Director of Development Services stated that the purpose of the rezoning of the property is to allow for construction of a self-service storage facility. Mr. Van Vleck stated that the Planning Commission and Planning Staff recommend approval of the zoning from "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District.**

**A motion was made by Council Member Scott, seconded by Council Member John Marez to open the public hearing. Mayor Adame asked for comments from the audience. There were no comments. A motion was made by Council Member Scott, seconded by Council Member Marez to close the public hearing.**

**9**

Second Reading Ordinance - A change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District, at 6197 Dunbarton Oak Drive (1st Reading 11/13/12)

Case No. 1012-02 Saratoga Highway Properties, LLC: A change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District, without resulting in a change of future land use. The property to be rezoned is described as being a 3.38-acre tract of land out of Lot 1, Block 3, Cimarron Center, located on the southwest corner of Dunbarton Oak Drive and Cimarron Boulevard.

Planning Commission and Staff Recommendation (October 10, 2012):  
Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District.

#### Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Saratoga Highway Properties, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 3.38-acre tract of land out of Lot 1, Block 3, Cimarron Center, from the "CN-1" Neighborhood Commercial district to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

**Mayor Adame referred to Item No. 10. Mark Van Vleck, Interim Director of Development Services stated that the purpose of the rezoning of the property is to allow for development of a single-family subdivision. Mr. Van Vleck stated that the Planning Commission and Planning Staff recommend approval of the zoning from "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.**

**A motion was made by Council Member Marez, seconded by Council Member Martinez to open the public hearing. Mayor Adame asked for comments from the audience. There were no comments. A motion was made by Council Member Martinez, seconded by Council Member Marez to close the public hearing.**

**10**

Second Reading Ordinance - A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, at 7201 Yorktown Boulevard (1st Reading 11/13/12)

Case No. 1012-03 Yorktown Oso Joint Venture: A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, without resulting in a change of future land use. The property to be rezoned is described as being a 7.339-acre tract of land out of Lots 29 and 30, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located east of Rodd Field Road and south of Stampede Drive.

Planning Commission and Staff Recommendation (October 10, 2012):  
Approval of the change of zoning from the "FR" Farm Rural District to

the "RS-4.5" Single-Family 4.5 District.

### Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Yorktown Oso Joint Venture, acting as agent on behalf of Related Investors, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 7.339-acre tract of land out of Lots 29 and 30, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

**Mayor Adame referred to Item No. 11. Mark Van Vleck, Interim Director of Development Services stated that the purpose of the rezoning of the property is to allow for development of a single-family and clustered housing subdivision. Mr. Van Vleck stated that the Planning Commission and Planning Staff recommend approval of the zoning from "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.**

**A motion was made by Council Member Marez, seconded by Council Member Scott to open the public hearing. Mayor Adame asked for comments from the audience. There were no comments. A motion was made by Council Member Martinez, seconded by Council Member Scott to close the public hearing.**

**11**

Second Reading Ordinance - A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, at 7201 Yorktown Boulevard (1st Reading 11/13/12)

Case No. 1012-04 Yorktown Oso Joint Venture: A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, without resulting in a change of future land use. The property to be rezoned is described as being a 13.206-acre tract of land out of Lots 31 and 32, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located east of Rodd Field Road and south of High Gun Drive.

Planning Commission and Staff Recommendation (October 10, 2012): Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

## Ordinance

Ordinance amending the Unified Development Code (“UDC”) upon application by Yorktown Oso Joint Venture, acting as agent on behalf of Related Investors, Ltd. (“Owner”), by changing the UDC Zoning Map in reference to a 13.206-acre tract of land out of Lots 31 and 32, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

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

**M. FIRST READING ORDINANCES: (ITEMS 12 - 14)**

**12** Second Reading Ordinance - Appropriating developer fees and interest for park improvements and related projects (1st Reading 11/13/12)

Ordinance appropriating \$43,824.93 in developer contributions and \$1,241.91 in interest earnings for a sum of \$45,066.84 in the No. 4720 Community Enrichment Fund for park improvements, and other related projects.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

**13** Second Reading Ordinance - Accepting and appropriating State grant for Meals on Wheels Program (1st Reading 11/13/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$248,663.25 grant awarded by the

Texas Department of Aging and Disability Services and appropriating in No. 1067 Parks and Recreation Grants Fund for the FY 2012 Senior Community Services, Title XIX and Title XX Meals on Wheels Program.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

**14** Second Reading Ordinance - Amending the number of members for the Sister City Committee (1st Reading 11/13/12)

Ordinance to revise the membership of the Sister City Committee from 21 members to 15 members.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Leal, Council Member Marez, Council Member Martinez and Council Member Scott

**Absent:** 2 - Council Member Elizondo and Council Member Loeb

**Abstained:** 0

**N. FUTURE AGENDA ITEMS: (ITEMS 15 - 21)**

**Mayor Adame referred to the Future Agenda section, Items 15 - 21. Mayor Adame stated that these items are for informational purposes only and that no action or public comment would be taken. Council members requested a presentation on Items 16 and 18.**

**15** Interlocal Agreement for ongoing community needs assessment for the positive development of youth and families

Resolution authorizing the City Manager, or designee, to execute an Interlocal Agreement with Texas A&M University-Corpus Christi regarding ongoing community needs assessment.

**This Resolution was recommended to consent agenda**

Enactment No: 029674

**16** Agreement for the installation of lighting at the Packery Channel for the new parking lot and overlooks

Motion approving a Contribution-In-Aid-Of-Construction Agreement

with American Electric Power (AEP) in the amount of \$67,114.70 for the installation of the Packery Channel Parking and Overlooks Lighting.

**This Motion was recommended to consent agenda**

- 17 Amendment to Type A agreement for Plant Bikes (Rugged Cycles) (Original Agreement Passed 05/29/12)

Resolution approving an amended business incentives agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Plant Bikes LLC ("Rugged Cycles"), to provide a grant of up to \$200,000 to purchase and improve a manufacturing facility in Corpus Christi and the creation and retention of jobs.

**This Resolution was recommended to consent agenda**

- 18 Nominating oil refining company as a double jumbo Texas Enterprise Zone project making them eligible for State sales tax rebates

Approving a resolution nominating Valero Refining ("Valero") 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 consent agenda**

- 19 Adopting City portions of action plan and appointing hazard mitigation coordinator for the reduction of loss from natural hazards

Resolution adopting the portions of the Coastal Bend Mitigation Action Plan that pertains to the City of Corpus Christi which were developed with the Coastal Bend Council of Governments and Appointing the City Manager or his designee to act as the City's hazard mitigation coordinator.

**This Resolution was recommended to consent agenda**

- 20 Grant Application to develop curriculum for training businesses and residents for emergency situations

Resolution ratifying the submission of a grant application for FEMA 2012 Community Resilience Innovation Challenge Grant in the amount of \$35,000.00 to combine emergency management studies and plans to develop a training lesson deliverable by businesses, colleges, and local schools through human resources including the City's HR department, new student orientations, and business continuity training classes.

**This Resolution was recommended to consent agenda**

21                      Ratification of funding agreements for the Emergency Solutions Grant Program

Motion ratifying the FY2012-13 Emergency Solutions Grant Program funding agreements to be effective August 1, 2012

This Motion was recommended to consent agenda

O.        **UPDATES TO CITY COUNCIL: (NONE)**

P.        **PUBLIC COMMENT.**

Mayor Adame referred to Public Comment. Abel Alonzo thanked the council for their service; Cindy Mutchler also thanked the council for their service; Art Norman thanked the council for their service and make comments regarding Oso Creek Park; Citizen asked the council to reconsider the metal ordinance; John Adams displayed photos of Oso Creek Park Phase 1 area and spoke of the destruction at the park.

R.        **ADJOURNMENT**

There being no further business to come before the Council, Mayor Adame adjourned the meeting at 1:45 pm.