



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, February 25, 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 Minister Eddie Rodriguez, Church of Christ

Minister Eddie Rodriguez gave the invocation.

C. Pledge of Allegiance to the Flag of the United States.

Assistant Police Chief Mike Markle gave the invocation.

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 required Charter Officers were present to conduct the meeting. City Secretary Huerta announced that Mayor Pro Tem Priscilla Leal has been granted a leave of absence per Motion No. 2014-016.

Charter Officers:

City Manager Ron Olson, Interim City Attorney Lisa Aguilar, and City Secretary Rebecca Huerta.

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

Absent: 1 - Council Member Priscilla Leal

E. Proclamations / Commendations

1. Proclamation declaring February 24 - March 1, 2014 as "Islander Homecoming Week"
Proclamation declaring March 2 - 8, 2014 as "Women in Construction Week"
Proclamation declaring March 4, 2014 as "IHOP's National Pancake Day and Shriners Hospital for Children Day"

Proclamation declaring the dates of March 7th, March 14th, and March 21st as "Fill-the-Boot for Muscular Dystrophy Association"
Proclamation declaring March 12, 2014, as "Risk Management Awareness Day"

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

Mayor Martinez presented the proclamations and conducted the swearing-in ceremony for new board and committee members.

- F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.**

Mayor Martinez called for comments from the audience. Brad Newton spoke regarding the "end of life" decision and the response he has received from other families who have dealt or are dealing with this decision. Jack Gordy spoke regarding the small animal trap policy and requested that an item be placed on the Council agenda to change the policy. Johnny French spoke regarding the a letter he received from the Texas General Land Office regarding ADA access and plans for commercial development at Packery Channel and requested that an item be placed on the agenda to discuss these issues. Abel Alonzo informed the Council that as a member of the Committee for Persons with Disabilities, he went and observed the accessibility at Packery Channel and did not see any problems with accessibility.

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

Mayor Martinez referred to City Manager's Comments. City Manager Ron Olson recognized the Parks and Recreation Department for receiving a gold medal award for Excellence in Parks Management from the Texas Recreation and Parks Society for park management, strategy and action.

a. City Performance Report - Parks and Recreation

City Manager Olson asked Director of Parks and Recreation Michael Morris to provide a briefing on the operation, mission, and goals of the Parks and Recreation Department.

b. Other

None.

H. EXECUTIVE SESSION: (NONE)

I. MINUTES:

2. Regular Council Meeting of February 18, 2014

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

J. **BOARDS & COMMITTEE APPOINTMENTS: (NONE)**

K. **EXPLANATION OF COUNCIL ACTION:**

N. **REGULAR AGENDA: (ITEM 11)**

Mayor Martinez deviated from the agenda and referred to Item 11.

11. **Resolution recommending routing priorities for proposed transmission line**

Resolution recommending routing priorities for the proposed for the Electric Transmission Texas, LLC, 138-kilovolt (kV) electric power transmission line connecting the Barney Davis Substation to Naval Base Substation near Naval Air Station Corpus Christi; authorizing intervention in the Electric Transmission Texas, LLC, filing with the Public Utility Commission of Texas for the electric transmission line and hiring legal and consulting services.

Mayor Martinez deviated from the agenda and referred to Item 11. Director of Intergovernmental Relations Tom Tagliabue stated that the purpose of this item is to present a resolution authorizing intervention in the application of electric transmission in Texas for a Certificate of Convenience and Necessity (CCN) with the Public Utility Commission of Texas and hiring outside legal counsel and consulting services. Mr. Tagliabue added that the resolution also recommends the City routing priorities for the proposed 138-kilovolt electric transmission line connecting the Barney Davis Substation to Naval Base Substation servicing Naval Air Station - Corpus Christi. Mr. Tagliabue reported that staff is not recommending a specific route and the drafted resolution only establishes route perimeter that protect the City's interest. Mr. Tagliabue said that he was contacted by residents on Friday who were in opposition to the staff resolution language and Mr. David Connolly has provided a draft resolution with proposed revisions. Mr. Tagliabue also provided the Council with a table comparison of the original language of the resolution, the resident recommendations, and staff recommendations.

Mayor Martinez called for comments from the audience. Cliff Schlabach spoke in opposition to any transmission line being routed through the Laguna Madre or Oso Bay area and requested that the City select a route to protect the environment. Jeff Hartang said that tourism and environmental protection need to be considered and spoke against any line being routed in the Oso Bay and Laguna Madre. Kimberly Sager spoke in opposition to the City not selecting a preferred route and expressed concern with the proposed routes going through the Glen Oak subdivision. Ms. Sager requested consideration to recommend the route on Flour Bluff Drive. Greg Smith expressed concern with

power lines being intrusive and affecting property values. Mr. Smith spoke in support of the resident's proposed revisions. Kay Walker provided comparisons of the impact of the Roscher Drive and Glenoak routes to the Flour Bluff Drive route and the impact to the residents in the Glen Oak subdivision. Bruce Hawn said he does not support a route through Laguna Madre, Laguna Shores or Oso Creek due to the environmental impact and encouraged the selection of the route on Flour Bluff Drive. David Connolly said the transmission lines would be unsightly and negatively impact the subdivision. Mr. Connolly supported the transmission line going down a main street to stay out of the residential neighborhood and opposing a route through Oso Bay and Laguna Madre. Mr. Connolly provided an overview of the resident's proposed revisions to the resolution. Bill Ferguson said this power source would be a backup power source and in the event of a catastrophic storm, it would make sense to have one underground line to protect the Naval Air Station and the residents. Joe Lynch said he would like a stronger stance against putting a line in the Laguna Madre. Nick Christian asked for consideration of keeping the lines out of the waterways. Joan Urban asked that there be consideration to put the lines underground.

Council members discussed the following topics: staff's position on Rodd Field Road; avoiding routes on waterways; strongly recommending underground placement; preventing a route along residential; showing preference to protect the environment; the Public Utility Commission process; the purpose of the resolution; the order of the recommendations; concerns with the language "without specifying a recommended route"; use of existing arterial right-of-way whenever possible to avoid impacting residential or businesses; making the City whole; discussion of all schools if the line regarding Flour Bluff Independent School District is not deleted; removing the language "greatest extent possible" regarding environmental areas; concern with recommending underground lines on Flour Bluff Drive because of cost of service; and removing parkland on last bullet.

Council Member Loeb made a motion to 1) keep the original language that the following principles and recommendations be communicated with both ETT and the PUC; 2) add the word "strongly" recommend underground placement to the original language 3) use resident recommendation and add arterial road right-of-way to the greatest extent possible while avoiding impacting homes or business; 4) staff's recommendation to make the City of Corpus Christi whole if...5) removing language "greatest extent possible", "parklands" and "certain", adding the word "habitat" and moving this bullet higher on list 6) deleting schools; and 7) change "prevent" to "avoid" placement of high-voltage power lines through residential, seconded by Council Member McIntyre and passed (Leal absent).

Mayor Martinez called for a recess until 2:30 p.m. to allow staff to make the approved amendments to the resolution prior to the final vote.

Mayor Martinez returned to the discussion on Item 11. Mr. Tagliabue presented a copy of the amended resolution with the suggested changes. Council Member McIntyre made a motion to switch the order of the fourth bullet and the last bullet, seconded by Council Member Loeb. This Resolution was passed as amended and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030107

L. CONSENT AGENDA: (ITEMS 3 - 4)

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 was passed by one vote as follows:

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

Absent: 1 - Council Member Leal

Abstained: 0

3. Second Reading Ordinance - Construction contract change order no. 9 for Williams Drive Phase 2 (Bond 2008) (1st Reading 2/18/14)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer budgeted funds in the amounts of \$365,000 from Wastewater Capital Reserves Fund 4510 Project No. E10142 - Lift Station Repairs Citywide Everhart/Staples Lift Station reserves to the Bond 2008 Street Project Williams Drive Phase 2 from Airline to Nile; increasing expenditures in the amount of \$365,000; and authorizing the City Manager, or designee, to execute Change Order No. 9 with Reytec Construction, Inc. from Corpus Christi, Texas in the amount of \$609,305.34 for the Williams Drive Phase 2 from Airline to Nile Project for improvements to the infrastructure feeding the Williams Drive Lift Station.

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

Enactment No: 030104

4. Resolution adopting a community revitalization plan for an area encompassing the border streets of Staples Street on the East, Everhart Road to the South, Saratoga Boulevard to the West, and Ayers Street to the North

Resolution of the City Council of the City of Corpus Christi, Texas

adopting a City Central Corridor Community Revitalization Plan for an area encompassing the border streets of Staples Street on the East, Everhart Road to the South, Saratoga Boulevard to the West, and Ayers Street to the North; and providing an effective date.

This Resolution was passed on the Consent Agenda.

Enactment No: 030105

M. PUBLIC HEARINGS: (ITEMS 5 - 8)

5. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District and the "CN-2" Neighborhood Commercial District to the "CG-2" General Commercial District, on property located at 5429-5505 Cain Drive, 5633 South Staples Street and 5502-5506 Holly Road.

Case 1113-02 Old Lipan Limited: A rezoning from the "RS-6" Single-Family 6 District and the "CN-2" Neighborhood Commercial District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan from low-density residential uses to commercial uses. The property to be rezoned is described as Lots 4, 5B, 6, 7A, 13, and the west half of Lot 5, Block 10, Gardendale Subdivision, located on Holly Road and Cain Drive, approximately 400 feet west of South Staples Street.

Staff Recommendation: Denial of the rezoning to the "CG-2" General Commercial District and denial of a Special Permit to allow a mini-storage facility.

Planning Commission Recommendation (January 29, 2014): Denial of the "CG-2" General Commercial District and denial of a Special Permit for a mini-storage facility as a result of a split vote.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Old Lipan Limited ("Owner"), by changing the UDC Zoning Map in reference to Lots 4, 5B, 6, 7A, 13, and the west half of Lot 5, Block 10, Gardendale Subdivision, by granting a Special Permit for a mini-storage facility; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 5. City Secretary Rebecca Huerta announced that Mayor Martinez and Council Members Magill and Scott were abstaining from the discussion and vote on this item. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for a mini-storage facility. Ms. Gunning stated that staff recommended denial of the rezoning to the "CG-2" General Commercial District and the Special Permit and Planning Commission recommended denial of the rezoning

and denial of a Special Permit as a result of a split vote. Ms. Gunning reported that the denial requires all of the City Council present to vote in favor of this rezoning to approve. Ms. Gunning stated that staff received a petition from the neighborhood with 54 residents opposing the rezoning citing concerns of encroachment into the neighborhood, crime and setting a precedence from future rezoning. Council Member Garza made a motion to open the public hearing, seconded by Council Member Loeb and passed. Alicia Soto, Rudy Medina, Dolores Silguero, Joan Veith, and Tiburcio Soto spoke in opposition to the zoning change. Bill Durrill, applicant, presented examples of other mini-storage facilities that are next to neighborhoods and a brief history about the subject property. Mr. Durrill stated that the facility will have 24 hour security with the only access off of Holly Road and will address the concerns of the neighborhood with landscaping, security, and lighting. Mr. Garza made a motion to close the public hearing, seconded by Council Member Riojas and passed. Council members spoke regarding the following topics: whether there were meetings between the developer and the neighborhood; recommending that staff schedule a meeting; leaving the property vacant could cause more issues; dealing with the zoning within 45 days; whether a current council can bind a future council on an issues; and tabling the item until March 4th during the retreat at the Holiday Inn Marina downtown to allow the neighborhood and developer to have a dialogue of the proposed rezoning.

Council Member Riojas made a motion to table this item until March 4th as an agenda item, seconded by Council Member Garza and passed.

Enactment No: 030109

6. Public Hearing and First Reading Ordinance - Exempting Buena Vista Addition, located on Guth Lane, north of Interstate Highway 37 and west of Sessions Road, from the wastewater lot/acreage fees.

Ordinance exempting Buena Vista Addition, Block 3, Lots 2A & 3, a subdivision located on Guth Lane, north of Interstate Highway 37 and west of Sessions Road, from the payment of the wastewater lot/acreage fees pursuant to 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 6. Interim Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to exempt Buena Vista Addition from the required wastewater lot/acreage fees because public wastewater facilities will not be available within the next 15 years. Mr. Dimas stated that Planning Commission and staff are in favor of the waiver. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Magill 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 and passed. This Ordinance was passed on first reading and approved with the following vote:

Aye: 5 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 4 - Council Member Allen, Council Member Leal, Council Member Loeb and Council Member Scott

Abstained: 0

7. Public Hearing and First Reading Ordinance - Exempting King Estates Unit 4, located south of South Staples Street (FM 2444) at the intersection with Oso Parkway South, from the wastewater lot/acreage fees.

Ordinance exempting King Estates Unit 4, a subdivision located south of South Staples Street (FM 2444) at the of South Staples Street (FM 2444) and Oso Parkway South, from payment of wastewater lot/acreage fees pursuant to 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 7. Interim Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to exempt King Estates Unit 4 Subdivision from the required wastewater lot/acreage fee because public wastewater facilities will not be available within the next 15 years. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Garza and passed. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member McIntyre and passed. This Ordinance was passed on first reading and approved with the following vote:

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

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

Abstained: 0

8. Public Hearing and First Reading Ordinance - Changing the name of Bufferhead Drive to Bufflehead Drive

Ordinance changing the name of Bufferhead Drive to Bufflehead Drive between Eider Drive and Goldeneye Drive

Mayor Martinez referred to Item 8. Executive Director of Public Works Dan Biles stated that the purpose of this item is to rename Bufferhead Drive to Bufflehead Drive and waiving the fee requirements under the street renaming process. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Magill and passed. There were no comments from the Council or the public. Council Member Magill made a motion to close the public hearing, seconded by Council Member McIntyre This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

N. REGULAR AGENDA: (ITEMS 9, 10 and 12)**9. Engineering construction contracts and construction management/observation contracts for Mary Rhodes Pipeline Phase 2**

Motion authorizing the City Manager, or designee, to execute a construction contract with Garney Companies, Inc. of Kansas City, Missouri in the amount of \$84,121,405, for the Mary Rhodes Pipeline Phase 2: Pipeline Sections A, B, and C for the base bid and the fiber optic additive alternate for all pipeline sections; and to execute a construction contract with Oscar Renda Contracting of Roanoke, Texas in the amount of \$29,167,288, for the Mary Rhodes Pipeline Phase 2: Pump Stations/Sedimentation Basin for the base bid; and to execute Amendment No. 10 to the contract for professional services with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$3,965,785, for a total restated fee not to exceed \$15,301,288 for Mary Rhodes Pipeline Phase 2 for construction management and construction observation services; and to execute a contract with AGCM, Inc. of Corpus Christi, Texas in the amount of \$1,679,942, for Mary Rhodes Pipeline Phase 2 for construction observation services.

Mayor Martinez referred to Item 9. Executive Director of Public Works Dan Biles stated that the purpose of this item is to award two (2) construction contracts for the Mary Rhodes Pipeline Phase 2 and and two (2) construction management and construction observation services contracts. There were no comments from the Council or the public. This Motion was passed and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: M2014-027

10. Second Reading Ordinance - Approving Seawall Maintenance Capital Improvement Program (1st Reading 1/14/14)

Ordinance amending the FY 2014 Capital Improvement Program Budget adopted by Ordinance No. 029916 to add the Seawall Maintenance projects approved by the Type A Board and City Council as listed in Attachment A; appropriating \$6,500,000 from the Unreserved Fund Balance in No. 1120 Seawall Improvement Fund and transferring and appropriating into Seawall CIP Fund 3272 for the Fiscal Year 2014 projects as listed in Attachment A; changing the FY 14 Operating Budget adopted by Ordinance 029915 to increase

expenditures by \$6,500,000.

Mayor Martinez referred to Item 10. Executive Director of Public Works Dan Biles stated that the purpose of this item is to amend the Capital Improvement Budget by adding the proposed Seawall Maintenance Capital Improvement Program and appropriate the funds for Fiscal Year 2014. There were no comments from the public. Council Members asked questions regarding the Salt Flats Levee System; the Science and History Museum Levee Wall and associated costs; the investigation of the Barge Dock; holding projects until after receiving the results from the FEMA maps; and the barge dock repairs. This Ordinance was passed on second reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030106

12.

Second Reading Ordinance - Litter Ordinance Consolidation (1st Reading 2/11/14)

Ordinance establishes Chapter 22, Code of Ordinances titled "Litter"; amending Chapters 10, 14, 19, 21 and 23; providing for repeal of conflicting ordinances; providing for severance; and providing for publication.

Mayor Martinez referred to Item 12. Director of Solid Waste Operations Lawrence Mikolajczyk stated that the purpose of this item is to present the final reading of Chapter 22, Litter Ordinance. Mr. Mikolajczyk provided an overview of the changes to the ordinance since the first reading; the timeline of the metrics plan; and the phone and litter survey. Mayor Martinez called for comments from the public. Carolyn Moon said the ordinance needs to be reviewed and rewritten. John Adams said the he has heard that corporate attitude is to ban plastic bags and hopes that there is another amendment to include the full ban. Cliff Schlabach said his only concern is that the litter index sites owners will not have prior knowledge that their site has been chosen. Council Members asked questions regarding the following topics: distribution in yards without permits; dog waste bags exemption in parks; education in school districts; the ability to deputize other department employees to give citations for littering; and educating through the latchkey program.

Council Member Scott made a motion to amend the ordinance to incorporate the changes as presented by staff, seconded by Council Member McIntyre and passed. This Ordinance was passed as amended on second reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030108

O. FIRST READING ORDINANCES: (ITEMS 13 - 22)

13. First Reading Ordinance - Accepting and appropriating grant funds for the Operation Stonegarden program for reduction of crime in the Rio Grande Valley

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$126,000 from Nueces County for funding eligible under the FY2012 Department of Homeland Security Grant Program Operation Stonegarden to reimburse fuel, overtime, fringe benefits, and equipment expenditures for the Police Department's collaborative enforcement efforts with Nueces County along routes of ingress and egress to include (but not limited to) U. S. Highway 77 and State Highway 44; and appropriating the \$126,000 in the No. 1061 Police Grants Fund.

Mayor Martinez referred to Item 13. Police Chief Floyd Simpson stated that the purpose of this item is to accept and appropriate a grant to fund the Department of Homeland Security Grant Program Operation Stonegarden in the amount of \$126,000. 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 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

14. First Reading Ordinance - Appropriating funds for the Infor Enterprise Resource Planning (ERP) implementation

Ordinance appropriating \$1,212,449 from the Unreserved Fund Balance in the Municipal Information Systems Fund No. 5210 and \$1,311,979 from the Unreserved Fund Balance in the General Fund No. 1020, and transferring to and appropriating in the MIS Fund No. 5210 for the Infor Enterprise Resource Planning (ERP) implementation; changing the FY 2013-2014 Budget adopted by Ordinance No. 029915 to increase appropriations by \$2,524,428.

Mayor Martinez referred to Item 14. Chief Information Officer Michael Armstrong stated that the purpose of this item is to provide funding for the Infor ERP implementation for the current fiscal year. 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 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

15. First Reading Ordinance - Authorization for streamlining the approval process for repeat special events requesting use of City property

Ordinance authorizing the City Manager or designee to execute agreements for use of City property by repeat special events.

Mayor Martinez referred to Item 15. Assistant City Manager Gus Gonzalez stated that the purpose of this item is to authorize streamlining the approval process for repeat special events requesting use of City property. 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 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

16. First Reading Ordinance - Lease agreement for the 2014 Buccaneer Days Festival and related activities

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Buccaneer Commission, Inc. ("Commission") for 2014 Buccaneer Days Festival and related activities to allow use of City property including areas bounded by Kinney Street, North Shoreline, South Shoreline, and Park Avenue, including adjacent parking lots, during April 24, 2014 through May 4, 2014; use of parking lot north of former Memorial Coliseum site from April 18, 2014 through April 10, 2014 provide for Commission paying fees for City services in amount not to exceed \$33,000.00

Mayor Martinez referred to Item 16. Assistant City Manager Wes Pierson stated that the purpose of this item is to authorize a lease agreement with the Buccaneer Commission Inc. for the 2014 Buccaneer Days Festival and related activities to allow use of City property. Mayor Martinez called for comments from the public. Abel Alonzo acknowledged the Buc Commission and the City for working together to improve accessibility. There were no comments from the Council. City Secretary Rebecca Huerta stated that Council Member Allen would abstain from the vote on this item. This Ordinance was passed on first

reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 1 - Council Member Allen

17. First Reading Ordinance - Contract amendment no. 2 for energy performance contract for Energy Efficiency Conservation Retrofit for Major City Facilities Project, Phase 2

Ordinance appropriating \$32,326.50 from AEP Program Incentives in the No. 3160 City Hall CIP Fund for the Energy Efficiency Conservation Retrofit for Major City Facilities Project; changing the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to increase revenues and expenditures by \$4,982,326.50 each; and authorizing the City Manager, or designee, to execute Amendment No. 2 to the Fixed Price Energy Performance Contract with McKinstry Essention of Seattle, Washington for Energy Efficiency Conservation Retrofit for Major City Facilities, Phase 2 in the amount of \$7,709,592, for a total re-stated fee of \$14,724,124.28.

Mayor Martinez referred to Item 17. Executive Director of Public Works Dan Biles stated that the purpose of this item is to appropriate incentives from AEP for Phase I and authorize execution of the Phase 2 services for the Energy Efficiency Conservation Retrofit for City facilities with McKinstry Essention. Mr. Biles presented the project scope, schedule and project costs and payback. There were no comments from the public. Council members asked the following questions: success claimed off saving guarantee and energy portion on Phase 1; goals of the baseline; the project scope work that can't be done by City staff or local contractors; the number of local contractors used in Phase 1; how does Phase 1 compound Phase 2; whether there is a separate guarantee for Phase 2; payback for Phase 1 and 2; lifespan of material upgrades; local participation and competitive bidding process; verification process; and researching savings for use of solar panels. This Ordinance was passed on first reading and approved with the following vote:

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

Nay: 1 - Council Member Magill

Absent: 1 - Council Member Leal

Abstained: 0

18. First Reading Ordinance - Engineering construction contract for downtown (Chaparral) signal improvements (Bond Issue 2008)

Ordinance amending the FY 2014 Capital Improvement Budget

adopted by Ordinance No. 029916 by transferring \$459,111.75 from Fund 3541 Bond 2004 Project Reserves and \$459,117.75 from Fund 3544 Bond 2004 Project Reserves to the Downtown Street Chaparral Project (Bond 2008); increasing expenditures in the amount of \$918,235.50; and authorizing the City Manager, or designee, to execute a construction contract with Austin Traffic Signal Construction Co., Inc. of Round Rock, Texas in the amount of \$918,235.50 for the Downtown Streets Chaparral Signal Improvements for the Base Bid plus Additive Alternate One.

Mayor Martinez referred to Item 18. Executive Director of Public Works Dan Biles stated that the purpose of this item is to award the construction contract with Austin Traffic Signal Construction Co., Inc. for the Downtown Street Chaparral Signal Improvements to convert Chaparral from a one-way street to a two-way street. There were no comments from the Council or the public. City Secretary Rebecca Huerta stated that Council Member Loeb would abstain from the vote on this item. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 1 - Council Member Loeb

19. First Reading Ordinance - Engineering construction contract for Health Department parking lot (Bond 2012)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by accelerating funding for the Health Department Building Parking Lot Bond 2012 project in the amount of \$150,000 from Fiscal Year 2015 to Fiscal Year 2014; increasing expenditures in the amount of \$150,000; and authorizing the City Manager, or designee, to execute a construction contract with Mako Contracting of Corpus Christi, Texas in the amount of \$402,734.13 for Health Department Building Parking Lot for the Base Bid plus Additive Alternate Nos. 1 and 2. (Bond 2012)

Mayor Martinez referred to Item 19. Executive Director of Public Works Dan Biles stated that the purpose of this item is to award a construction contract for the Health Department Building Parking Lot and sidewalk improvements. 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 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

ADVANCE DESIGN IN PREPARATION OF BOND ISSUE 2014: (ITEMS 20 - 22)**20. First Reading Ordinance - Engineering design contract for Gollihar Road from Weber Road to Carroll Lane, Phase One and from Carroll Lane to Kostoryz Road, Phase Two**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer budgeted funds in the amount of \$600,384.20 from Storm Water CIP Fund 3495 Project No. E09025 Williams Drive Outfall; reserves in the amount of \$40,488.50 from Wastewater CIP Fund 4510; reserves in the amount of \$32,390.80 from Water CIP Fund 4479; reserves in the amount of \$8,097.70 from Gas CIP Fund 4551 for the Gollihar Road from Weber Road to Carroll Lane (Phase One) Project; transferring budgeted funds in the amount of \$600,384.20 from Storm Water CIP Fund 3495 Project No. E09025 Williams Drive Outfall; reserves in the amount of \$40,488.50 from Wastewater CIP Fund 4510; reserves in the amount of \$32,390.80 from Water CIP Fund 4479; reserves in the amount of \$8,097.70 from Gas CIP Fund 4551 for the Gollihar Road from Carroll Lane to Kostoryz Road (Phase Two) Project; increasing expenditures in the amount of \$1,362,722.40; and authorizing the City Manager, or designee, to execute an engineering design contract with RVE, Inc. from Corpus Christi, Texas in the amount of \$2,009,621.00 for the Gollihar Road from Weber Road to Carroll Lane (Phase One) and Gollihar Road from Carroll Lane to Kostoryz Road (Phase Two) Projects.

Mayor Martinez referred to Item 20. Executive Director Dan Biles stated that Items 20, 21, and 22 are part of the predesign for Bond 2014 and include the Gollihar Road, Southern Minerals Road and Ayers Street projects. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Leal and Council Member Scott

Abstained: 0

21. First Reading Ordinance - Engineering design contract for Southern Minerals Road from Up River to IH 37

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$151,145.75 from Storm Water CIP Fund 3494, \$70,795.79 from Wastewater CIP Fund 4510, and \$65,349.96 from Water CIP Fund 4088 to the Bond 2014 Street Project Southern

Minerals Road from Up River to IH 37; increasing expenditures in the amount of \$287,291.50; and authorizing the City Manager, or designee, to execute an engineering design contract with LNV, Inc. from Corpus Christi, Texas in the amount of \$604,675.00 for Southern Minerals Road from Up River to IH 37.

This item was discussed under Item 20. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Leal and Council Member Scott

Abstained: 0

22. First Reading Ordinance - Engineering design contract for Ayers Street from Ocean to Alameda

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$163,384.75 from Storm Water CIP Fund 3494, \$97,120.07 from Wastewater CIP Fund 4510, and \$78,424.68 from Water CIP Fund 4479 to the Bond 2014 Street Project Ayers Street from Ocean to Alameda; increasing expenditures in the amount of \$338,929.50; and authorizing the City Manager, or designee, to execute an engineering design contract with Freese and Nichols, Inc. from Corpus Christi, Texas in the amount of \$811,935.00 for Ayers Street from Ocean to Alameda.

This item was discussed under Item 20. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Leal and Council Member Scott

Abstained: 0

P. RECESS TO THE CORPORATION MEETING: (ITEM 23)

23. Board meeting of the Corpus Christi Housing Finance Corporation.

Mayor Martinez referred to Item 23. Mayor Martinez recessed the regular Council meeting to hold a meeting of the Corpus Christi Housing Finance Corporation.

Q. RECONVENE THE CITY COUNCIL MEETING

Mayor Martinez reconvened the regular Council meeting.

R. FUTURE AGENDA ITEMS: (ITEMS 24 - 34)

Mayor Martinez referred to the Future Agenda. City Manager Ron Olson stated that did not have any planned presentations. Council Member McIntyre asked questions regarding Item 32.

24. Supply agreement for police uniforms

Motion approving a supply agreement with Nardis, Inc., Kilgore, Texas for police uniforms in the amount of \$64,972.60 of which \$32,486.30 will be required for the remainder of FY 2013 - 2014. The term of the contract will be for twelve (12) months with an option to extend the contract for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City Manager or designee. The award is in accordance with the U.S. General Services Administration (GSA) Federal Supply Schedule 84 Cooperative Purchasing Program. Funds have been budgeted by the Police Department in FY 2013 - 2014.

This Motion was recommended to consent agenda

25. Purchase of electronic citation handheld units (ticket writers)

Motion approving the purchase of sixty-two (62) Electronic Citation Handheld Units from Brazos Technologies, College Station, Texas for a total amount of \$233,773. The award is based on the General Services Administration (GSA) Federal Supply Schedule 70 Cooperative Purchasing Program. Funds are available in the Crime Control and Prevention District in FY 2013-2014.

This Motion was recommended to consent agenda

26. Purchase of video equipment and system upgrade for video surveillance system

Motion approving the purchase of video cameras and equipment; to include a system upgrade from Zones, Solutions Group, Auburn, Washington based on the General Services Administration (GSA) Federal Supply Schedule 70 Cooperative Purchasing Program for a total amount of \$79,322.48. Funds are available in the Crime Control and Prevention District in FY 2013-2014.

This Motion was recommended to consent agenda

27. Purchase and installation of a roll-off hoist body for a reconfigured roll-off truck to be used at transfer station

Motion approving the purchase and installation of one (1) roll-off hoist body from Texan Waste Equipment, Inc., Houston, Texas for a total

amount of \$60,483. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC).

This Motion was recommended to consent agenda

28. Authorizing submission of grant application to State for a victim outreach program under the Victims of Crime Act (VOCA)

Resolution authorizing the submission of a grant application in the amount of \$68,163.15 to the State of Texas, Criminal Justice Division. For funding available under the Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit to continue Year 2 of the Victim Outreach Program with a city match of \$13,840.79 and \$3,200 in-kind services, for a total project cost of \$85,203.94; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

This Resolution was recommended to consent agenda

29. Authorizing submission of grant application to the State for victims of crime under the Victims of Crime Act (VOCA)

Resolution authorizing the submission of a grant application in the amount of \$77,084.05 to the State of Texas, Criminal Justice Division for funding available under the Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit with a city match of \$20,271.07 and \$4,000 in-kind services, for a total project cost of \$101,355.06; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

This Resolution was recommended to consent agenda

30. Authorizing submission of grant application to the State for violence against women under the Violence Against Women Act (VAWA)

Resolution authorizing the submission of a grant application in the amount of \$44,356.71 to the State of Texas, Criminal Justice Division. For funding available under the Violence Against Women Act (VAWA) fund for the Police Department's Family Violence Unit with a city match of \$20,280.21 and \$5,520 in-kind services, for a total project cost of \$70,156.92; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

This Resolution was recommended to consent agenda

31. Aquisition of real property rights for Navigation Boulevard street improvement project from Up River Road to Leopard Street (Bond 2012)

Resolution of the City Council of the City of Corpus Christi, Texas **(1)** determining the public necessity and public use for the acquisition of parcels of land by fee simple title to the surface estate, right-of-way easements, utility easements, and temporary construction easements for a street improvement project known as the Navigation Boulevard Street Improvement Project which is to be generally located from Leopard Street northward to Up River Road, Bond 2012; **(2)** authorizing the City Manager or his designee to negotiate and execute all documents necessary to acquire the property interests subject to availability of funds appropriated for such purposes; **(3)** authorizing the City Manager to institute condemnation by eminent domain proceedings to acquire the fee simple and easement interests in the properties; **(4)** authorizing payment pursuant to an award by Special Commissioners; **(5)** authorizing acceptance and recording of appropriate legal instruments; and **(6)** approving condemnation for all units of property to be acquired by condemnation the parcels of land described herein by a single record vote of the City Council.

This Resolution was recommended to consent agenda

32. Support of project that will study redevelopment of area affected by Harbor Bridge relocation

Resolution to provide support to the Regional/Urban Design Assistance Team Project.

This Resolution was recommended to consent agenda

33. Refunding of Lavaca-Navidad River Authority (LNRA) water supply facilities revenue bonds for debt service savings

Resolution authorizing the City Manager to take actions necessary to approve the issuance of refunding bonds designated as Lavaca-Navidad River Authority Water Supply Contract Revenue Refunding Bonds Taxable Series 2014, (Lake Texana Project); and other matters in connection therewith.

This Resolution was recommended to consent agenda

34. Reimbursement resolution for energy efficiency projects

Resolution relating to establishing the City Council of the City of Corpus Christi, Texas' intention to reimburse itself for the prior lawful expenditure of funds relating to the acquisition of a new energy management and control system on a city-wide basis and certain other personal property from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date.

This Resolution was recommended to consent agenda

S. BRIEFINGS TO CITY COUNCIL: (ITEMS 35 - 36)

35. Senior Center Customer Service Survey and Benchmark Study

Mayor Martinez referred to Item 35. Director of Parks and Recreation Michael Morris introduced Dr. Dan Jorgensen, Assistant Professor with Texas A & M University - Corpus Christi. Dr. Jorgensen's Masters of Public Administration students conducted a customer service survey and benchmark study for the Senior Centers. Dr. Jorgensen provided information on the study including the project scope; the reason participants visit and attend senior centers; the survey findings; the responses for health and social outcomes; barriers to participation; suggestions for improvement; benchmark participants and comparable results; and conclusions and recommendations. Council members discussed the following topics: restoration of service hours or the possibility of shifting hours; KABOOM projects to help build playgrounds with seniors in mind; whether there are any major obstacles to prevent the City from being accredited by the National Institute of Senior Centers; the reasons citizens may not attend senior centers; maintenance of senior centers; and how seniors are informed of activities.

36. Corpus Christi Museum of Science & History Update

Mayor Martinez referred to Item 36. Assistant City Manager Wes Pierson stated that the purpose of this item is to provide an update of the performance of the Museum of Science and History over the term of the agreement and to get direction on moving forward. Mr. Pierson provided an overview of the management agreement concept; first year financial; historical revenues; historical attendance; admission and rental rate changes; and facility improvements. Executive Director Carol Rehtmeyer provided information on the development of the education plan; additional programs and camps; and ongoing efforts and fundraising. A consensus of the Council supported the extension of the management agreement.

T. ADJOURNMENT

City Manager Ron Olson recommended that the special meeting for the Old Lipan Limited zoning case be held at 4:30 p.m. after the Council retreat on March 4, 2014. The meeting was adjourned at 7:00 p.m.