



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes - Final City Council

Tuesday, March 19, 2013

11:30 AM

Council Chambers

A. CALL MEETING TO ORDER.

Mayor Martinez called the meeting to order.

B. INVOCATION.

The invocation was delivered by Reverend Gloria Lear, First United Methodist Church.

C. PLEDGE OF ALLEGIANCE.

The Pledge of Allegiance was led by Carlos Valdez, City Attorney.

D. ROLL CALL.

City Secretary Armando Chapa verified that the necessary quorum of the Council and the required Charter Officers were present to conduct the meeting.

Charter Officers: City Manager Ron Olson, City Attorney Carlos Valdez, and City Secretary Armando Chapa.

Present: 9 - Council Member Kelley Allen, Council Member Priscilla Leal, 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

E. Proclamations / Commendations

Mayor Martinez read and presented the Proclamations.

- 1 Proclamation declaring March 23, 2013 as "14th Annual Celebration of Cesar Chavez Day"
- Proclamation declaring March 22-24, 2013 as "Corpus Christi Festival of the Arts"
- Proclamation declaring March 22, 2013 as "World Water Day"
- Proclamation declaring March 2013 as "Professional Social Work Month"
- Proclamation declaring March 19-23, 2013 as "Texas Section of the ASCE Centennial Conference"
- Proclamation declaring April 2013 as "Corpus Christi Safe Digging Month"
- Proclamation declaring March 19, 2013 as "Coastal Bend Coalition Against Modern Day Slavery"
- Presentation to Mayor Nelda Martinez from the Spirit Center of Corpus Christi

This Proclamations was presented

F. PUBLIC COMMENT.

Mayor Martinez referred to Public Comment. Jerry Garcia spoke regarding an open records request that he submitted, and asked about the RFP process on Item No. 33; Jose Marroquin spoke regarding the plastic bag fee, and stated that he opposes the street maintenance fee; Susan Robinson spoke about the traffic and speeding on Robert Drive; Emily Olivarez opposes the street maintenance fee for residential; Abel Alonzo spoke about traffic safety on Ayers Street and commented on the recent accident that occurred in that area; Jack Gordy spoke about signs on bus benches; Representative from St. Bartholomew's Church spoke about the street maintenance fee and the impact to churches; Mary Ann Kelley spoke about the street maintenance fee and the industrial district area; John Gordon stated that he does not support the formula used to calculate the street maintenance fee; Lolly Bernal spoke in support of Select Baseball; and Maggie Sandoval Flores spoke in opposition to the street maintenance fee and also commented on the impact to small churches.

G. EXECUTIVE SESSION:

Mayor Martinez read Executive Session Item Nos. 2 and 3. The council went into executive session. The council returned from executive session.

- 2** Executive session pursuant to Texas Government Code Section 551.071 to consult with attorneys regarding contemplated litigation related to the City of Corpus Christi's wastewater treatment plants, with possible discussion and action in open session.

This executive session was discussed and no action was taken.

- 3** Executive Session pursuant to Texas Government Code Section 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of Municipal Court Judge with possible discussion and action in open session.

This executive session was discussed and no action was taken.

Mayor Martinez deviated from the agenda and referred to Item No. 28, First Reading Ordinance - Establishing policies, methodologies, and rate to be charged for implementing the Street Maintenance Fee.

- 28** **First Reading Ordinance - Establishing policies, methodologies, and rate to be charged for implementing the Street Maintenance Fee (Tabled on 2/26/13)**

Ordinance establishing rates, policies, and methodologies to implement the street maintenance fee created by separate ordinance.

Mr. Oscar Martinez, Assistant City Manager discussed the work plan and referred to a charge showing the overlay and seal coat square yard quantities

for the first 5 years, collecting \$15 million. He added that this program triples the amount of seal coat currently being performed and implements currently non-existent overly work annually. Mr. Martinez referred to a map depicting the level of effort for seal and coat for the first 3 years of the program and stated that out of the 1200 miles of city streets, this would cover about 22% of city streets (arterial, collector or residential).

Mr. Martinez provided an overview of the direction from the council as being: 1) adjust cap on non-residential "Commercial", Industrial, and other classes from 30,000 to 100,000 square feet, 2) consider process to ascertain non-residential land use categories beyond limited categories previously proposed, 3) readjust methodology to bill commercial residential (i.e., attached housing, mobile homes/manufactured/RV's) on a per dwelling unit basis. Mr. Martinez then reported on some of the results on the adjustments to cap for non-residential properties. Mr. Martinez stated that the data use survey would need to be contracted out to conduct a field survey of every non residential use of property.

Mr. Martinez then discussed other considerations for council discussion: 1) adjusted calculation for some commercial establishments could be considered for factors that materially affect the volume of business beyond the square footage; final amount to be collected may be adjusted as negotiations with RTA regarding contribution for street maintenance is finalized; initial development of an administrative procedure manual for implementation of the street maintenance fee; development of a community education campaign to promote and understand the need for, benefit and impact of the program. Mr. Martinez then provided an overview of the sections in the ordinance being proposed.

Mayor Martinez asked for comments from the audience and the following citizens spoke: Jack Gordy, Andy Taubman, Douglas Johnson, Mary Lou Huffman, Donna Hanson, Jonathan Wickam, Sarah Graham, David Hoyt, Lee Brandon, Sid Stovall, Reagan Brown, Daniel Fields, Debbie Brook, Ms. Anzaldua, Tony Norrell, Cliff Harris, Wilson Wakefield, Trey Bates, Eloy Salazar, Butch Escobedo, Abel Alonzo, and Mike Staff.

After council discussion, Mayor Martinez asked that staff look at the outcomes if the 100,000 square foot cap was removed; place the ordinance on the City's home page (including Powerpoint and ITE categories); include the current RTA's contribution; in the future submit a Resolution to our delegation, State Representative and Senator regarding the vehicle registration fee and the gas tax; and the equity issue regarding hotels. Mr. Olson stated that a Workshop session will be scheduled to address issues before the second reading of the ordinance.

The foregoing ordinance was passed and approved on first reading 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

Nay: 1 - Council Member Leal

Abstained: 0

H. MINUTES:

4 Approval of Meeting Minutes - Regular Meeting of February 26, 2013.

A motion was made by Council Member Loeb, seconded by Council Member Magill to approve the minutes as presented, and passed.

I. BOARDS & COMMITTEE APPOINTMENTS:

5 Building Standards Board
Island Strategic Action Committee
Landmark Commission
Leadership Committee for Senior Services
Transportation Advisory Committee

Mayor Martinez referred to Item No. 5, Board Appointments. The following appointments/reappointments were made to the City's boards, commissions and committees:

Building Standards Board: Reappointed - Shane Torno (Engineer), and Clarissa Beltran (At Large)

Island Strategic Action Committee: Reappointed - Gregory Smith (Comm. Property Owner), Paul Schexnaider (Developer), John White (Padre Island Business Assn.), Stan Hulse (Padre Isles Property Owners Assn.), Jyoti Patel (At Large), and Ralph Tapscott (At Large). New Appointment - Rick Sowash (At Large)

Landmark Commission: Reappointed - Sean Thorson (Title Search), Laura Commons (Real Estate), and Dr. Mark Robbins (Historian). New Appointment - Albert Soto (Architect)

Leadership Committee for Senior Services: Reappointed - Willie Hardeman (Community Rep), Breanna Rye (Direct Service), Henry Savoy (Community Rep), and Billy Ray Sayles (Direct Service). New Appointments - Maria Elena Flores (Community Rep), Jose Mario Gomez (Community Rep), Robert Erwin (Community Rep), Suzanne Beltz (Community Rep), and Lewis Hardeman (Senior Center Participant).

Transportation Advisory Committee: New Appointment - Scott Harris, Bryan Hall and John Garcia.

Enactment No:

K. CONSENT AGENDA: (Items 6 - 25)

Mayor Martinez referred to the Consent Agenda, Items 6 - 25. Mayor Martinez asked for council and public comment. Council Members pulled the following items for individual consideration: 7, 8 and 10. There were no comments from the audience. The items were approved by one vote:

6 Supply agreements for water treatment chemicals used for treatment of potable drinking water at the O. N. Stevens Water Treatment Plant

Motion approving supply agreements with the following companies, for the following amounts for water treatment chemicals in accordance with Bid Invitation No. BI-0050-13, based on lowest responsible bid for an estimated annual expenditure of \$522,502.00 of which \$261,251.00 is budgeted for the remainder of FY 2012-2013. The terms of the contract will be for one year with options to extend for up to three additional twelve month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Water Department in FY 2012-2013.

Mosaic Crop Nutrition
Lithia, FL
Hydrofluorosilicic Acid
\$140,182.00

Polydyne Inc.
Riceboro, GA
Liquid Cationic Polymer
\$382,320.00

Grand Total: \$522,502.00

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-041

7

Service Agreement for wrecker services for City owned vehicles

Motion approving a service agreement with Apollo Towing, of Corpus Christi, Texas for wrecker service for City owned vehicles in accordance with Bid Invitation No. BI-0060-13 based on only bid for an estimated twelve month expenditure of \$93,852.50 of which \$39,105.21 is required for the remainder of FY 2012-2013. The term of the agreement will be for twelve months with an option to extend for up to two additional twelve-month periods, subject to the approval of the supplier and the City Manager or his designee. Funds have been budgeted by Maintenance Services and the Fire Department in FY 2012- 2013.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-042

8 Amending financial policies and providing financial policy direction on preparation of the annual budgets

Resolution amending financial policies adopted by resolution 029521 and providing financial policy direction on preparation of the annual budgets.

This Resolution was pulled from the agenda.

9 Construction contract for a waterline adjustment under the east bound On-Ramp at Carbon Plant Road and IH 37

Motion authorizing the City Manager, or designee, to execute a construction contract with Clark Pipeline Services, LLC of Taft, Texas in the amount of \$79,575.45 for the Base Bid of Bore and Case a 16-Inch Water Adjustment under the east bound On-Ramp for IH 37 at Carbon Plant Road and IH 37.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-043

10 Amending consulting agreement to capture department and stakeholders input for future revised City Standard Specifications used in City construction contracts

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to a Small Architect/Engineer Consultant Agreement with Naismith Engineering Inc., of Corpus Christi, Texas in the amount of \$92,740.00 for a re-stated fee not to exceed \$142,390.00 for the City Standard Specifications Review.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-044

11 Construction agreement for lighting improvements along Aquarius Street to include medians and Commodores Drive median

Motion approving a Contribution-In-Aid-Of-Construction Agreement with American Electric Power (AEP) in the amount of \$ 89,974.42, for the installation of Aquarius Street Lighting Improvements .

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-045

12 Professional services contract amendment no. 1 for 2 new pumps for the Staples Street Water Pumping Plant

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to the Contract for Professional Services with Urban Engineering of Corpus Christi, Texas in the amount of \$129,070.00, for a total restated fee not to exceed \$216,470.00 for Staples Street Pumping Plant New 10 MGD Pumps.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-046

13 Professional services contracts for wastewater collection system infrastructure repair/replacement in six wastewater plant service basins

Motion authorizing the City Manager or designee to execute contracts for the City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program ("Program" or "Project"): a construction contract with National Power Rodding Corp. of Chicago, Illinois in the amount of \$5,500,000.00; a contract for professional services with LNV, Inc. of Corpus Christi in the amount of \$162,950.00; a contract for professional services with Coym, Rehmet & Gutierrez, Engineering, L.P. of Corpus Christi in the amount of \$120,880.00; and a contract for professional services with Urban

Engineering of Corpus Christi in the amount of \$120,880.00.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-047

14

Wastewater Line Construction and Reimbursement Agreement for property located at the south side of State Highway 44, east of Heinsohn Road and west of North Padre Island Drive

Motion approving the Sanitary Sewer Collection Line Construction and Reimbursement Agreement submitted by I5T Investments LLC ("Developer/Owner"), in the amount of \$63,794.00 for property located at the south side of State Highway 44; east of Heinsohn Road and west of North Padre Island Drive (SH 358), including all related appurtenances.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-048

15

Second Reading Ordinance - Amending easement rights to allow San Patricio Municipal Water District to install an additional potable waterline across City owned land in San Patricio County (1st Reading 2/26/13)

Ordinance authorizing the City Manager or designee to execute an instrument which amends the original Waterline Right-of-Way Easement granted to Reynolds Metals Company, whose easement is now owned and operated by the San Patricio Municipal Water District (SPMWD), for the purpose of permitting SPMWD to install an additional potable waterline, not to exceed 12-inches in diameter, in the original easement and to permit realignment and centering of their original easement with the centerline of their existing 24-inch diameter waterline, all within the City's 8.646 acre tract located approximately 3 miles southwest of Odem, Texas.

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029759

16

Second Reading Ordinance - Amending the Capital Improvement Budget; amending a professional services agreement to extend the East General Aviation Apron (1st Reading 2/26/13)

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to accelerate Project No. E12156B Construct East General Aviation Apron from Fiscal Year 2015 to 2013; increasing expenditures in the amount of \$250,000.00; and authorizing the City Manager or designee to execute Amendment No. 14 to a Professional Services Agreement with KSA Engineers, Inc. of Longview, Texas, in the amount of \$140,000.00 for the Design of the East General Aviation Apron Extension.

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029760

17

Second Reading Ordinance - Amending the Unified Development Code to allow City Staff to execute standard deferment agreements to expedite recordation of plats and issuance of building permits (1st Reading 2/26/13)

Ordinance amending the Unified Development Code ("UDC") by revising subsections 8.1.10. and 8.1.11. relating to the designation of authority under Requirements for Plat Recordation Prior to Final Acceptance of Infrastructure Improvements Based on Financial Security and Technical Compliance; providing for severance, penalties, and publication.

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029761

Case No. 0113-02 Jose Luis Martinez and Frances Martinez: A change of zoning from the "ON" Office District to the "RS-6" Single-Family 6 District, resulting in a change of future land use from park to low density residential. The property is described as Jackson Woods Subdivision Unit 1, Block G, Lot 17, located on the southeast corner of Gettysburg Street and Peach Tree Street.

Planning Commission and Staff Recommendation (January 30, 2013): Approval of the change of zoning from the "ON" Office District to the "RS-6" Single-Family 6 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC") upon application by Jose Luis Martinez and Frances Martinez ("Owners"), by changing the UDC Zoning Map in reference to Lot 17, Block G, Jackson Woods Subdivision Unit 1, from the "ON" Office District to the "RS-6" Single-Family 6 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029764

21

Second Reading Ordinance - Amending the Unified Development Code relating to street design standards (1st Reading 2/26/13)

Ordinance amending Articles 1 and 8 of the Unified Development Code relating to design standards, criteria, and requirements for street design; requiring compliance with design standards issued by the City Engineer; requiring street design for a 30-year life level of service; and providing for severance, penalties, and publication.

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029765

22

Second Reading Ordinance - Appropriating State cable franchise

funds for capital equipment related to Public, Education and Government Access Channels (1st Reading 2/26/13)

Ordinance appropriating \$142,645.50 from the State Cable Franchises issued by the Public Utility Commission of Texas in the No. 1031 Public, Education and Government Cable Fund for capital expenditures related to the Public, Education and Government Access Channels; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase appropriations by \$142,645.50.

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029766

23

Second Reading Ordinance - Amending the operating budget to rebate excess funds contributed for General Liability and Workers' Compensation; appropriating funds for construction of a safe shelter during emergencies (1st Reading 2/26/13)

Ordinance amending the Fiscal Year 2012-2013 Operating Budget adopted by Ordinance No. 029577 by adjusting expenditures and revenues in the General Fund and various Enterprise, Internal Service and Special Revenue Funds, by increasing expenditures by \$6,600,000 and increasing revenues by \$6,600,000 to rebate excess funds contributed for General Liability and Workers' Compensation; and, appropriating \$600,000 of the unreserved fund balance in the General Fund as part of the Texas Safe Shelter Initiative, for the construction of a domed structure to be used by the City of Corpus Christi, Texas as a community safe room for protection from emergencies.

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029767

24

Second Reading Ordinance - Approving reimbursement agreement and appropriation for a water distribution main line for a proposed warehouse development (1st Reading 2/26/13)

Ordinance authorizing execution of a distribution main extension construction and reimbursement agreement ("agreement") with I5T Investments, LLC ("Developer"), for the construction of a distribution waterline and appropriating \$26,290.60 from the No. 4030 Water Distribution Main Trust Fund to reimburse the Developer in accordance with the agreement

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029768

25

Second Reading Ordinance on proposed assessments for Vaky Street, Ivy Lane, and Clare Drive; amending the Capital Improvement Budget and awarding construction contract (1st Reading 2/26/13)

Public Hearing on proposed assessments for Vaky Street from Swantner Drive to Reid Drive, Ivy Lane from Gollihar Road to Horne Road, and Clare Drive from South Padre Island Drive to McArdle Road (the "Project"); Ordinance finding and determining that the property abutting said streets will be specifically and specially benefitted and enhanced to an amount at least equal to the cost to each property owner; levying and imposing assessments totaling \$191,716.44 against property abutting the improvements for the Project; fixing corresponding liens on property and charges against property owners; adopting the attached Preliminary Assessment Roll; providing for subsequent adjustment of assessment amounts and the corresponding liens and charges based on as-built conditions; specifying assessment payment terms and lien enforcement measures; amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to transfer \$99,217.38 in unspent Storm Water funds and \$48,592 in unspent Water funds from the Rodd Field/Yorktown Intersection at Airline Road project to the Project; increasing expenditures in the amount of \$147,809.38; and authorizing the City Manager to execute a construction contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$2,381,270.55 for the Project for the Base Bid and Additive Alternates 1 and 2. (Bond Issue 2008)

The foregoing ordinance was passed and approved on Second Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029769

L. **REGULAR AGENDA: (Item 26 - 27)**

26 Agreement for airport parking facilities management

Motion authorizing the City Manager, or designee, to enter into a parking Facilities Management Agreement with Republic Parking System, Inc. ("Republic") to manage, operate, maintain, and collect revenues for the City of Corpus Christi ("City") from parking facilities located at the Corpus Christi International Airport, in consideration of a management fee of \$9,583 per month to be paid to Republic by the City, for a term of five (5) years.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-049

27 Second Reading Ordinance - Amending the Unified Development Code (UDC) regarding public notices, special permits and setbacks to improve the effectiveness of the UDC (1st Reading 2/26/13)

Ordinance amending the Unified Development Code by revising subsections 3.1.7.C.1 and 3.1.7.C.4 - public notice requirements, subsection 3.3.3.C - City Council final action on rezonings, section 3.6 - special permits, subsection 3.18.4 - building permit expiration, subsection 3.24.1 - applicability of administrative adjustments, table 4.4.3.A - setbacks in two-family and townhouse zoning districts, table 4.4.3.B - setbacks in multifamily zoning districts, table 4.5.2 - permitted uses in commercial zoning districts, table 5.1.4.I - vehicle sales and service uses, subsection 5.3.1.J - accessory uses and structures, subsection 5.4.3.G - banners for temporary promotional events, subsection 7.5.13.E - institutional signs, and subsection 7.5.20.D - temporary and portable signs allowed in nonresidential districts; and providing for severance, penalties, and publication.

The foregoing ordinance was passed and approved on Second Reading with the following vote:

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

Absent: 1 - Council Member Loeb

Abstained: 0

Enactment No: 029770

M. FIRST READING ORDINANCES: (Items 28 - 36)

29 First Reading Ordinance - Transfer and appropriation of funds to capital budget for arena / convention center loading dock repairs

Ordinance transferring and appropriating \$100,000 from the Unreserved Fund Balance in No. 1130 Arena Improvement Fund to and appropriating in the No. 3274 Arena Type A CIP Fund for the Arena/Convention Center Loading Dock Repairs; changing the FY 2013 Operating Budget adopted by Ordinance No. 029577 to increase expenditures by \$100,000; and changing the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to increase revenues and expenditures by \$100,000 each.

The foregoing ordinance was passed and approved on First Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029775

30 First Reading Ordinance - Lease agreement for operation of news and gift concession at City airport

Ordinance authorizing the City Manager, or designee, to execute a Long Term Lease Agreement ("Lease") with Host International, Inc. ("HMS Host") for the operation of a news and gift concession located at the Corpus Christi International Airport ("Airport"), in consideration of the greater of an annual minimum guarantee of \$110,000 or a sum equal to ten percent (10%) of the HMS Host's gross receipts, for a term of five (5) years.

The foregoing ordinance was passed and approved on First Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029776

31 First Reading Ordinance - Ratifying acceptance of the amendment to State grant for air quality planning activities; appropriating grant funds

Ordinance ratifying the acceptance of Amendment No. 5 to the Grant Agreement with the Texas Commission on Environmental Quality and appropriating \$371,520 in the No. 1071 Community Enrichment Grants Fund for air quality planning activities.

The foregoing ordinance was passed and approved on First Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029777

32 First Reading Ordinance - Appropriating abandoned/unclaimed monies from Police Property room

Ordinance appropriating \$11,586.71 from abandoned/unclaimed monies from the Police Property Room, changing the FY 2012-2013 Operating Budget adopted by Ordinance No.029577 by increasing revenue and expenditures in the General Fund No. 1020 by \$11,586.71 each.

The foregoing ordinance was passed and approved on First Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029778

33 First Reading Ordinance - Amendment to lease agreement for additional baseball fields at Greenwood / Horne Youth Sports complex

Ordinance authorizing the City Manager or designee to execute an Amendment to the Lease Agreement with International Westside Baseball League for additional baseball fields at Greenwood/Horne Youth Sports Complex.

This Ordinance was tabled.

34 First Reading Ordinance - Appropriating a State grant for serving homebound seniors in the Senior Companion Program

Ordinance appropriating a \$5,381 grant from the Corporation for National and Community Service in the No. 1067 Parks and Recreation grants fund for the Senior Companion Program.

The foregoing ordinance was passed and approved on First Reading with the following vote:

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

Absent: 2 - Council Member Scott and Council Member Riojas

Abstained: 0

Enactment No: 029779

35 First Reading Ordinance - Amending the Code of Ordinances for the Mayor's Fitness Council duties and membership

Ordinance amending the Code of Ordinances regarding Mayor's Fitness Council duties and membership.

The foregoing ordinance was passed and approved on First Reading with the following vote:

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

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 029780

36 First Reading Ordinance - Establishing the Downtown Catalyst Area in the City

Ordinance defining "Catalyst Area" and establishing the Downtown Catalyst Area in the City of Corpus Christi, Texas.

The foregoing ordinance was passed and approved on First Reading 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: 029781

N. PUBLIC HEARINGS: (Items 37 - 39)

37 Public Hearing and First Reading Ordinance - Designating the Downtown Reinvestment Zone within the City

Ordinance designating the Downtown Reinvestment Zone within the City of Corpus Christi, Texas, under the Property Redevelopment and Tax Abatement Act (Chapter 312 of the Texas Tax Code).

Mayor Martinez referred to Item No. 37. Wes Pierson, Assistant City Manager stated that this ordinance establishes the Downtown Reinvestment Zone and includes all of the Downtown TIRZ to help the City cover all of the potential sites for growth. A motion was made by Council Member Loeb, seconded by Council Member Magill to open the public hearing and passed. There were no comments from the public. A motion was made by Council Member McIntyre, seconded by Council Member Leal to close the public hearing and passed.

The foregoing ordinance was passed and approved on First Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029782

38 Public Hearing and First Reading Ordinance - Amending the lease of a portion of Mt. Vernon Park for the proposed expansion of the Deaf & Hard of Hearing Center located at the 5100 block of McArdle Road near La Palmera Mall

Ordinance finding that there is no feasible and prudent alternative to the expanded use from approximately 0.4 acres to 0.677 acres of Mt. Vernon Park located along 5100 block of McArdle Road by The Corpus Christi Area Council for the Deaf for the expansion and continued operation of The Corpus Christi Area Council for the Deaf, and determining that all reasonable planning has occurred to minimize harm to Mt. Vernon Park resulting from such use; and authorizing the City Manager or designee to execute a ten-year lease agreement with The Corpus Christi Area Council for the Deaf for expanded lease area of approximately .677 acres of Mt. Vernon Park, with one ten-year extension term.

Mayor Martinez referred to Item No. 38. Mike Morris, Director of Park & Recreation stated that this item is to amend the current lease with the Corpus Christi Area Council for the Deaf to expand from approximately 0.4 acres to 0.677 acres of Mt. Vernon Park for the expansion and operation of the CC Area Council for the Deaf. A motion was made by Council Member Leal, seconded

by Council Member Loeb to open the public hearing and passed. There were no comments from the audience. A motion was made by Council Member Magill, seconded by Council Member Leal to close the public hearing and passed.

The foregoing ordinance was passed and approved on First Reading with the following vote:

Aye: 8 - Council Member Leal, 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 Allen

Abstained: 0

39

Public Hearing and First Reading Ordinance - Amending the Unified Development Code to add the requirements and enforcement of Model Subdivision Rules to plats and subdivisions of land within the Extraterritorial jurisdiction of the City

Ordinance amending the Unified Development Code ("UDC") by revising Article 8, Section 8.1, subsection 8.1.1, related to Authority regarding subdivisions located in the extraterritorial jurisdiction of the City by adding language to incorporate Chapter II of the December 13, 2006 Nueces County Subdivision Regulations and Platting Requirements, which incorporate the Model Subdivision Rules as authorized by Chapter 364 of Title 31 of the Texas Administrative Code; providing for severance, penalties, and publication.

Mayor Martinez referred to Item No. 39. Mark Van Vleck, Director of Development Services stated that this is a housekeeping amendment to the Unified Development Code related to the Authority regarding subdivisions located in the extraterritorial jurisdiction of the City. A motion was made by Council Member Riojas, seconded by Council Member Leal to open the public hearing and passed. There were no comments from the audience. A motion was made by Council Member McIntyre, seconded by Council Member Leal to close the public hearing and passed.

The foregoing ordinance was passed and approved on First Reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029783

O. FUTURE AGENDA ITEMS: (Items 40 - 55)

Mayor Martinez referred to the Future Agenda, Items 42 through 52 and stated

that these items are for informational purposes only and that no action or public comment would be taken. There were no presentations on these items.

40

BOND 2012 PROJECTS (Related Items 6 - 11)**Award of a construction contract; and approval of construction materials testing contract for Yorktown Boulevard Phase 2 project (BOND 2012)**

Motion authorizing the City Manager or designee to execute a Construction Contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$6,373,769.00 and to execute a Construction Materials Testing Contract with Rock Engineering & Testing Laboratory, Inc. of Corpus Christi, Texas in the amount of \$84,201.00 for Yorktown Boulevard Phase 2 from Cimarron Boulevard to Rodd Field Road for the Base Bid plus Additive Alternate No. 1 and 2 **BOND ISSUE 2012** (Proposition No. 1 Street Projects).

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-053

41

Professional services contract for design and construction of County Road 52 Extension (CR 69 to FM 1889) (BOND 2012)

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Naismith Engineering, Inc. from Corpus Christi, Texas in the amount of \$241,692.50, for County Road 52 Extension from CR 69 to FM 1889 for design, bid, and construction phase services **BOND ISSUE 2012**. (Proposition No. 8 Economic Development Projects)

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-054

42

Professional services contract for remodeling and improvements of the animal care facility (BOND 2012)

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Chuck Anastos of Corpus Christi, Texas in the amount of \$87,300.00 for Animal Control Remodel/Improvements for design, bid, and construction phase services. **BOND ISSUE 2012** (Proposition No. 3 Service Center Complex Improvements).

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-055

43

Professional services contract for the design and construction of

**hike and bike trails along Schanen Ditch and Bear Creek Ditch
(BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Martinez, Guy & Maybik, Inc. of Corpus Christi, Texas in the amount of \$185,540.00, for Hike and Bike Trail Development for design, bid, and construction phase services.

BOND ISSUE 2012.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-056

44 Professional services contract for design and construction of new shop and office facility for signs & signals operations (BOND 2012)

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Chuck Anastos from Corpus Christi, Texas in the amount of \$141,000, for Signs/Signal Operations - New Shop and Office Facility for design, bid, and construction phase services **BOND ISSUE 2012** (Proposition No. 3 Service Center Complex Improvements).

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-057

45 Professional services contract for Health Department parking lot improvements (BOND 2012)

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Urban Engineering from Corpus Christi, Texas in the amount of \$64,200.00, for Health Department Building Parking Lot for design, bid, and construction phase services **BOND ISSUE 2012** (Proposition No. 6 Public Health Improvements)

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-058

46 Professional Services Agreement for Veterinary Services

Motion approving a professional services agreement with Melissa Draper, DVM, Corpus Christi, Texas for veterinary services for an estimated annual expenditure of \$100,000.00, of which \$33,333.33 is required for the remainder of FY 2012-2013. The term of the agreement shall be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the Contractor and the City Manager or designee. Funds have been

budgeted by the Police Department in FY 2012-2013.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-059

47 Renewal of treated water supply contract with Violet Water Supply Corporation

Motion authorizing the City Manager or designee to execute a contract to supply Violet Water Supply Corporation (Violet) with treated water for up to 10,000,000 gallons per month for a term of 40 years.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-050

48 Professional Services Contract for accelerated considerations of funding and constructing the Mary Rhodes Phase II pipeline project

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$80,000.00, for Water Supply Alternative Funding Strategies.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-051

49 Supply agreement for aluminum traffic signs

Motion approving a supply agreement with Custom Products Corporation, Jackson, Mississippi for aluminum traffic signs in accordance with Bid Invitation No. BI-0097-13 based on lowest responsible bid for an estimated annual expenditure of \$133,994.55, of which \$44,664.85 is required for the remainder of FY 2012-2013. The term of the agreement shall be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by Traffic Engineering FY 2012-2013.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-060

50 Lease-purchase of pothole patcher trucks for street maintenance

Motion approving the lease-purchase of two (2) Bergkamp Flameless Pothole Patchers from Freightliner of Austin, Austin, Texas for a total amount of \$277,074.00. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing

Cooperative (TLGPC). Funding is available from the City's lease-purchase financing contractor.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-061

51 Lease-purchase of two asphalt crack sealing machines to be used for street maintenance

Motion approving the lease purchase of two (2) asphalt crack sealing machines (trailer mounted) from Crafcot Texas, Inc., of San Antonio, Texas for a total amount of \$96,740.34. The award is based on the cooperative purchasing agreement with the Texas Local Government Cooperative. The equipment will be used by the City's Street Department. These units are replacements to the fleet. Funds for the lease purchase of the machines will be provided by the City's lease purchase financing program.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-062

52 Software Licensing Agreement to update existing Municipal Information Systems (MIS) service desk licensing and management suite licenses

Motion authorizing the City Manager, or designee, to execute a 3-year contract with SHI, Inc., of Austin, Texas for an estimated expenditure of \$252,911.94. The cost will be paid in 3 annual payments of \$84,303.98. The purpose is to update existing LANDesk Service Desk and management suite licenses to an enterprise solution and this cost includes maintenance costs for the 3-year period. SHI, Inc. is a Texas' Department of Information Resources reseller number DIR-SDD-1009.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-052

53 Resolution of support for the application of Texas A&M University- Corpus Christi for Federal designation as a test range for unmanned aircraft system.

Resolution supporting the application of Texas A&M University-Corpus Christi to pursue Federal Aviation Administration (FAA) designation for Texas as an unmanned aircraft system (UAS) test range.

This Resolution was recommended by Staff to the Consent Agenda.

Enactment No: 029772

54 Resolution authorizing submission of a grant application to the

State for summer food program to serve children in summer recreation program

Resolution authorizing the City Manager, or designee, to submit a grant application to Texas Department of Agriculture for a Summer Food Program Grant in the amount of \$250,000 to operate a Summer Food Service Program for summer recreation program participants ages one to eighteen years.

This Resolution was recommended by Staff to the Consent Agenda.

Enactment No: 029773

55 Revisions to the Community Youth Development Steering Committee membership from 11 to 9 members

Resolution revising membership of the Community Youth Development Steering Committee.

This Resolution was recommended by Staff to the Consent Agenda.

Enactment No: 029774

P. CITY MANAGER'S COMMENTS:

City Manager Olson introduced the new Assistant City Manager, Susan Thorpe and stated that she began her employment with the City of Corpus Christi on March 18th. Ms. Thorpe stated that she is pleased and excited to began her employment with the City.

*** Update on City Operations**

Q. ADJOURNMENT

There being no further business to come before the Council, Mayor Martinez declared the meeting adjourned at 7:05 pm.