



Corpus Christi

1201 Leopard St
Corpus Christi, TX 78401
Cctexas.com

Meeting Minutes - Final City Council

Tuesday, August 21, 2012

12:00 PM

Council Chambers

A. Call meeting to order.

Mayor Pro Tem Martinez called the meeting to order.

B. Invocation.

The invocation was delivered by Ms. Margaret Serna, Baha'i Faith.

C. Pledge of Allegiance.

The Pledge of Allegiance was led by Assistant City Manager Margie Rose.

D. Roll Call.

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

Present: 7 - Council Member Chris Adler, Council Member Kelley Allen, Council Member Priscilla Leal, Council Member David Loeb, Council Member John Marez, Council Member Nelda Martinez, and Council Member Mark Scott

Absent: 2 - Mayor Joe Adame, and Council Member Larry Elizondo

E. Proclamations / Commendations

- 1 Proclamation declaring August 24, 2012 as "Contractors Safety Council Day"
Proclamation declaring September 20, 2012 as "HELP Day - Putting with Your Politicians"
Swearing-in Ceremony of newly appointed Board, Commission and Committee Members
"At Your Service" Award, City Employee Recognition
- Mayor Pro Tem Martinez read and presented the Proclamation(s).

F. MINUTES:

- 2 Approval of Meeting Minutes - August 14, 2012.

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

G. BOARDS & COMMITTEE APPOINTMENTS: (NONE)**I. CONSENT AGENDA: (ITEMS 3-16)**

Mayor Pro Tem Martinez called for consideration of the Consent Agenda, Items 3 through 16. Mayor Pro Tem Martinez asked for comments from the audience. There were no comments. The items were approved by one vote.

- 3 Amendment to city/county health district agreement to combine two nurse practitioner positions into one position; and amending code of ordinances (Related items 3 - 4)

Motion to approve the First Amendment to the Reformed Cooperative Agreement with Nueces County for operation of the Corpus Christi-Nueces County Public Health District in order to consolidate a nursing position under Pay Plan HTH and to authorize execution of the First Amendment by the City Manager.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

- 4 Ordinance amending the Code of Ordinances, Chapter 39, Article III Section 39-303, Subsection (m), "Pay Plan HTH," to eliminate the Grade 58 position from the plan.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote:

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

- 5 Construction contract for parking, drainage, and ADA improvements to the Evelyn Price Park (Bond 2008 - Sports Field Improvements)

Motion authorizing the City Manager, or designee, to execute a Construction Contract with Safenet, LLC. of Corpus Christi, Texas in the amount of \$137,764.63 for the Evelyn Price Park Improvements (Bond 2008 - Sports Field Improvements).

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

6 Type A Grant to fund Del Mar College small business owner education program

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College ("Del Mar") to provide grant amount up to \$120,000 for the FastTrac® Growth Venture program for small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Del Mar FastTrac® Small Business Incentives Agreement.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

7 Type A Grant to fund 95 interns through the Del Mar College internship program

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business And Job Development Corporation and Del Mar College ("Del Mar") to provide grant amount up to \$173,223 for an intern program for small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business And Job Development Corporation to administer the Del Mar College Intern Program Small Business Incentives Agreement.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

8 Type A grant to fund a program that provides market research and

technical assistance to small businesses

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and the Corpus Christi Regional Economic Development Corporation ("EDC") to provide grant amount up to \$96,000 to initiate an Economic Gardening program to help small businesses in Corpus Christi and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the EDC Small Business Incentives Agreement.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

9

Type A Grant to fund assistance for small businesses through workshops and counseling

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

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

10

Type A Grant to fund 105 interns through the TAMU-CC Internship Program

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business And Job Development Corporation and Texas A&M University-Corpus Christi ("TAMU-CC") to provide grant amount up to \$190,635 for an intern program for small businesses and authorizing the City Manager, or designee, to execute a Project

Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the TAMU-CC Intern Program Small Business Incentives Agreement.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

11 Management agreement with Corpus Christi Museum Joint Venture

Motion authorizing the City Manager or his designee to execute a twenty four month agreement with Corpus Christi Museum Joint Venture (CCMJV) to operate and manage the Corpus Christi Museum of Science and History (Museum).

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

12 Second Reading Ordinance - Accepting and appropriating a federal grant to support joint City and County law enforcement efforts (First Reading - 8/14/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the U. S. Department of Justice, Bureau of Justice Assistance, in the amount of \$169,575 for the FY 12 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation within the Police Department, 50% of the funds to be distributed to Nueces County under an established interlocal agreement and appropriating \$169,575 in the No. 1061 Police Grants Fund.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

13

Second Reading Ordinance - Accepting and appropriating a state grant to prevent auto burglary and theft (First Reading 8/14/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) in the amount of \$392,474 to continue the motor vehicle theft enforcement grant within the Police Department for Year 12, with a City match of \$478,212, in-kind match of \$14,019 in the No. 1020 Police General Fund, and program income match of \$8,541 in the NO. 1061 Police Grants Fund for a total project cost of \$893,246; and appropriating the \$392,474 grant in the No. 1061 Police Grants Fund continue the motor vehicle theft enforcement grant in the Police Department.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

14

Second Reading Ordinance - Accepting and appropriating a State grant to assist with operations for border security (First Reading 8/14/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Ranger Division of the Texas Department of Public Safety in the amount of \$155,000 for the FY2012 Local Border Security Program within the Police Department and appropriating \$155,000 in the No. 1061 Police Grants Fund..

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

15

Second Reading Ordinance - Receipt and transfer of funds from the Sessions Bequest to the Friends of the Museum (First Reading 8/14/12)

Ordinance authorizing the City Manager to execute all documents necessary to accept disbursements from mineral interests from the

Estate of L. Lloyd Sessions; appropriating distribution in the No. 1069 Museum Trust Fund and authorizing the transfer to the Friends of the Museum of Science and History for the benefit of the Museum.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

16

Second Reading Ordinance - Utility easement closure to develop property located north of State Highway 44 (First Reading 8/14/12)

Ordinance abandoning and vacating a 3,357.08-square-foot portion of a 5-foot-wide utility easement out of Lot 1A, Block 6, Airport Industrial Subdivision, and a 6,721.94-square-foot portion of a 10-foot-wide utility easement out of Lot 3, Block 4, Airport Industrial Subdivision; and requiring the owner, Weatherford U.S., L.P., to comply with the specified conditions.

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

Aye: 6 - Council Member Adler, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Allen and Council Member Elizondo

Abstained: 0

J. EXECUTIVE SESSION: (ITEM 17)

Mayor Pro Tem Martinez read Executive Session Item No. 17. The council went into executive session. The council returned from executive session. Mayor Pro Tem Martinez announced that no action would be taken on the executive session.

17

Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding City of Greenville v. Syngenta Crop Protection, Inc. and Syngenta AG, Case No. 3:10-cv-00188-JPG-PMF, presently pending in the United States District Court for the Southern District of Illinois, with possible discussion and action in open session.

This E-Session Item was discussed.

K. PUBLIC HEARINGS: (ITEM 18 - 19)

18 Public Hearing on Fiscal Year 2013 Ad Valorem Tax rate

Mayor Pro Tem Martinez referred to Item No. 18, Public Hearing on Fiscal Year 2013 Ad Valorem Taxes. Constance Sanchez, Director of Finance stated that the City is proposing to keep the ad valorem tax rate the same for fiscal year 2012 - 2013. Ms. Sanchez added that the Property Tax Code requires two public hearings, if a proposed property tax rate will exceed the effective tax rate. She stated that since the property tax rate in the adopted Fiscal Year budget of \$0.570557 per \$100 valuation exceeded the effective tax rate of \$0.562666 per \$100 valuation, this is the first of two public hearings.

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

At the end of the public hearing, Mayor Pro Tem Martinez read the following statement, "During the August 28, 2012 City Council meeting beginning at 12:00 pm at City Hall, the City Council will vote on the proposed tax rate.

19 Change of zoning from farm rural district to general commercial at 14801 Northwest Blvd.

Case No. 0612-02: Calallen GP, LLC: A change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District, resulting in a change of future land use from commercial and medium density residential uses to commercial uses. The property to be rezoned is described as being a 36.896-acre tract of land out of Lot 4, Block 2, Nueces River Irrigation Park, located on the southeast corner of Northwest Boulevard (FM 624) and FM 1889

Planning Commission and Staff Recommendation (June 20, 2012): Denial of the applicant's request for the "CG-2" General Commercial District on 36.896 acres and, in lieu thereof, approval of the "CG-2" General Commercial District on Tract 1 (29.243 acres) and the "CN-1" Neighborhood Commercial District on Tract 2 (7.653 acres).

ORDINANCE

Ordinance amending the Unified Development Code ("UDC") upon application by Calallen GP, LLC, on behalf of Lois Lowman, Connie Diane Brown Polk Laing, Herman Bruce Lowman, NRIP, LLC, and Cloudcroft Land Ventures, Inc. ("Owners"), by changing the UDC Zoning Map in reference to a 36.896-acre tract of land out of Lot 4, Block 2, Nueces River Irrigation Park from the "FR" Farm Rural District to the "CG-2" General Commercial District on Tract 1 (29.243 acres) and the "CN-1" Neighborhood Commercial District on Tract 2 (7.653 acres); amending the Comprehensive Plan to account for any

deviations from the existing Comprehensive Plan; providing a repealer clause; providing for penalties; providing for publication; and declaring an emergency.

Mayor Pro Tem Martinez referred to Item No. 19, Public Hearing - Calallen GP, LLC. Mark Van Vleck, Interim Director of Development Services stated that the purpose of this zoning change is to allow for construction of mixed-use commercial retail center, including a grocery store and a possible apartment complex on approximately 37 acres at the corner of Northwest Boulevard and FM 1889. A motion was made by Council Loeb, seconded by Council Member Adler and passed to open the public hearing. There were no comments from the audience. A motion was made by Council Member Loeb, seconded by Council Member Scott and passed to close the public hearing.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote:

Aye: 6 - Council Member Adler, Council Member Allen, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Elizondo and Council Member Leal

Abstained: 0

L. REGULAR AGENDA: (ITEMS 20 - 23)

20 Type A Grant to fund interest buy down and grant program to assist small businesses

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Acción Texas, Inc. ("Acción") to provide grant amount up to \$400,000 for the interest buy down and grant programs for small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Acción Texas Small Business Incentives Agreement.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

21 Collective bargaining agreement with the Corpus Christi Firefighters' Association for wages, benefits and working conditions

Motion authorizing the City Manager to enter into a collective bargaining agreement with the Corpus Christi Firefighters' Association

for wages, benefits and working conditions.

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

Aye: 6 - Council Member Adler, Council Member Allen, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Elizondo and Council Member Leal

Abstained: 0

22

Authorization for the Issuance of Utility System Revenue Bonds
(Related items 22 - 23)

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for one or more series of City of Corpus Christi, Texas Utility System Revenue Bonds, in an aggregate principal amount not to exceed \$75,000,000.

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

Aye: 6 - Council Member Adler, Council Member Allen, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Elizondo and Council Member Leal

Abstained: 0

23

Ordinance authorizing the issuance of one or more series of City of Corpus Christi, Texas Utility System Revenue Bonds, in an aggregate principal amount not to exceed \$75,000,000, pursuant to the delegation provisions set forth herein; making provisions for the payment and security thereof of a parity with certain currently outstanding Utility System revenue obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; prescribing the forms, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of each series of bonds; including the approval and distribution of one or more Official Statements pertaining thereto; authorizing the execution of one or more paying agent/registrars agreements, one or more escrow agreements, and one or more purchase contracts; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; establishing the City's intention to reimburse itself from the proceeds of any such series of bonds for the prior lawful expenditure of funds to construct various City improvements; delegating the authority to the Mayor and certain members of the City staff to execute certain documents relating to the sale of each series of bonds; and providing an effective date.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote:

Aye: 6 - Council Member Adler, Council Member Allen, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 3 - Mayor Adame, Council Member Elizondo and Council Member Leal

Abstained: 0

M. FIRST READING ORDINANCES: (ITEMS 24 - 34)

24 First Reading Ordinance - Authorizing resale of 22 foreclosed properties with delinquent ad valorem taxes

Ordinance authorizing the resale of twenty-two (22) properties for \$76,450.00 which were foreclosed upon for failure to pay ad valorem taxes, of which the City shall receive \$7,583.99 plus \$12,276.42 for partial payment of City paving and demolition liens.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

25 First Reading Ordinance - Appropriating a federal grant to fund improvements to the Airport Terminal building

Ordinance appropriating \$98,299 from the Federal Aviation Administration Grant No. 3-48-0051-046-2010 in the No. 3020 Airport Capital Improvement Fund to modify the Terminal Building; amending the FY 2012-2013 Capital Budget adopted by Ordinance No. 029565 to add Project No. E09046GR46 and increase revenues and expenditures by \$98,299.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

26 First Reading Ordinance - Accepting and appropriating a State grant amendment to fund women, infants, and children program

Ordinance authorizing the City Manager or his designee to execute all

documents necessary to accept and appropriate a grant amendment in the amount of \$32,000 from the Texas Department of State Health Services in the Health Grants Fund No. 1066, increasing the award amount for the peer counselor and registered dietician projects by \$12,000 and \$20,000 respectively.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

27

First Reading Ordinance - Accepting and appropriating a State grant to fund oyster bed testing

Ordinance authorizing the City Manager or his designee to execute all documents necessary to accept and appropriate a grant of \$22,500 from the Texas Department of State Health Services in the Health Grants Fund No.1066 to provide laboratory services for the analysis of bay water samples.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

28

First Reading Ordinance - Accepting and appropriating a federal grant to fund meals for senior citizens

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$561,717 grant awarded by the Area Council on Aging of the Coastal Bend and appropriating in No. 1067 Parks and Recreation Grants Fund for the FY 2012 Senior Community Services, Elderly Nutrition Program.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

29 First Reading Ordinance - Accepting and appropriating a federal grant to fund Retired Senior Volunteer program

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$45,434 grant awarded by the Corporation for National and Community Service for the Retired Senior Volunteer Program; appropriating the \$45,434 grant in the No. 1067 Parks and Recreation Grants Fund; transferring \$79,173 from the No. 1020 General Fund to the No. 1067 Parks and Recreation Grant Fund as City matching funds for the Retired Senior Volunteer program and appropriating the \$79,173 in the No. 1067 Parks and Recreation Grant Fund.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

30 First Reading Ordinance - Accepting and appropriating a federal grant to fund Senior Companion program

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$275,007 grant awarded by the Corporation for National and Community Service; appropriating the \$275,007 grant in the No. 1067 Parks and Recreation Grants Fund; transferring \$76,903 from the No. 1020 General Fund to the No. 1067 Parks and Recreation Grants Fund as City matching funds for the Senior Companion Program, and appropriating the \$76,903 in the No. 1067 Parks and Recreation Grants Fund.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

31 First Reading Ordinance - Executing a contract and appropriating funds with State to fund Community Youth Development Program in 78415 zip code area; and executing subcontracts for youth services

Ordinance authorizing the City Manager or designee to execute a

contract with the Texas Department of Family and Protective Services for funding for September 1, 2012 through August 31, 2014 in the total amount of \$640,403; authorizing appropriation in the Grants Fund No. 1060 for Community Youth Development program contracts for the 78415 Zip Code area; and authorizing execution of subcontracts as follows: \$85,000 to SERCO of Texas and \$65,000 to Communities In Schools for subcontract period September 1, 2012 through August 31, 2013, and providing for one annual renewal period.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Mayor Pro Tem Martinez referred to Item No. 32. Emily Martinez, Economic Development stated that the purpose of this item is for a grant request from the Craft Training Center for an additional 750,000 to complete expansion of their facilities. Mayor Pro Tem Martinez asked for comments from the audience. Abel Alonzo spoke in support of the program.

Ms. Martinez stated that an amendment is necessary to remove the word "Small" from the agreement. A motion was made by Council Member Scott, seconded by Council Member Loeb and passed.

32

First Reading Ordinance - Type A Grant to fund expansion of facilities for Craft Training Center

Ordinance approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Associated Builders & Contractors Merit Shop Training Program, Inc. dba Craft Training Center of the Coastal Bend ("Craft Training Center") to provide grant amount up to \$750,000 for expansion of Craft's existing facility and authorizing the City Manager or designee to execute a Project Support Agreement with the Type A Board to administer the Craft Training Center Small Business Incentives Agreement and appropriating \$750,000 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for a business incentive grant from the Type A Corporation to Craft Training Center for expansion of its facility; Changing the FY 2012-2013 operating budget, adopted by Ordinance No. 029565, by increasing proposed expenditures by \$750,000.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

33

First Reading Ordinance - Agreement and appropriation of funds for two additional crossing guards at Flour Bluff ISD

Ordinance authorizing the City Manager or designee to execute an agreement with the Flour Bluff Independent School District to reimburse the City of Corpus Christi for the services of three additional School Crossing Guard positions during the school year 12/13 and for each subsequent school year; and appropriating \$20,000 from Flour Bluff Independent School District for two additional school crossing guards, changing the FY2013 Operating Budget adopted by Ordinance No. 029577 by increasing revenue and expenditures in the General Fund No. 1020 by \$20,000 each.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

34

First Reading Ordinance - Transferring and appropriating funds for a professional services contract to analyze the current condition of the Barge Dock

Ordinance transferring and appropriating \$350,000 from the Unreserved Fund Balance in No. 1120 Seawall Improvement Fund to and appropriating in the No. 3271 Seawall Type A CIP Fund for the Barge Dock Elevation Phase 1 Project; authorizing the City Manager or designee to execute a Professional Services Contract with RVE, Inc. of Corpus Christi, Texas in the amount of \$309,870.00 for the Barge Dock Elevation Phase 1 Project.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

N. FUTURE AGENDA ITEMS: (ITEMS 35 - 41)

Mayor Pro Tem Martinez referred to the Future Agenda section, Items 35 - 41. Mayor Pro Tem Martinez stated that these items are for informational purposes only and that no action would be taken at this time. Assistant City Manager Rose stated that staff would provide a presentation on Items 40 and 41.

35 Ordinance setting a property tax rate

Ordinance setting a property tax rate of \$0.570557 per \$100 valuation which is effectively a 1.40% increase over the effective tax rate; and declaring an emergency.

This Ordinance was recommended by staff to the Consent Agenda.

36 Name change of Greenwood Branch Library and the children's area

Resolution authorizing the name change of the Greenwood Library to the Ben F. McDonald Public Library and the naming of the Greenwood Library children's area the Velia and Joe De Leon Children's Library.

This Resolution was recommended by staff to the Consent Agenda.

37 Agreement for temporary tax abatement for future mixed use development located at 908 and 916-928 Staples Street

Resolution authorizing the execution of an agreement with Mr. Owen A. Norton providing for temporary property tax abatement.

This Resolution was recommended by staff to the Consent Agenda.

38 Change order to fund sidewalk accessibility improvements (Bond Issue 2004)

Motion authorizing the City Manager, or designee, to execute Change Order No. 8 with Safeco Insurance Company of America in the amount of \$281,019.24 for the ADA Sidewalk Accessibility Improvements along Staples Street from Leopard Street to Six Points for under-run items, over-run items, additional sidewalk improvements, additional storm water improvements, additional detectable warning surfaces, and reconstruction of curb inlet tops (Bond Issue 2004).

This Motion was recommended by staff to the Consent Agenda.

39 Agreement for materials testing for Williams Drive project from Rodd Field Road to Airline Road (BOND 2008)

Motion authorizing the City Manager, or designee, to execute a Construction Materials Testing Agreement with Tolunay-Wong Engineers, Inc., of Corpus Christi, Texas in the amount of \$250,570 for

Williams Drive Phases 1 & 2 from Rodd Field to Nile Drive and Nile Drive to Airline Road. (Bond 2008).

This Motion was recommended by staff to the Consent Agenda.

40

Professional services contract to fund project management and master planning for all capital improvement projects for the Water Department

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with URS Corporation of Corpus Christi, Texas in the amount of \$300,000.00 for the Water Program Management Project.

This Motion was recommended by Staff to the Regular Agenda.

41

Resolution opposing a federal administrative action that threatens artificial reef habitat

Resolution opposing the U.S. Department of the Interior's Idle Iron policy and supporting both the REEFS Act and the Rigs to Reef Habitat Protection Act.

This Resolution was recommended by staff to the Regular Agenda.

O. UPDATES TO CITY COUNCIL: (ITEMS 42 - 43)

42

Automated Meter Reading Project Update - August 2012

Mayor Pro Tem Martinez referred to Item No. 42, Update on Automated Meter Reading Project. Mr. Michael Barrera, Assistant Director of Financial Services provided a status update on the automated meter reading project and discussed the following: objectives of the program; describe the benefits - new meters, leverage wi-fi, technology and data analysis; meter conversions; reliability of AMR meters transferring system reads for billing purposes; CIP expenditures; reduction of staff; return on investment; management plan; and the next phase - continue to convert remaining meters, system maintenance, annual meter audit, evaluate AMR system, and evaluation of staffing requirements.

43

2012 Parks, Recreation and Open Spaces Master Plan Update

Mayor Pro Tem Martinez referred to Item No. 43, Update on 2012 Parks, Recreation and Open Spaces Master Plan. Mr. Lloyd Lentz, Halff & Associates provided a powerpoint presentation and discussed the following: a Park Land Comparison based on the following cities: Austin, Brownsville, Corpus Christi, San Antonio, Victoria and Waco; the Planning Approach and the seven planning areas; Goals and Objectives; New Park Classifications; Repurposing Approach and recommendations for repurposing; park development priorities; major investment parks; and proposed trails. Mr. Lentz stated that the schedule for adoption is consideration by the Planning Commission on August 29, and City Council on September 18 and September 25.

P. Public Comment.

Mayor Pro Tem Martinez referred to Public Comment. Jim Klein and Colin Sykes spoke regarding the Citizen's United ruling by the Supreme Court; Harry Boerm and Carolyn Burger spoke about issues with contractors regarding work done at their homes that may not have followed city code standards.

Q. CITY MANAGER'S COMMENTS:*** Update on City Operations**

Margie Rose, Assistant City Manager stated Gus Gonzalez, Water Superintendent would provide an update on the drought conditions. Mr. Gonzalez displayed a slide showing the actual and projected combined percent of capacity as of August 1, 2012 for Choke Canyon and Lake Corpus Christi.

R. ADJOURNMENT

There being no further business to come before the council, Mayor Pro Tem Martinez adjourned the meeting at 4:45 pm.