



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes - Final City Council

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Tuesday, February 19, 2013

11:30 AM

Council Chambers

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**A. CALL MEETING TO ORDER.**

Mayor Martinez called the meeting to order.

**B. INVOCATION.**

The invocation was delivered by Pastor David Kelly, Trinity Worship Church.

**C. PLEDGE OF ALLEGIANCE.**

The Pledge of Allegiance was led by City Secretary Armando Chapa.

**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: Assistant City Manager Margie Rose, City Attorney Carlos Valdez, and City Secretary Armando Chapa.

**Note:** Council Member Riojas arrived at 11:55 am.

**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**

**1. Swearing in of newly appointed Board, Commission and Committee members**

Mayor Martinez conducted a swearing in ceremony of the newly appointed members to the City's boards and commissions.

**F. PUBLIC COMMENT.**

Mayor Martinez referred to Public Comment. Carlos Torres, Corpus Christi Firefighters Association announced the names of two fallen Firefighters from the City of Bryan, Texas, Lt. Gregory Pickard and Lt. Eric Wallace. A special ceremony followed honoring the fallen firefighters. Jesse Suarez, spoke about work conducted by a contractor hired by the City and code enforcement issues; Tony Norrell spoke about the street maintenance fee; Howard Ludlow spoke about the street maintenance fee; Neil McQueen spoke about the plastic

bag issue; Cliff Schlaib stated he supports a plastic bag fee; Margaret Declimente spoke in support of a plastic bag fee; Nancy Devlin spoke in support of a plastic bag fee; Wyatt James spoke about the plastic bag issue; Carolyn Moon spoke in support of a plastic bag fee; Freddie King spoke about the plastic bag issue; Jerry Garcia stated he was submitting an open records request related to Greenwood and Westside Baseball Complex; Joan Veith spoke about the efforts of the Barrios Association and the impact of the street maintenance fee on senior citizens; Mary Lou Huffman spoke about the street maintenance fee and illegal dumping; Diane Stillman spoke about the amount of plastic bag litter along the intersection Everhart and Yorktown; Verlan Knight spoke about maintaining City streets and proposes a levy; Pat Suter spoke about the plastic bag issue and supports Council decision; Daniel Lucio spoke in support of a plastic bag fee; Rebecca Lyons spoke in support of a plastic bag fee, and also spoke about keep students in Corpus Christi after graduation; Peggy Duran spoke about the plastic bag issue and supports reusable bags; Warren Del Kinnimoth spoke regarding the plastic bag issue and supports reusable bags; Carrie Robertson-Meyer stated that the public and retailers be education on the plastic bags, and supports the plastic bag fee; Jean Adams spoke about the damage caused by plastic bags; Cynthia Pierson spoke about the bad condition of City streets, and supports plastic bag fee and reusable bags; Clayton Goucher spoke in support of a ban on plastic bags; Vernon Wenche stated citizens should do their part by placing trash in trash cans; Jim Klein spoke in support of a plastic bag fee and a bag fee ordinance; John Adams spoke in support of a plastic bag fee; Lisa James stated that there is lack of education, and also supports plastic bag fee; Jeff Francis spoke in support of a plastic bag fee; Samara Trevala spoke in support of a plastic bag fee; Adriana Leyva spoke in support of a plastic bag fee; Weldon Lucas spoke in support of a plastic bag fee; Trey McCampbell spoke in support of Destination Bayfront; and Lazaro Camarillo spoke about plastic bag issue.

Mayor Martinez called for a brief recess.

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

**H. MINUTES:**

**2. Approval of Meeting Minutes - February 12, 2013.**

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

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

**K. CONSENT AGENDA: (NONE)**

**L. PUBLIC HEARINGS: (NONE)**

**M. REGULAR AGENDA: (ITEMS 3 - 5)**

**3. Authorizing Volunteer Services Council to sell City flags and other**

items depicting the City flag

Motion allowing Volunteer Services Council of the Corpus Christi State Supported Living Center (VSC) to authorize VSC to sell City Flags and other items depicting the City flag.

**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: M2013-032

**4.** Setting salary for Interim City Auditor and effective date

Motion setting salary for Interim City Auditor Kimberly Houston to be effective on February 18, 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: M2013-033

**5.** Appointing members to the Corpus Christi City Council Ad Hoc City Auditor Nomination Committee

Motion appointing members to the Corpus Christi City Council Ad Hoc City Auditor Nominating Committee to perform duties as outlined in the City Code of Ordinances, Chapter 12½, regarding nomination of candidates for City Auditor.

**City Secretary Chapa stated that this item is to appoint members to the City Council Ad Hoc City Auditor Nominating Committee. Council Member Scott stated that the Audit Committee is recommending the appointment of Council Member Priscilla Leal, Council Member Lillian Riojas, Council Member Mark Scott, and Ernest Garza (At Large) to serve on the City Auditor Nominating Committee.**

**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: M2013-034

**N. FIRST READING ORDINANCES: (ITEM 6)**

6. Second Reading Ordinance - Amending the City Code of Ordinances regarding Mayoral appointments to audit committee, period for audit reports follow-up, peer review effective date and process for filling City Auditor vacancy (1st Reading 2/12/13)

Ordinance amending Chapter 12 ½ of the City Code of Ordinances regarding City Council Audit Committee, Audit follow-up reports, Peer review, and City Auditor vacancy and selection process.

**Mayor Martinez referred to Item No. 6. City Secretary Chapa stated that this item is to amend the city auditor ordinance. Council Member Scott stated that the amendment being proposed refers to the peer review process, specifically the 90 day requirement and other amendments. There were no comments from the public and council.**

**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: 029755

**O. FUTURE AGENDA ITEMS: (NONE)****P. BRIEFINGS TO CITY COUNCIL: (ITEMS 7 - 14)**

7. Master Implementation Plan and Schematic Design for Destination Bayfront

**Mayor Martinez referred to the Item No. 7, Master Implementation Plan and Schematic Design for Destination Bayfront. Mr. Dan Biles, Director of Engineering introduced Mr. Trey McCampbell and Mary Margaret Jones, Hargreaves Associates who provided a presentation on the project. Mr. McCampbell stated that this is the culmination of Phases 1 and 2 of the project and provided an overview of the following: project goals; design overview (including promenade, exploration play area, family area, zocalo, pier and waterfront, great lawn, sherrill park and shoreline boulevard); and budget and phasing. Mr. McCampbell stated that the total project cost is \$69 million, and added that the following cost reductions were made: removal of 2 shade canopies from the Pier, reduced the width of pier, replacement of granite paving at the interactive fountain with concrete paving, and less reinforcement at the great lawn.**

**Mr. McCampbell stated that the project cost for Phase 1 is \$53.3 million, and the project cost for Phase 2 is \$15.7 million. He then discussed capital funding strategies and sources of funds. Mr. McCampbell stated that the cost for**

operations and management is \$1.01 million (Park Maintenance and Security - \$475,000, Administration \$314,000, and Programming \$221,000). Mr. Biles stated that a Resolution approving the project and prepare for a vote in November 2013 is scheduled for next Tuesday.

8. Street Design Standards

Mayor Martinez referred to Item No. 8, Street Design Standards. Mr. Dan Biles, Director of Engineering provided a brief overview of the recommended street design standards, criteria, and the requirement for a 30-day level of service. He also discussed the proposed amendments to the Unified Development Code and the existing street design standards.

9. Street Maintenance Fee

Mayor Martinez referred to Item No. 9, Street Maintenance Fee. Mr. Oscar Martinez, Assistant City Manager stated that the street maintenance focuses on two areas: Seal Coat and Overlay. Mr. Martinez displayed a map depicting the preliminary street candidates for seal and overlay over the next three years. He stated that the process to move forward would require the following three ordinances: 1) creation of a maintenance fee, 2) establishment of policies and rate for the fee, and 3) revision of street design standards. Mr. Martinez discussed the rate design for residential, residential commercial, and commercial. He stated that residential will have a flat rate of \$7.00, and a scaling system will be used for non residential with a cap at 30,000 square feet, per meter per month charge. He also discussed a discount program, administrative burden, delinquencies, public outreach, and implementation timeline.

After council discussion, Mr. Martinez summarized the three issues of council concern: the impact of a master meter for commercial residential, utilizing commercial trip factor of 4.6, and use of a cap. After further discussion, Mr. Martinez recapped the following council considerations: come back on February 26 with three ordinances (creating a maintenance fee, establishing policies and rate for the fee, and revision of street design standards), memorandum on findings for the master meter for commercial residential and the cap, cost of equity, implementation of user fee in May no later than June, and come back at a later date for adoption on policy guidance.

10. Proposed Revisions to Water Conservation Plan and Drought Contingency Plan

Mayor Martinez referred to Item No. 10, Proposed Revisions to Water Conservation Plan and Drought Contingency Plan. Mr. Gus Gonzalez, Director of Water stated that the objective for revising the Water Conservation and Drought Contingency Plan is to better promote water conservation as an every day best practice. He displayed a map and charts depicting the average annual precipitation; and short term lake levels. He described the conservation vs. drought measures, the incentives for conservation, and the 4 drought stages. Mr. Gonzalez stated the timeline is to present to Council in May for approval.

11. Plastic Bag and Litter Reduction

Mayor Martinez referred to Item No. 11, Plastic Bag and Litter Reduction. Mr. Oscar Martinez, Assistant City Manager stated that this is the fourth Plastic

Bag & Litter Reduction briefing and provided a recap of the previous presentations, discussed the results of the Corpus Christi Recyclery, program content, stakeholder meetings and timeline. Mr. Martinez displayed a chart depicting the partnership commitments of the Texas Retailer's Association and the school involvement of 13,000 students in collecting about 54,000 plastic bags. He also showed a Reporting Form developed for retailers to use to train staff and gather ideas and extract information to establish a voluntary campaign program. He further discussed the Retailer Green Star Program, litter ordinance updates, enforcement and education efforts. He stated that the litter ordinance is scheduled to be presented on March 19, Code Enforcement Officers were hired this month, and that the Recycling Educator will be hired in March.

Mr. Martinez identified the three areas where council policy direction is needed: 1) continuation of the voluntary education/awareness campaign with retailers, 2) implementation of a plastic bag initiatives similar to other cities, but reward local retailers who are meeting participation requirements of the education campaign with a waiver of the requirements of the plastic bag fee program, and 3) implementation on of a plastic bag transaction program. After council discussion, Mr. Martinez summarized the policy direction from the council: plan to present the Ordinance in March, propose a transaction fee (per bag) to level off the balance between grocery and convenience stores, identify the next steps and use of funds in the ordinance, and a follow up report on retailer participation.

12. Ozone Monitoring and Data Analysis for the Corpus Christi Urban Air Shed

Mayor Martinez referred to Item No. 12, Annual Assessment of Ozone Monitoring Data and Analysis for the Corpus Christi Urban Air shed by the Corpus Christi Air Quality Group. Ms. Gretchen Arnold, Chair of the Corpus Christi Air Quality Group stated that the Air Quality Group is a partnership within the urban air shed of Nueces County and San Patricio County. She added that the entities include the City of Corpus Christi, the Texas Commission on Environmental Quality, and the US Environmental Protection Agency and industry stakeholders who work together to plan and implement voluntary actions appropriate to community needs to improve air quality. Ms. Arnold added that there are two regulatory monitors in Corpus Christi that are reviewed by TCEQ and displayed a map depicting their locations. She discussed the attainment level of ozone standards, the mandates if unattainable, and the standards for Corpus Christi.

13. Animal Care Division

This presentation was postponed.

14. Fiscal Year 2012 Comprehensive Annual Financial Report (CAFR)

This Presentation was postponed.

Q. **CITY MANAGER'S COMMENTS:**

\* Update on City Operations

**R. ADJOURNMENT**

**There being no further business to come before the Council, Mayor Martinez declared the meeting adjourned at 6:20 pm.**