



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, January 28, 2014

11:30 AM

Council Chambers

**Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS
ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY
COUNCIL.**

A. Mayor Nelda Martinez to call the meeting to order.

Mayor Martinez called the meeting to order.

B. Invocation to be given by Chaplain Lynne Blacker, CHRISTUS Spohn Health System.

Chaplain Lynne Blacker gave the invocation.

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

Ms. Stacie Talbert, Assistant Director of Parks and Recreation gave the Pledge of Allegiance.

D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.

City Secretary Rebecca Huerta called the roll and stated that a quorum of the Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

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

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

Absent: 1 - Council Member Priscilla Leal

E. Proclamations / Commendations

1. Proclamation declaring January 28, 2014 as "Dress for Success - Corpus Christi Day"
Proclamation declaring January 28, 2014 as "Joseph E. O'Brien - Day of Remembrance"
Proclamation declaring February 3 - 7, 2014 as "National School Counseling Week"

Proclamation declaring February 7, 2014 as "FIRST FRIDAY Day of Prayer"

Certificate of Commendation Presentation to Sarah O'Brien, CEO/President of the Navy Army Community Credit Union
Swearing-in Ceremony for Newly Appointed Board and Committee Members

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

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

Mayor Martinez called for comments from the audience. Jack Gordy requested that an item be placed on the agenda to discuss changing the small animal trap policy. Johnny French asked that the following items be included on a future agenda: changing the small animal trap and euthanasia policy; an action item related to the Shoreline Realignment and addressing the funds for the park amenities; and requesting assistance from the Corps of Engineers in the cost sharing of the recreational amenities at Packery Channel. Neil McQueen, Adriana Leiva, Cliff Schlabach and Carrie Robertson Meyer spoke regarding the litter reduction plan and requested consideration of a plastic bag ban. Dorothy Spann expressed the concerns of the Del Mar Neighborhood Association regarding the proposed changes to Staples Street at Six Points. Abel Alonzo spoke regarding the proposed changes to the Six Points Bus Station and addressed comments by business owners regarding the types of bus riders. Terry Sweeney, Downtown Management District, spoke in support of the Consolidated Planning effort and the scope of work for the downtown area.

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

Mayor Martinez referred to City Manager's Comments. City Manager Ron Olson reported on the following issues:

a. City Performance Report - Police Department

City Manager Olson asked Police Chief Floyd Simpson to provide a briefing on the operations, mission and goals of the Police Department.

b. 1,000 Day Report

Mr. Olson provided a report on his completed goals of the past 1000 days and a summary of the priorities he will emphasize over the next 100 days. Mr. Olson thanked the City Council for their support and the resources they have provided.

c. Other

None.

H. EXECUTIVE SESSION: (NONE)**I. MINUTES:****2. Regular Council Meeting of January 21, 2014.**

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

J. BOARDS & COMMITTEE APPOINTMENTS: (NONE)**K. EXPLANATION OF COUNCIL ACTION:****L. CONSENT AGENDA: (Item 3)**

Mayor Martinez referred to the consent agenda. There were no comments from the Council or the public. City Secretary Rebecca Huerta announced that Council Members Magill and Scott submitted a conflict of interest form and would abstain on the vote on Item 3. The consent agenda was passed by one vote as follows:

3. Resolution supporting exportation of liquefied natural gas (LNG) from the Coastal Bend and supporting Cheniere Energy's federal permit applications for the Corpus Christi LNG Liquefaction Plant

Resolution supporting the exportation of liquefied natural gas from the Coastal Bend and supporting Cheniere Energy's permit application with the Federal Energy Regulatory Commission and the Department of Energy for the Corpus Christi LNG Liquefaction facility at the LaQuinta Channel.

This Resolution was passed and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 2 - Council Member Scott and Council Member Magill

Enactment No: 030068

M. PUBLIC HEARINGS: (Items 4-9)**4. Public Hearing and First Reading Ordinance - Rezoning from the**

"FR" Farm Rural District to the "RS-22" Single-Family 22 District, on property located at 8410 South Staples Street (FM 2444).

Case No. 1213-02 MPM Development, LP: A rezoning from the "FR" Farm Rural District to the "RS-22" Single-Family 22 District, resulting in a change to the Future Land Use Plan from estate residential and park uses to low density residential uses. The property to be rezoned is described as being a 23.206-acre tract out of a portion of the south half of Section 31, Laureles Farm Tracts, located on the south side of South Staples Street (FM 2444), approximately 360 feet east of King Trail.

Planning Commission and Staff Recommendation (December 4, 2013): Approval of the rezoning to the "RS-22" Single-Family 22 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by MPM Development, LP ("Owner"), by changing the UDC Zoning Map in reference to a 23.206-acre tract of land out of a portion of the south half of Section 31, Laureles Farm Tracts, from the "FR" Farm Rural District to the "RS-22" Single-Family 22 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 4. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow a single-family subdivision. Ms. Gunning stated that Planning Commission and staff were in favor of the zoning change. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Scott. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030069

5. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, on property located at 2502 Saratoga Boulevard (SH 357).

Case No. 1213-03 Spear Consolidated, Ltd.: A rezoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial

District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being a 4.07-acre tract of land out of a portion of Lot 5, Section 8, Bohemian Colony Lands, located on the north side of Saratoga Boulevard (SH 357) approximately one-half mile east of Ayers Street (SH 286 Business).

Planning Commission and Staff Recommendation: Approval of the rezoning to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Spear Consolidated, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 4.07-acre tract of land out of a portion of Lot 5, Section 8, Bohemian Colony Lands, from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 5. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for construction of a tractor supply company. Ms. Gunning stated that Planning Commission and staff were in favor of the zoning change. Ms. Gunning reported that notice of opposition was received by the Diocese of Corpus Christi with concerns regarding traffic impact and the safety of the students. Council Member Scott made a motion to open the public hearing, seconded by Council Member Magill. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030070

6. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, on property located at 7314 South Padre Island Drive (SH 358).

Case No. 1213-06 Charles E. Butler: A rezoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan from medium-density residential uses to commercial uses. The property to be rezoned is described as being 2.28-acre tract of land out of a portion of Lot 4-B and Lot 5D-R, Block A, Joslin Tract, located on the north side of South Padre Island Drive (SH 358) and approximately

850 east of Rodd Field Road.

Planning Commission and Staff Recommendation (December 18, 2013): Approval of the rezoning to the "CG-2" General Commercial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Charles E. Butler on behalf of CPAT L.L.C. ("Owner"), by changing the UDC Zoning Map in reference to a 2.28-acre tract of land out of a portion of Lot 4-B and Lot 5D-R, Block A, Joslin Tract, from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 6. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow the establishment of Butler Equipment and Tool Rental. Ms. Gunning stated that Planning Commission and staff were in favor of the zoning change. Ms. Gunning reported that the applicant has met with the property owners in opposition to the zoning change and they have rescinded their opposition. Council Member Garza made a motion to open the public hearing, seconded by Council Member Magill and passed. There were no comments from the Council or the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Garza and passed. This Ordinance passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030071

7. **Public Hearing and First Reading Ordinance - Rezoning from the "RS-TF" Two-Family District to the "RM-1" Multifamily 1 District on Tract A; from the "RS-TF" Two-Family District and the "RM-3" Multifamily 3 District to the "ON" Office District on Tract B; and from the "RM-3" Multifamily 3 District to the "CG-2" General Commercial District on Tract C, for property located at 6801 Saratoga Boulevard (SH 357).**

Case No. 1213-04 D&E Development Corporation: Rezoning from the "RS-TF" Two-Family District to the "RM-1" Multifamily 1 District on Tract A; from the "RS-TF" Two-Family District and the "RM-3" Multifamily 3 District to the "ON" Office District on Tract B; and from the "RM-3" Multifamily 3 District to the "CG-2" General Commercial District on Tract C, resulting in a change to the Future Land Use Plan

from commercial uses to medium-density residential uses on Tract A; from commercial uses to professional office uses on Tract B; and no change to the Future Land Use Plan on Tract C. The property to be rezoned is described as being a 9.79-acre tract of land out of Lots 5 and 6, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Saratoga Boulevard (SH 357), approximately 1,300 feet east of Airline Road.

Planning Commission and Staff Recommendation (December 18, 2013): Approval of the rezoning to the "RM-1" Multifamily 1 District on Tract A; to the "ON" Office District on Tract B; and to the "CG-2" General Commercial District on Tract C.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by D&E Development Corporation ("Owner"), by changing the UDC Zoning Map in reference to a 9.79-acre tract of land out of Lots 5 and 6, Section 20, Flour Bluff and Encinal Farm and Garden Tracts from the "RS-TF" Two-Family District to the "RM-1" Multifamily 1 District on Tract A, from the "RS-TF" Two-Family District and the "RM-3" Multifamily 3 District to the "ON" Office District on Tract B, and from the "RM-3" Multifamily 3 District to the "CG-2" General Commercial District on Tract C; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 7. Annika Gunning with Development Services stated that the purpose of this item is to rezone the property to allow construction of multifamily on Tract A, office uses on Tract B and commercial uses on Tract C. Ms. Gunning stated that Planning Commission and staff were in favor of the zoning change. Council Member Magill made a motion to open the public hearing, seconded by Council Member McIntyre and passed. Mayor Martinez called for comments from the public. Edward Ciccone, Attorney for D&E Development Corporation provided information on the history of the subject property and the request for rezoning. There were no comments from the Council. Council Member Garza made a motion to close the public hearing, seconded by Council Member McIntyre and passed. This Ordinance was passed on first reading and approved with the following vote:

Aye: 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: 030072

8. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, on property located at 1301 Daly Drive.

Case 0114-01 Hammond Jones Development: A rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being a 0.32-acre tract of land out of Lot 1, Block 2, Woodlawn Estates, located on the southwest corner of McArdle Road and Daly Drive.

Planning Commission and Staff Recommendation (January 15, 2014): Approval of the rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Hammond Jones Development on behalf of James F. Abernathy and Cheryl Faye Abernathy ("Owners"), by changing the UDC Zoning Map in reference to a 0.32-acre tract of land out of Lot 1, Block 2, Woodlawn Estates, from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 8. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow an apartment to be developed in conjunction with the adjacent properties already zoned for apartment uses. Council Member Magill opened the public hearing, seconded by Council Member McIntyre. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member McIntyre. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030073

9. Public Hearing and First Reading Ordinance - Continuing juvenile curfew ordinance

Ordinance continuing the curfew ordinance for minors, the Code of Ordinances, City of Corpus Christi, Sections 33-40, 33-41, 33-42, and 33-43.

Mayor Martinez referred to Item 9. Police Chief Floyd Simpson stated that State law requires cities every three years to hold a public hearing and readopt the curfew ordinance. Chief Simpson said staff recommends readoption of the curfew ordinance. Council Member Magill made a motion to open the public hearing, seconded by Council Member Scott. Mayor Martinez called for

comments from the audience. Abel Alonzo thanked Chief Simpson and the Police Department for enforcing the curfew ordinance. Council Member Scott made a motion to close the public hearing, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030089

N. REGULAR AGENDA: (NONE)

Mayor Martinez called for a 30-minute recess.

O. FIRST READING ORDINANCES: (Items 10-16)

10. First Reading Ordinance - Accepting and appropriating a local grant to purchase an explosive/weapon detection canine

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Earl C. Sams Foundation, in the amount of \$12,000 to purchase an explosive/weapon detection canine, training, and associated equipment within the Police Department; and appropriating the \$12,000 in the No. 1061 Police Grants Fund.

Mayor Martinez reconvened the Council meeting and referred to Item 10. Police Chief Floyd Simpson stated that the purpose of this item is to accept a grant from the Earl C. Sams Foundation to purchase a bomb detection dog, training and associated equipment. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030074

11. First Reading Ordinance - Lease agreement for Grande Grossman House at 1517 North Chaparral Street to create Tejano Civil Rights Museum

Ordinance authorizing City Manager or designee to execute a 60

month lease agreement with LULAC Council #1 Foundation, doing business as the Tejano Civil Rights Museum, for Grande Grossman House, located at 1517 North Chaparral Street, in the City, Lessee agrees to pay the City, on a monthly basis, zero dollars per month for the first twelve months, \$200 per month beginning the thirteenth month until the end of the twenty-fourth month, \$400 per month beginning the twenty-fifth month until the end of the thirty-sixth month, \$600 per month beginning the thirty-seventh month until the end of the forty-eighth month and \$800 per month beginning the forty-ninth month until the end of the five year period.

Mayor Martinez referred to Item 11. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to lease the Grande-Grossman House to the LULAC Council #1 Foundation for the purpose of creating the Tejano Civil Rights Museum. Mayor Martinez called for comments from the public. Dr. Nick Adame, President of LULAC Council #1, thanked the City for playing an important role in the formation of Tejano history and culture. Dr. Abbey Zink, Dean of College Arts & Sciences at Texas A & M University - Kingsville spoke in support of the project and provided information on the University's contribution to preserve and contribute information on Tejano heritage. Abel Alonzo thanked Park and Recreation and everyone in involved with the project. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030075

12. First Reading Ordinance - Appropriation of funds for parking and revenue control systems for the Corpus Christi Airport as per agreement with Republic Parking Systems

Ordinance appropriating \$480,000 from the Unreserved Fund Balance in the No. 4610 Airport Fund for the purchase of parking and revenue control systems for Corpus Christi International Airport; amending the FY 2013-2014 Operating Budget adopted by Ordinance 029916 by increasing expenditures by \$480,000.

Mayor Martinez referred to Item 12. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate \$480,000 for the purchase of parking and revenue control systems to update the parking lot at the Corpus Christi International Airport. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030076

13. First Reading Ordinance - Amending City code for public access channel rules and procedures as recommended by the Cable Communication Commission

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55 regarding rules and procedures for public access cablecasting; providing for penalties; providing for severance; and providing for publication.

Mayor Martinez referred to Item 13. Kim Womack with Public Communication stated that the purpose of this item is to amend the public access rules and procedures recommended by the Cable Communications Commission. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030077

14. First Reading Ordinance - Information technology contract Amendment No. 1 and appropriation of funds for the implementation of Project Management Software

Ordinance appropriating \$213,000 from the Unreserved Fund Balance in No. 5310 Engineering Services Fund; changing the FY 2014 Operating Budget adopted by Ordinance No. 029915 to increase expenditures by \$213,000; and authorizing the City Manager or designee to execute Amendment No. 1 to an Information Technology Contract with LMR Consulting dba EPM Live from Carlsbad, CA in the amount of \$60,125, for a re-stated fee of \$109,125.20 for the implementation of Project Management Software.

Mayor Martinez referred to Item 14. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to implement a new project management software for the Capital Construction Projects Department and execute an amendment with LMR Consulting for the purchase of EPM Live. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030078

15. First Reading Ordinance - Amending City code for conversion of one-way traffic to two-way traffic on Hudson Street

Ordinance amending Section 53-250 of the Code of Ordinances to delete "Hudson Street, from Shaw Street to Stafford Street" from Schedule I, One-way streets and alleys; providing for penalties; providing for severance; and providing for publication.

Mayor Martinez referred to Item 15. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to eliminate the school zone one-way designation on Hudson Street and converting to two-way traffic. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030079

16. First Reading Ordinance - Amending City code for removal of parking prohibition on Manhattan Drive

Ordinance amending Section 53-253 of the Code of Ordinances to remove the parking prohibition on Manhattan Drive by deleting the street from "Schedule IV-Stopping, standing or parking prohibited during certain hours on certain streets."

Mayor Martinez referred to Item 16. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to remove the parking prohibition on Manhattan Drive between Weber Road and Bahama Drive. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

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

Abstained: 0

Enactment No: 030080

ADVANCE DESIGN IN PREPARATION OF BOND ISSUE 2014: (Items 17-24)

17. First Reading Ordinance - Amending the FY 2014 Capital Improvements Street Program for Bond 2014 Street Projects

Ordinance amending the FY 2014 Capital Improvement Program Budget adopted by Ordinance No. 029916 to add the City Council approved Bond 2014 street projects as listed in Attachment 1; and increasing revenues and expenditures in the amount of \$8,000,000.

Mayor Martinez referred to Item 17. Acting Director of Capital Programs Natasha Fudge stated that the purpose is to amend the FY2014 Capital Improvement Program Street Budget to include the prior City Council approved Bond 2014 street projects for a possible Bond 2014 Election. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030081

18. First Reading Ordinance - Amending the FY 2014 Capital Improvements for Alameda Street from Kinney to Lipan

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amount of \$69,565 from Storm Water CIP Fund 4529; \$36,173.80 from Wastewater CIP Fund 4503; \$33,391.20 from Water CIP Fund 4479 to the Bond 2014 Street Project Alameda Street from Kinney to Lipan; increasing expenditures in the amount of \$139,130; and authorizing the City Manager, or designee, to execute an engineering design contract with Lockwood, Andrews, and Newman, Inc. from Corpus Christi, Texas in the amount of \$323,685.00 for Alameda Street from Kinney to Lipan for design, bid, and construction phase services.

Mayor Martinez referred to Item 18. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to execute a design contract with Lockwood, Andrews, and Newman Inc. for Alameda Street from Kinney to Lipan in the amount of \$323,685. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030082

19. First Reading Ordinance - Engineering design contract amending the Capital Improvements Budget for a professional services agreement for Waldron Road from Airdrome to Caribbean

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amount of \$164,675.00 from Storm Water CIP Fund 4528; \$85,631.00 from Wastewater CIP Fund 4510; \$79,044.00 from Water CIP Fund 4088 to the Bond 2014 Street Project Waldron Road from Airdrome to Caribbean; increasing expenditures in the amount of \$329,350.00; and authorizing the City Manager, or designee, to execute an engineering design contract with Urban Engineering from Corpus Christi, Texas in the amount of \$672,200.00 for Waldron Road from Airdrome to Caribbean for design, bid, and construction phase services.

Mayor Martinez referred to Item 19. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to execute a design contract with Urban Engineering for Waldron Road from Airdrome to Caribbean in the amount of \$672,200. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030083

20. First Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvements Street Program for Staples Street from Alameda to Morgan

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amount of \$149,917.50 from Storm Water CIP Fund 3494; \$77,957.10 from Wastewater CIP Fund 4510; \$71,960.40 from Water CIP Fund 4088 to the Bond 2014 Street Project Staples Street from Alameda to Morgan; increasing expenditures in the amount of \$299,835.00; and authorizing the City Manager, or designee, to execute an engineering design contract with HDR Engineering, Inc. from Corpus Christi, Texas in the amount of \$604,670.00 for Staples Street from Alameda to Morgan for design, bid, and construction phase services.

Mayor Martinez referred to Item 20. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to execute a design contract with HDR Engineering Inc. for Staples Street from Alameda to Morgan

in the amount of \$604,670. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030084

21. First Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Yorktown Boulevard from Lake Travis to Everhart

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$251,492.50 from Storm Water CIP Fund 3494, \$129,876.10 from Wastewater CIP Fund 4510, \$107,516.40 from Water CIP Fund 4479 to the Bond 2014 Street Project Yorktown Boulevard from Lake Travis to Everhart; increasing expenditures in the amount of \$488,885.00; and authorizing the City Manager, or designee, to execute an engineering design contract with LNV, Inc. from Corpus Christi, Texas in the amount of \$994,290 for Yorktown Boulevard. from Lake Travis to Everhart for design, bid, and construction phase services.

Mayor Martinez referred to Item 21. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to execute a design contract with LNV Inc. for Yorktown Boulevard from Lake Travis to Everhart in the amount of \$994,290. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030085

22. First Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Morgan Avenue from Ocean to Staples Street

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amount of \$141,471.25 from Storm Water CIP Fund 3494; \$73,565.05

from Wastewater CIP Fund 4510; \$67,906.20 from Water CIP Fund 4088 to the Bond 2014 Street Project Morgan Avenue from Ocean Drive to Staples Street; increasing expenditures in the amount of \$282,942.50; and authorizing the City Manager, or designee, to execute an engineering design contract with Coym, Rehmet & Gutierrez Engineering, L.P. from Corpus Christi, Texas in the amount of \$568,425.00 for Morgan Avenue from Ocean Drive to Staples Street for design, bid, and construction phase services.

Mayor Martinez referred to Item 22. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to execute a design contract with Coym, Rehmet & Gutierrez Engineering, L.P. for Morgan Avenue from Ocean Drive to Staples Street in the amount of \$568,425. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030086

23.

First Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Carroll Lane from Houston to McArdle

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$130,075 from Storm Water CIP Fund 3494; \$67,639 from Wastewater CIP Fund 4510; \$62,436 from Water CIP Fund 4088 to the Bond 2014 Street Project Carroll Lane from Houston to McArdle; increasing expenditures in the amount of \$260,150; and authorizing the City Manager, or designee, to execute an engineering design contract with Martinez, Guy & Maybik, Inc. from Corpus Christi, Texas in the amount of \$534,420.00 for Carroll Lane from Houston to McArdle for design, bid, and construction phase services.

Mayor Martinez referred to Item 23. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to execute a design contract with Martinez, Guy & Maybik Inc. for Carroll Lane from Houston to McArdle in the amount of \$534,420. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030087

24. First Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Gollihar Road from Staples Street to Weber Road

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$385,729.61 from Storm Water CIP Fund 3494; \$82,064.93 from Wastewater CIP Fund 4510; \$148,723.56 from Water CIP Fund 4088; \$30,878.76 from Gas CIP Fund 4555 to the Bond 2014 Street Project Gollihar Road from Staples Street to Weber Road; increasing expenditures in the amount of \$647,396.86; and authorizing the City Manager, or designee, to execute an engineering design contract with Naismith Engineering from Corpus Christi, Texas in the amount of \$1,192,395 for Gollihar Road from Staples Street to Weber Road for design, bid, and construction phase services.

Mayor Martinez referred to Item 24. Acting Director of Capital Programs Natasha Fudge stated that the purpose of this item is to execute a design contract with Naismith Engineering for Gollihar Road from Staples Street to Weber Road in the amount of \$1,192,395. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030088

P. FUTURE AGENDA ITEMS: (Items 25-32)

Mayor Martinez referred to the Future Agenda. City Manager Ron Olson stated that staff had planned presentation on Items 25 and 31. City Secretary Rebecca Huerta announced that Council Member Scott would abstain from the discussion on Item 25.

25. Service Agreement for Strategic Planning Services

Motion awarding a service agreement for Strategic Planning Services with Goody Clancy & Associates Inc., Boston, Massachusetts, for an estimated two year expenditure of \$1,536,800 of which \$320,166 is required for fiscal year 2013/2014. The term of the agreement is twenty-four months, with options to extend the agreement for up to two additional twelve month periods, subject to the approval of the

consultant and the City Manager or designee. Funding is available in the Comprehensive Planning Operations budget for fiscal year 2013/2014.

This Motion was recommended to regular agenda

Enactment No: M2014-009

26. Supply agreement for food items

Motion approving supply agreements with the following companies for the following amounts in accordance with the Coastal Bend Council of Governments Bid Invitation No. CBCOG-14-1 for food items which include canned and frozen fruit and vegetables; meats and condiments, for an estimated six month expenditure of \$174,679.54. The terms of the contracts shall be for six months with options to extend for up to three additional months, subject to the approval of the Coastal Bend Council of Governments, the suppliers, and the City Manager or designee. Funds are available through the Meals on Wheels Grant.

LaBatt Food Service	Performance Food Group
<u>Corpus Christi, Texas</u>	<u>Victoria, Texas</u>
132 Line Items	123 Line Items
\$59,972.75	\$114,706.79

Grand Total: \$174,679.54

This Motion was recommended to consent agenda

Enactment No: M2014-010

27. Lease purchase of two ambulances for Fire Department use

Motion approving the lease purchase of two (2) ambulances from Knapp, Chevrolet, of Houston, Texas based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC), in the amount of \$281,800, of which \$14,899.47 is required in FY 2013-2014. The ambulances will be used by the EMS Division of the Fire Department. Funds for the lease purchase of the ambulances will be provided through the City's lease/financing program.

This Motion was recommended to consent agenda

Enactment No: M2014-011

28. Engineering design contract amendment No. 3 for Whitecap Wastewater Treatment Plant

Motion authorizing the City Manager or designee to execute

Amendment No. 3 to the engineering design contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$416,540.00, for a total restated fee of \$743,640.00 for the Whitecap Wastewater Treatment Plant (WWTP) Ultra-Violet (UV) Disinfection System Upgrade.

This Motion was recommended to consent agenda

Enactment No: M2014-012

29. Engineering Design Contract Amendment No. 1 for lifecycle waterline replacement

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to the Engineering Design Contract with Urban Engineering of Corpus Christi, Texas in the amount of \$228,440.00, for a total restated fee not to exceed \$267,540.00 for the Programmed Water Line Service Life Extension for City-Wide Distribution Repair and Replacement - Indefinite Delivery/Indefinite Quantity (IDIQ) Procurement.

This Motion was recommended to consent agenda

Enactment No: M2014-013

30. Engineering design contract for Cefe Valenzuela Landfill Disposal Cell Construction of 1B & 1C

Motion authorizing the City Manager or designee to execute an Engineering Design Contract with C P & Y, Inc. of Dallas, Texas in the amount of \$623,565.00, for Cefe Valenzuela Landfill Disposal Cell Construction of 1B and 1C for the design, bid, and construction phase services.

This Motion was recommended to consent agenda

Enactment No: M2014-014

31. Engineering construction contract for Padre Island water supply project

Motion authorizing the City Manager, or designee, to execute a construction contract with Bridges Specialties, Inc. of Robstown, Texas in the amount of \$7,308,330.80, for the Padre Island Water Supply Project.

This Motion was recommended to consent agenda

Enactment No: M2014-015

32. Engineering construction contract for Selena Auditorium air handling unit replacement and chilled water pump addition

FY2012 Re-Bid

Motion authorizing the City Manager, or designee, to execute a construction contract with Miller & Miller Mechanical Contracting Company of Corpus Christi, Texas in the amount of \$457,800 for Selena Auditorium Air Handling Unit Replacement and Chilled Water Pump Addition FY 2012 Re-Bid for the base bid.

This Motion was recommended to consent agenda

Enactment No: M2014-017

Q. BRIEFINGS TO CITY COUNCIL: (Items 33-34)**33. Water Supply - Saltwater Desalinization Funding Opportunities**

Mayor Martinez referred to Item 33. Interim Assistant City Manager of Public Works and Utilities Mark Van Vleck stated that the purpose of this item is to provide an update on the future water supply. Mr. Van Vleck reported that staff has identified possible funding opportunities to take the pilot desalinization project to a demonstration project including the emerging technologies fund. Mr. Van Vleck stated that staff would be working on these applications to continue sources of water supply. Mayor Martinez requested an update on the pilot project.

34. Litter Reduction Plan Update

Mayor Martinez referred to Item 34. City Manager Ron Olson stated that during the discussions on the plastic bag issue, the City Council asked staff to broaden this issue to include litter, plastic bags and public input. Mr. Olson added that today's presentation will provide an update on the consolidation of all the litter ordinances and recommendations to enhance enforcement, expand education and communication. Staff has analyzed the plastic bag issue and staff is proposing two alternatives with one recommendation.

Interim Assistant City Manager Mark Van Vleck referred to a powerpoint presentation including a history on the issue; the five focus areas including improvements, enforcement, education, awareness and ordinances; development of a metrics for litter assessment; and the following options for consideration: 1) Base ordinance to address litter, 2) Base plus plastic bag fee and Green Star program, and 3) Base plus plastic bag ban. Mr. Van Vleck stated that staff is recommending the consolidation of ordinances, increased penalties and approving the focus plan. Mr. Van Vleck added that should the Council want to include the plastic bag issue, staff is recommending to ban bags less than 4 mil thickness and a one year implementation period. Council members discussed the following topics: recycling education on plastic bag; removal of plastic bags from single stream; community involvement opportunities including outreach to Parent Teacher organizations; addressing pet waste and covered loads; clearly defined refugee litter; the reason no litter on the beach is a separate section; the Green Star Program and revenues; plastic bag thickness; code enforcement; development of a behavioral change course in lieu of fees; the timeframe for consolidated base ordinance; and funding for education efforts and additional street sweeping.

Mayor Martinez made a motion directing staff to come back with the base ordinance for consideration in February and report back to the City Council a recommended timeline of the measurement process, seconded by Council Member David Loeb and passed; Leal was absent.

R. **ADJOURNMENT**

The meeting was adjourned at 4:17 p.m.