



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, August 20, 2013

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 at 11:30 a.m.

B. Invocation to be given by Reverend John Hardie, St. Mark's Episcopal Church.

The invocation was given by Mayor Martinez.

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

The Pledge of Allegiance was given by Constance Sanchez, Director of Financial Services.

D. City Secretary Armando Chapa to call the roll of the required Charter Officers.

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

Note: Council Member Scott arrived at 11:42 a.m.

Charter Officers present were: Assistant City Manager Margie C. Rose, City Attorney Carlos Valdez, and City Secretary Armando Chapa.

Present: 9 - Council Member Kelley Allen, Council Member Priscilla Leal, Council Member David Loeb, Mayor Nelda Martinez, Council Member Mark Scott, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Rudy Garza

E. Proclamations / Commendations

1. Proclamation declaring August 20, 2013 as "Corpus Christi Metro Ministries Community Partnership Day"
Proclamation declaring August 26, 2013 as "Women's Equality Day in Honor of the League of Women Voters of Corpus Christi"
Certificate of Commendations Presented to CC Lifeguard Team Members: Daniel Krause, Kevin Bardwell, Robbie Krause, Chris Lewis
Certificate of Commendations to the Workforce Solutions of the Coastal Bend "Ramp It Up! Summer Youth Project 2013" Participants
Certificate of Commendation Presentation to Senator Curtis Ford Jr.

City Manager's "At Your Service" Award

Mayor Martinez presented the proclamations and commendations. Assistant City Manager Rose presented an At Your Service Award to Jeanie Garza, Patricia Herrera, Annette Hodges, Jean Meadors, Joshua Romero with the Libraries department in recognition of their efforts with the summer reading program.

- 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 public comment. Jack Gordy spoke regarding a storm water issue on the 6200 to 6500 blocks of Weber Road. Mr. Manning with the Council for the Deaf and Hard of Hearing announced that the center was the recipient of the Mueller Metal Building Award. Wilson Wakefield spoke in opposition to the street maintenance fee. Johnny French proposed revisions to the ordinance calling for the election related to Destination Bayfront. John Bell spoke about the success of the National Sailing Youth Regatta. Vernon Wuensche spoke against the realignment of Shoreline Boulevard in conjunction with the Destination Bayfront project. Abel Alonzo expressed his appreciation for the new ADA-accessible microphone in Council Chambers. Carloyn Moon spoke in opposition to the Destination Bayfront project because of parking and traffic safety concerns. Mary Ann Kelly proposed adding the plastic bag ban to the November 5 election. Mr. Connolly spoke regarding a lawsuit he planned to file against a police officer who allegedly used excessive force. Mary Lou Huffman expressed concern about the code enforcement ordinance prohibiting sign posted on the right-of-way and enforcement of high weeds. The following people spoke in favor of the Destination Bayfront project: Joe Hilliard; Josh Tijerina; Jamie Darcy; Heidi Hovda; and Doreen Harold. The following people spoke in opposition to Destination Bayfront: Tony Norrell and Jerry Sansing. Neill McQueen spoke in support of a plastic bag fee, and announced a showing of the film "Bag It" as part of the Bay Jammin' Series. Jose Amansorria spoke in favor of more flexibility in allowing signs in the right-of-way for garage sales.

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

- 1. MAKE A STATEMENT OF FACTUAL INFORMATION.**
- 2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.**
- 3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.**

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

H. EXECUTIVE SESSION: (ITEM 2)

Mayor Martinez deviated from the agenda and referred to the executive session. The Council went into executive session.

2. Executive Session pursuant to 551.071 of the Texas Government Code to consult with attorneys regarding Cause No. 2011 DCV-5073-C styled Ex Parte City of Corpus Christi, Texas, presently pending in the 94th District Court of Nueces County, Texas, which involves Aquarius Street issues, with possible discussion and action in open session.

This E-Session Item was discussed in executive session.

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

Assistant City Manager Margie C. Rose reported on the following issues: Item No. 8 on today's agenda was being withdrawn by staff. Assistant City Manager Mark Van Vleck provided an action plan regarding the littering ordinance. The action plan would consist of 5 points: 1) Develop ordinance - draft cons, clarify and simplify current provisions, and include best practices; 2) enforcement; 3) reduce litter; 4) education; 5) action metrics. He said he would designate a lead for each item and present a report on October 1.

I. MINUTES:

3. Regular Council Meeting of July 30, 2013

Mayor Martinez referred to approval of the minutes. Council Member Loeb made a motion to approve the minutes as presented, seconded by Mr. Magill. The Minutes were passed.

J. BOARDS & COMMITTEE APPOINTMENTS:

4. Airport Board

Clean City Advisory Committee
 Committee for Persons with Disabilities
 Library Board
 Park and Recreation Advisory Committee
 Transportation Advisory Committee

Mayor Martinez referred to board and committee appointments. The following appointments were made:

Airport Board - Mayor Martinez pulled the appointments because she wanted more female representation on the board. She asked staff to reach out to more female candidates.

Clean City Advisory Committee: Lori Galan-Garcia, Teresa Klein, and Carolyn Moon (Reappointed); Christopher Anderson and Micah DeBenedetto (Appointed).

Committee for Persons with Disabilities: Diana Ortega-Feerick and Abel Alonzo (Reappointed).

Library Board - Adrian Dansby (Appointed).

Parks and Recreation Advisory Committee - Dr. Jinsun Kim, Lisa Ann Torres, Carlos Haney, and Rita Herrera-Padron (Reappointed); Curtis Ford and Alexis Hunter (Appointed).

Transportation Advisory Committee - Henry Palacios III and Tommy E. Watson (Appointed).

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 5 - 6)

Approval of the Consent Agenda

Mayor Martinez referred to the consent agenda (Items 5 and 6). There were no comments from the public or the Council. The items were approved by one vote as follows:

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

5. Second Reading Ordinance - Amending the Unified Development Code and Code of Ordinances for sidewalk cafes and streetscape zones (1st Reading 7/30/13)

Ordinance amending the Unified Development Code by revising subsections 1.11.3 - Defined Terms, subsection, 6.13.1 Streetscape Zone and Pedestrian Amenities; establishing a new subsection 6.13.1 - Permission to Use City Sidewalks; amending the City of Corpus Christi, Texas, Code of Ordinances, by revising Section 49-2 - Obstructions Generally, and Section 49-6 - Gates opening across sidewalks; and providing for severance, penalties, and publication.

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

Enactment No: 029923

6. Second Reading Ordinance - To reimburse Isaac C. Anthony, III and Betty Anthony for the wastewater development fees paid in 1996 (1st Reading 7/30/13)

Ordinance appropriating \$1,135.31 from the No. 4220 Wastewater Trunk System Trust Fund to refund Isaac C. Anthony, III and Betty Anthony the wastewater lot/acerage fees paid since wastewater services are not available nor will any be available within the next 5 years as related to King Estates Unit 2, Block 7, Lot 3.

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

Enactment No: 029924

M. PUBLIC HEARINGS: (ITEMS 7 - 9)

7. Public Hearing and First Reading Ordinance - Amending the Unified Development Code to create new "RS-22" Single-Family 22 District

Ordinance amending the Unified Development Code to provide for a new "RS-22" Single-Family 22 District by revising table 1.11.2 - abbreviations, table 4.1.1 - zoning districts, table 4.3.2 - permitted uses (single-family districts), table 4.3.3 - residential development (single-family districts), subsections 5.6.4.A.2.a and 5.6.4.B.3.a - both entitled single-family, two-family, and townhouse residential use districts, and subsection 7.5.13 - signs allowed in the FR, RE, RS-15, RS-10, RS-6, RS-4.5, RS-TH, RS-TF, and RMH districts; and providing for severance, penalties, and publication.

Mayor Martinez referred to Item 7. Annika Gunning with Development Services stated that the purpose of the item was to create a new zoning district for single-family development with minimum lot sizes of 22,000 square feet. Council Members made a motion to open the public hearing, seconded by Mr. Allen. There were no comments from the Council or the public. Council Member Scott made a motion to close the public hearing, seconded by Ms. McIntyre. The ordinance was passed 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: 029929

8. Public hearing regarding a "Substantial Amendment" to the FY2013 CAAP to amend the programs which include allocation changes.

Public hearing to amend the 2013 Consolidated Annual Action Plan (CAAP) approved by the U.S. Department of Housing and Urban Development (HUD) to increase the Community Development Block Grant Program by \$265,242, increase the HOME Investment Partnerships Program by \$6,880, and reduce the Emergency Solutions Grant Program by \$62,189; and to authorize the City Manager or designee, following the conclusion of the comment period required by HUD, to amend the FY2013 CAAP by accepting the allocation changes and recommendations by staff; and to execute all necessary documents with HUD and the CAAP grantees.

This public hearing was withdrawn by staff.

9. Public Hearing on Fiscal Year 2014 Ad Valorem Taxes

Mayor Martinez referred Item 9. Director of Financial Services Constance Sanchez stated that the State Property Tax Code required two public hearings be held when a taxing unit proposes a tax rate that exceeds either the rollback rate or the effective tax rate, whichever is lower. The City's proposed tax rate exceeds the effective tax rate. She said this is the first of two public hearings. The second public hearing would be held on August 27. Council Member Garza made a motion to open the public hearing, seconded by Ms. McIntyre. There were no comments from the public or the Council. Council Member Scott made a motion to close the public hearing, seconded by Mr. Garza. Mayor Martinez read the following statement: "During the September 10, 2013 City Council meeting beginning at 11:30 am at City Hall, the City Council will vote on the proposed tax rate."

N. REGULAR AGENDA: (ITEMS 10 - 11)

Mayor Martinez referred to the Regular Agenda, Items 10 and 11, both related to the Destination Bayfront Project. City Engineer Dan Biles stated that the Council had considered the resolution and the ordinance during last week's meeting. Council Member McIntyre stated she was in support of considering Item 11 before Item 10. The Council concurred.

11. Resolution establishing the City's binding intention for Destination Bayfront Bond Issuance

Resolution establishing the City's binding intention to issue General Improvement Bonds to design, develop, construct, renovate, and improve Destination Bayfront upon obtaining the approval of City voters and upon raising private contributions and other financial support of such Project; authorizing other matters incident and related thereto; and providing an effective date.

Mayor Martinez deviated from the agenda and referred to Item 11. City Engineer Dan Biles stated that the purpose of Item 11 was to guarantee the timing of the bond issuance for Destination Bayfront to be contingent upon the successful raising of private funds. The issuance would only occur if the proposition for Destination Bayfront was approved in the November 5, 2013 election. Mayor Martinez asked for public comment. The following individuals

spoke in opposition to the Destination Bayfront project: Jack Gordy, Wilson Wakefield, and Carolyn Moon. The following individuals spoke in support of the Destination Bayfront project: Abel Alonzo, Alexis Hunter. Johnny French questioned the need for a separate resolution, saying that the ordinance should state that public funds should not be spent until private money is raised. Mary Ann Kelley asked that the election be delayed until 2014.

Mayor Martinez called for Council comments. Council members spoke regarding the following issues: yearly inflation on the project; concerns about parking; park maintenance and operation; need to focus more on funding street improvements, especially for residential streets; potential impact to programs supported by hotel occupancy tax; economic development impact. The ordinance passed with the following vote:

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

Nay: 3 - Council Member Leal, Council Member Magill and Council Member Garza

Abstained: 0

Enactment No: 029926

10. Second Reading Ordinance - Calling for Special Election on November 5, 2013 (1st Reading 7/30/13)

Ordinance ordering a Special Election to be held on November 5, 2013 in the City of Corpus Christi on the question of authorizing one or more series of bonds supported by ad valorem taxes; providing for procedures for holding such election; providing for notice of election and publication; providing for establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County; making provisions for the conduct of such joint election; and enacting provisions and resolving other matters incident and related to such election.

Mayor Martinez referred to Item 10. Mayor Martinez asked for public comment. Johnny French spoke about inflation of future project costs, prioritizing streets versus destination bayfront project, and including engineering design in the proposition. Mayor Martinez called for Council comments. Council Member McIntyre made a motion to amend the proposition language in the 2nd to the last bullet to remove the word "parking"; and to create a new bullet saying "providing for parking in the area"; seconded by Mr. Loeb. The motion to amend passed with the following vote: Martinez, Scott, Allen, Garza, Leal, Loeb, Magill, McIntyre, and Riojas, voting "Aye". The ordinance passed on second reading as amended 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: 029925

O. FIRST READING ORDINANCES: (ITEMS 12 - 23)**12. First Reading Ordinance - Appropriating funds for the Texas Automobile Theft Prevention Authority (ATPA) grant**

Ordinance appropriating \$392,474 from the Texas Automobile Theft Prevention Authority (ATPA) in the No. 1061 Police Grants Fund, and appropriating \$7,359 in program income match in the No. 1061 Police Grants Fund to continue the motor vehicle theft enforcement grant within the Police Department.

Mayor Martinez referred to Item 12. Police Chief Simpson stated that the purpose of the item was to appropriate funds for the Texas Automobile Burglary and Theft Prevention Authority grant. There were no comments from the public or the Council. The ordinance passed on first reading with the following vote:

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

Absent: 1 - Council Member McIntyre

Abstained: 0

Enactment No: 029930

13. First Reading Ordinance - Accepting and appropriating local grant for the purchase of two defibrillators

Ordinance authorizing the City Manager or designee to accept a grant from Christus Spohn Hospital Corpus Christi in the amount of \$64,316.30 for the purchase of two Zoll X-series defibrillators and its accessories; and Appropriating the \$64,316.30 in the Fire Grant Fund No. 1062.

Mayor Martinez referred to Item 13. Fire Chief Robert Rocha stated that purpose of the item was to accept a non-solicited grant from Christus Spohn Hospital for the purchase of two defibrillators. There were no comments from the public or the Council. This Ordinance was passed on first reading and approved with the following vote:

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

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

Abstained: 0

Enactment No: 029931

14. First Reading Ordinance - Amending the Code of Ordinances regarding Food and Food Establishments

Ordinance amending Chapter 19, Code of Ordinances, City of Corpus Christi, regarding Food and Food Establishments; providing for penalties, providing for severance; and providing for publication.

Mayor Martinez referred to Item 14. Director of Health Annette Rodriguez stated that the purpose of the item was to revise Chapter 19 of the city code regarding food and food establishments to update current practices. She reviewed a list of changes including: to update definitions; to remove all sections pertaining to placards; to remove all sections pertaining to frozen desserts. There were no comments from the public. Council member asked question regarding whether fish in aquariums were exempt from provisions prohibiting animals in food establishments. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 029932

15. First Reading Ordinance - Amending the Reformation of the Cooperative Agreement to Operate a Public Health district to adopt a new pay plan

Ordinance to authorize the City Manager to execute amendment to the Reformation of the Cooperative Agreement to Operate a Public Health District to adopt new pay plan for the employee assigned to the Corpus Christi-Nueces County Health District.

Mayor Martinez referred to Item 15. Director of Health Annette Rodriguez stated that the City of Corpus Christi and Nueces County were in agreement to amend Attachment 2 of the existing agreement to amend the agreement to revise the Pay Plan for the employees assigned to the Health District. A motion was made and seconded to amend the ordinance as stated by staff. The motion to amend passed unanimously. This Ordinance was passed on first reading as amended and approved with the following vote:

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

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 029933

16. First Reading Ordinance - Appropriating Program Income from Department of State Health Services (DSHS)

Ordinance appropriating \$763,000 from the estimated program income

revenue in the No. 1066 Health Grants Fund as State fiscal year 2013-2014 program income to fund laboratory and public health services for the period of September 1, 2013 through August 31, 2014.

Mayor Martinez referred to Item 16. Director of Health Annette Rodriguez stated that purpose of the item was to appropriate program income from FY 203-14. There were no comments from the public or the Council. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Riojas

Abstained: 0

Enactment No: 029934

17. First Reading Ordinance - Executing Contract and sub-contracts for FY14 Community Youth Development Program and appropriating funds

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, 2013 through August 31, 2014 in the total amount of \$386,769.67; 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: \$53,337 to The Boys and Girls Club, \$82,304 to Communities In Schools of the Coastal Bend and \$108,000 to SERCO of Texas for subcontract period September 1, 2013 through August 31, 2014.

Mayor Martinez referred to Item 17. Director of Parks and Recreation Michael Morris stated that the purpose of the item was to approve the service provider contracts for the Community Youth Development Program for FY 2014. There were no comments from the public. Council members spoke regarding the following issues: percentage of 78415 youth who attended the Boys and Girls Club; number of participants in 78415; consideration of future funding. This Ordinance was passed on first reading 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: 029935

18. First Reading Ordinance - Construction contract and materials testing agreement for Bayfront Development Plan, Phase 3 (BOND 2008) Shoreline Boulevard Realignment

Ordinance amending the FY 2014 Capital Improvement Budget

adopted by Ordinance No. 029916 by adding \$156,637.50 in Gas Capital Improvement Program Reserves; transferring \$218,862.20 from Wastewater CIP Project No. E12204 Unanticipated Wastewater Capital Requirements to the Bayfront Development Plan, Phase 3 Project; increasing expenditures in the amount of \$156,637.50; authorizing the City Manager or designee to execute a construction contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$6,552,042.05, for the Bayfront Development Plan, Phase 3 Project for the total base bid; and authorizing the City Manager or designee to execute a Construction Materials Testing Agreement with Rock Engineering and Testing Laboratory, Inc. for \$57,960.00.

Mayor Martinez referred to Item 18. City Engineer Dan Biles stated that the purpose of the item was to execute a construction contract and testing agreement for the Shoreline Boulevard Realignment / Bayfront Development Plan Phase 3 project; and to amend the CIP. Council members spoke regarding the following issues: landscaping and traffic; traffic signal at Cooper's Alley; current vs. previous project budgets; request for a driving tour; contingency in budget; parking concerns. Mayor Martinez asked for public comment. Bill Kopecky asked the Council to delay the project until a comprehensive traffic study was completed. Gail Anderson spoke regarding having designated bike lanes in both directions. Johnny French recommended that staff add legends to the exhibits in the agenda item, and asked about curbside parking on Cooper's Alley and Lawrence Streets. This Ordinance was passed on first reading 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: 029941

19. First Reading Ordinance - Authorizing the acceptance of donated items to settle overdue library fees

Ordinance authorizing the Corpus Christi Public Libraries to settle overdue fees with the acceptance of donated items to be provided to charitable groups for legitimate public purposes; and providing for an effective date

Mayor Martinez referred to Item 19. Director of Libraries Laura Garcia stated that the purpose of the item was to allow patrons to clear overdue charges by donating non-perishable food items to feed the hungry - Food for Fines 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: 8 - Council Member Allen, Council Member Leal, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Loeb

Abstained: 0

Enactment No: 029936

20. First Reading Ordinance - To reimburse Marvin and Mary Kinnett for the wastewater lot/acreage fees paid in 2000.

Ordinance appropriating \$4,707.55 from the No. 4220 Wastewater Trunk System Trust Fund to refund Marvin Kinnett and Mary Kinnett the wastewater lot/acreage fees paid since wastewater services are not available nor will any be available within the next 5 years as related to Kinnett Addition, Block 1, Lots 1, 2 & 3.

Mayor Martinez referred to Item 20. John Speights with Development Services stated that the purpose of the item was to refund wastewater acreage fees that were paid in 2000 by Marvin and Mary Kinnett. 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 Leal, Council Member Loeb, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Mayor Martinez

Abstained: 0

Enactment No: 029937

21. First Reading Ordinance - To rename certain areas of the City as "SEA District"

Ordinance to rename certain areas in the City of Corpus Christi as the "SEA (Sports, Entertainment and Arts) District".

Mayor Martinez referred to Item 21. Assistant City Manager Wes Pierson stated that the purpose of the item was to rename the area previously designated as "SEA Town" to "SEA District". There were no comments from the public or the Council. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Mayor Martinez

Abstained: 0

Enactment No: 029938

22. First Reading Ordinance - Amending the Rules and Regulations of the Utility Business Office

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, Article II, regarding the rules and regulations of the Utilities Billing Office; providing for publication, providing for severance,

and providing effective date.

Mayor Martinez referred to Item 22. Assistant Director of Financial Services Michael Barrera stated that the purpose of the item was to amend the ordinance regarding the rules and regulations for the Utility Business Office. The changes were necessary for the successful implementation of the Utility Business Office's new collection management plan, effective September 1. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Mayor Martinez

Abstained: 0

Enactment No: 029939

23.

First Reading Ordinance - Authorizing the Issuance of Utility System Revenue Bonds

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 \$106,000,000, 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/registrar 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.

Mayor Martinez referred to Item 23. Director of Financial Services Constance Sanchez stated that the purpose of the item was to issue bonds to fund utility projects outlined in Year 1 of the FY 2014 Capital Improvement Plan, exclusive of the Mary Rhodes Pipeline Phase 2 project. She said this action was related to Item 24 on the Future Agenda appointing the underwriters for the transaction. There were no comments for 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 Leal, Council Member Loeb, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Mayor Martinez

Abstained: 0

Enactment No: 029940

P. FUTURE AGENDA ITEMS: (ITEMS 24 - 32)

Mayor Martinez referred to the Future Agenda. Assistant City Manager Rose stated that staff did not have presentations on any of the items. There were no comments from the Council.

24. Appointing Financial Advisor for the Issuance of Utility System Revenue Bonds

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 \$106,000,000.

This Motion was recommended to regular agenda

Enactment No: M2013-135

25. Supporting the candidacy of Mayor Nelda Martinez for President-elect of the Texas Municipal League for 2013

Resolution supporting the candidacy of Mayor Nelda Martinez for the position of President-Elect of the Texas Municipal League

This Resolution was recommended to consent agenda

Enactment No: 029927

26. Interlocal Agreement - for breath alcohol testing program

Resolution authorizing the City Manager or his designee to execute an interlocal agreement with San Patricio County in the amount of \$11,000 for the services of a Technical Supervisor to operate the Police Department's breath alcohol testing program for the twelve month period of January 1, 2014 - December 31, 2014.

This Resolution was recommended to consent agenda

Enactment No: 029928

27. Engineering Design Contract - for groundwater monitoring and related services at J.C. Elliott

Motion authorizing the City Manager or designee to execute a Contract for Professional Services with Kleinfelder Central, Inc. of Corpus Christi, Texas in the amount of \$112,200, for JC Elliott Landfill FY 2013-2014 Groundwater Monitoring and Related Services.

This Motion was recommended to consent agenda

Enactment No: M2013-129

28. Engineering Design Contract - for groundwater monitoring and related services at Cefe Valenzuela Landfill

Motion authorizing the City Manager or designee to execute a Contract for Professional Services with Kleinfelder Central, Inc. of Corpus Christi, Texas in the amount of \$114,200, for Cefe Valenzuela Landfill FY 2013-2014 Groundwater Monitoring and Related Services.

This Motion was recommended to consent agenda

Enactment No: M2013-130

29. Engineering Design amendment No. 1 for master channel 31 drainage channel excavation

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 with Freese and Nichols, Inc. from Corpus Christi, Texas in the amount of \$36,587.00, for a re-stated fee not to exceed \$76,324.00 for Master Channel 31 Drainage Channel Excavation

This Motion was recommended to consent agenda

Enactment No: M2013-131

30. Engineering Construction Contract for Citywide Street Striping and Pavement Markings

Motion authorizing the City Manager, or designee, to execute a Construction Contract with Highway Barricades and Services, LLC. of Corpus Christi, Texas for the City-wide Street Striping and Pavement Markings project in the amount of \$129,770.00 for the Base Bid.

This Motion was recommended to consent agenda

Enactment No: M2013-132

31. Professional Services Agreement to provide Oracle database administration services

Motion authorizing the City Manager, or designee, to execute a one year contract with Falcron Solutions, Inc., of Houston, Texas and up to two one year extensions for an estimated expenditure of \$120,000.00 annually. The cost will be paid in monthly payments of \$10,000.00.

The purpose is to provide Oracle database administration services for the current Oracle environment.

This Motion was recommended to consent agenda

Enactment No: M2013-133

32. Agreement for Legal Services for water rights and general water law issues

Motion to authorize the City Manager or designee to execute a legal services agreement with Timothy L. Brown to advise the City on water rights and general water law issues, at an hourly rate of \$175.00 per hour capped at \$6,500 per month, plus expenses.

This Motion was recommended to consent agenda

Enactment No: M2013-134

Q. FUTURE CORPORATION MEETING: (ITEM 33)

33. Board of Director's Meeting of the Corpus Christi Community Improvement Corporation

Board of Director's Meeting of the Corpus Christi Community Improvement Corporation

Mayor Martinez referred to Item 33. There were no comments from the Council. This Corporation Meeting was recommended by staff to be held.

R. BRIEFINGS TO CITY COUNCIL: (ITEMS 34 - 36)

34. Mary Rhodes Pipeline, Phase 2

Mayor Martinez referred to Item 34. Director of Water Gustavo Gonzalez stated that the presentation would update Council on the Mary Rhodes Pipeline Phase 2 project. He discussed the project scope and area, sedimentation, basin and pump station, project status, project schedule, and program budget. Council members spoke regarding the following issues: right-of-way acquisition status; City's water rights for Mary Rhodes Pipeline and the City's authority under drought conditions; long-term water strategies; request for report from Blue Ribbon Water Task Force..

35. Harbor Bridge

Mayor Martinez referred to Item 35. Lonnie Gregorcyk with TxDOT discussed the alternatives being considered and the project timeline for the replacement of the Harbor Bridge. Council members spoke regarding the following issues: bicycle/pedestrian walkway on the bridge; I-37 exit; addressing bottleneck near SEA District area; ability for citizens to purchase a piece of the old bridge; affects of route on Port traffic; request for environmental impact study for the bridge. Of the alternatives presented, the Council consensus was in favor of the Red route.

36. Discussion of hiring process for a City Secretary

Mayor Martinez referred to Item 36. Assistant City Manager Rose discussed the options available for hiring a City Secretary. Council members spoke regarding the following issues: conducting the search themselves; advertising in TML, municipal clerk associations, and the City's website; full Council would consider; have City Secretary Chapa review the job description and provide counsel on process; ACM Margie Rose would provide timeline for hiring process.

S. ADJOURNMENT

Mayor Martinez adjourned the meeting at 6:23 p.m.