



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, February 21, 2017

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.

MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. 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. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

A. Mayor Pro Tem Carolyn Vaughn to call the meeting to order.

Mayor Pro Tem Vaughn called the meeting to order at 11:32 a.m.

B. Invocation to be given by Reverend Gloria Lear, First United Methodist Church.

Reverend Gloria Lear gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Ivan Alvarez, Calallen High School, Member of Interact Club and Attended Rotary Youth Leadership Conference.

Mr. Ivan Alvarez led 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 verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

City Manager Margie C. Rose, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

Present: 8 - Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Joe McComb, Council Member Ben Molina, Council Member Lucy Rubio, Council Member Greg Smith, and Council Member Carolyn Vaughn

E. Proclamations / Commendations

1. Proclamation declaring February 19 - 25, 2017, "National Engineer's Week".
Commendation recognizing Coach Steve Chapman on Induction into the Texas High School Baseball Coaches' Association Hall of Fame.
Arts & Cultural Commission Will Recognize the 2017 Arts Grant Recipients With a Check Presentation.
Swearing-In Ceremony of Newly Appointed Board, Commission and Committee Members.

Mayor Pro Tem Vaughn presented the proclamation; a Certificate of Commendation and conducted the swearing-in ceremony for the newly appointed board, commission and committee members. The Arts and Cultural Commission recognized the 2017 Arts Grant Recipients with a check presentation.

- J. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. 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 choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak MUST be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.**

Mayor Pro Tem Vaughn called for comments from the public. Margareta Fratila, 3606 Tripoli, spoke regarding the removal of the civil penalty for red light cameras. Cheryl Martinez, 3938 Surfside, spoke regarding comments related to Animal Control and euthanization and the need to increase the budget to make Corpus Christi a no-kill city. Rosalie Beaty, 5130 Graford, spoke regarding Agenda Item 20, service agreement to manage and operate the Al Kruse Tennis Center and the investigation regarding the qualifications of Ronald Elizondo. Trian Serbu, 14310 Playa del Rey, spoke regarding ethics and requested that Council Member McComb remove himself as a candidate for the vacant Mayor position. Chris Phelan, 3806 Kingston, spoke regarding immigration laws that could effect Corpus Christi. Gloria Randall Scott, 4422 S. Alameda, spoke regarding the following topics: Agenda Item 20, service agreement to manage and operate the Al Kruse Tennis Center and an investigation into TOPS Tennis LLC maintenance of tennis programs in low-income areas; and Agenda Item 22, creating one-way traffic flow along Booty Street and the traffic impact and parking access. Christine Cone, 117 Seaview; Gabriela Hilpold, 13701 Three Fathoms; Steven Moore, 1371 Eagles Nest; and Susan Torrance, 3205

Kensington Court, spoke regarding Agenda Item 20, service agreement to manage and operate the Al Kruse Tennis Center related to the economic impact of tennis centers and how Al Kruse Tennis Center is affected if not kept up or promoted properly. Carrie Robertson Meyer, 4401 Gulfbreeze, spoke regarding hotel occupancy tax (HOT) funds allocated for North Beach and the creation of a formal committee appointed by the City Council for North Beach. Joe Benavides, 410 Atlantic Street and President of the Children's Advocacy Center of the Coastal Bend, thanked Council Members Molina and Guajardo and City Manager Rose for helping to resolve a water issue at the center located at McClendon and Alameda Streets. Susie Luna Saldana, 4710 Hake and Abel Alonzo, 1701 Thames, spoke regarding the Rules of Decorum for the City Council Chamber related to verbally attacking individual council members during City Council meetings. Johnny French, 4417 Carlton, spoke regarding the funding approved by the Tax Reinvestment Zone #2 Board for Park Road 22 Bridge and the six pack amenities, and voter approval to fund the bridge project. Rick Milby, 4412 Highridge Drive, spoke regarding Item 23, ordering the Special Election on May 6, 2017; future creation of an Election Commission and qualifications for mayoral candidates. Matt Stevens, 4226 Dody, spoke regarding Agenda Item 20, service agreement to manage and operate the Al Kruse Tennis Center and in support of Ronald Elizondo being awarded the contract. Linda Salomon, 1429 Ormond, spoke regarding a glass recycling event and the Al Kruse Tennis Center.

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

Mayor Pro Tem Vaughn referred to City Manager's Comments. City Manager Margie C. Rose reported on the following topics:

a. OTHER

1) The final week of amnesty before the Texas Warrant Roundup ends Friday, February 24, 2017. Citizens are urged to go to Municipal Court, located at 120 N. Chaparral Street between 8:00 a.m. and 6:30 p.m. today through Friday. Payment plans and community service hours are available for those who qualify. 2) The next "Conversations with the City Manager" is scheduled for Wednesday, February 22, 2017 at 5:30 p.m. at the Dr. Clotilde P. Garcia Public Library located at 5930 Brockhampton Street.

G. MINUTES:

2. Regular Meeting of February 14, 2017

Mayor Pro Tem Vaughn referred to approval of the minutes. Council Member Rubio made a motion to approve the minutes, seconded by Council Member Hunter and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS:

**3. Citizens Advisory Health Board
Commission on Children and Youth**

Mayor Pro Tem Vaughn referred to board and committee appointments. The following appointments were made:

Commission on Children and Youth

Council Member Guajardo made a motion to appoint Michelle A. Putman (Nueces County District Attorney's Office Rep.), seconded by Council Member Rubio and passed unanimously.

Council Member Rubio nominated Irene Martinez (At-Large). Council Member Garza nominated Odelia Soto (At-Large). Council Member Smith nominated JoAnne Estrada.

JoAnn Estrada (At-Large) was appointed with Council Members Smith, Vaughn, Rubio, McComb, Molina, and Hunter voting for JoAnn Estrada and Council Members Garza and Guajardo voting for Odelia Soto.

Irene Martinez (At-Large) was appointed with Council Members Hunter, Rubio, Vaughn, McComb, and Smith voting for Irene Martinez and Council Members Molina, Guajardo, and Garza voting for Odelia Soto.

Citizens Advisory Health Board

Council Member Garza made a motion to appoint Aislynn E. Campbell (Joint), seconded by Council Member Rubio and passed unanimously.

Council Member Garza nominated Patrick A. Ayarzagoitia. Council Member Rubio nominated Ashley Lucio. Council Member Guajardo nominated Victor M. Mendoza.

Victor Mendoza was appointed with Council Members Hunter, Molina, McComb, Guajardo, and Smith voting for Victor Mendoza; Council Member Garza voting for Patrick A. Ayarzagoitia; and Council Members Rubio and Vaughn voting for Ashley Lucio.

Patrick A. Ayarzagoitia was appointed with Council Members Garza, Smith, McComb, Molina, and Hunter voting for Patrick A. Ayarzagoitia and Council Members Guajardo, Vaughn, and Rubio voting for Ashley Lucio.

I. EXPLANATION OF COUNCIL ACTION:**K. CONSENT AGENDA: (ITEMS 4 - 12)****Approval of the Consent Agenda**

Mayor Pro Tem Vaughn referred to the Consent Agenda. There were no comments from the public. Council members requested that Items 4, 5, 8, and 9 be pulled for individual consideration.

Council Member Garza made a motion to approve the consent agenda, seconded by Council Member Guajardo. The consent agenda items were passed and approved by one vote as follows:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

6. Service Agreement for Maintenance and Calibration for Hach instruments at the O.N. Stevens Water Treatment Plant (Council Priority - Water)

Motion authorizing City Manager, or designee, to execute a service agreement with Hach Company, of Loveland, Colorado for maintenance and calibration services as a sole source for a total amount not to exceed \$422,713.80, with an estimated expenditure of \$79,838.27 in FY2016-2017. The term of the agreement is for three 12-month periods with an option to extend for up to two additional 12-month periods at the sole discretion of the City.

This Motion was passed.

Enactment No: M2017-028

7. Concession Agreement for In-Terminal Advertising (Council Priority - Economic Development)

Motion authorizing the City Manager or designee to execute a concession agreement with In-Ter-Space Services, Inc., doing business as Clear Channel Airports, of Allentown, Pennsylvania, for in-terminal advertising services at the Corpus Christi International Airport for a term of five years, with one five-year renewal option, with a minimum annual revenue guarantee of \$60,000 or 45% of gross receipts, whichever is greater.

This Motion was passed.

Enactment No: M2017-029

10. Establish Submission Deadline for Board, Commission & Committee Applications

Resolution amending City Council Policies for applications for Board, Commission, and Committee Appointments.

This Resolution was passed.

Enactment No: 031069

11. Second Reading Ordinance - Rezoning property located at 16013 Northwest Boulevard (1st Reading 2/14/17)

Case No. 0117-05 George Tintera and Ping Jung Tintera: A change of

zoning from the “FR” Farm Rural District to the “CG-2” General Commercial District. The property to be rezoned is described as a 1.776 acre tract of land of a portion out of Wade Riverside Subdivision, Section 4, located on the south side of Northwest Boulevard between Carousal Drive and County Road 73.

Planning Commission and Staff Recommendation (January 11, 2017):
Approval of the change of zoning from the “FR” Farm Rural District to the “CG-2” General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by George Tintera and Ping Jung Tintera (“Owners”), by changing the UDC Zoning Map in reference to a 1.776 acre tract of land of a portion of Wade Riverside Subdivision, Section 4, from the “FR” Farm Rural 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.

This Ordinance was passed on second reading.

Enactment No: 031070

12.

Second Reading Ordinance - Rezoning property located at 14836 Granada Drive (1st Reading 2/14/17)

Case No. 0117-01 SuperElite, LLC: A change of zoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with an Island Overlay and Planned Unit Development Overlay. The property is described as being Padre Island-Corpus Christi, Section D, Block 1, Lots 33 and 38, and the Villas of Padre lot 34R, located on the northeast side of Granada Drive and west of Leeward Drive.

Planning Commission and Staff Recommendation (January 11, 2017):
Approval of the change of zoning from the “RM-AT/IO” Multifamily AT District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with an Island Overlay and Planned Unit Development Overlay.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by SuperElite, LLC (“Owner”), by changing the UDC Zoning Map in reference to Padre Island-Corpus Christi, Section D, Block 1, Lots 33 and 38, and the Villas of Padre lot 34R, from the “RM-AT/IO” Multifamily AT District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with an Island Overlay and Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

This Ordinance was passed on second reading.

Enactment No: 031071

4. Engineering Design Contract for Community Park Development and Improvements - West Guth Park (Bond 2012, Proposition 4)

Motion authorizing the City Manager, or designee, to execute a contract for engineering design services with Turner Ramirez Architects of Corpus Christi, Texas in the amount of \$125,919 for Community Park Development and Improvements - West Guth Park for design, bid and construction phase services. (Bond 2012, Proposition 4).

Mayor Pro Tem Vaughn referred to Item 4, execution of a contract for engineering design services for Community Park Development and Improvements - West Guth Park. Interim Director of Parks and Recreation Stacie Talbert Anaya, Director of Engineering Services Jeff Edmonds and council members discussed the following topics: the pool being a separate contract; the costs associated with designing the project; changes to the park structure; the feasibility of using students to develop the design of projects with in-house supervision; engineering costs; other ways to be more cost effective; and lack of staffing, staff augmentation, and the status on hiring for the Engineering Services Department.

MOTION OF DIRECTION

Council Member Rubio made a motion directing the City Manager to look at the feasibility of using students or interns to design future projects, seconded by Mayor Pro Tem Vaughn and passed unanimously.

Mayor Pro Tem Vaughn called for comments from the public. Gloria Scott, 4422 S. Alameda, spoke in support of using students to help reduce costs of projects.

Council Member Molina made a motion to approve the motion, seconded by Council Member Smith. This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: M2017-026

5. Construction Contract and Testing Agreement for Gollihar Road Improvements Staples Street to Weber Road (Bond 2014, Proposition 1) (Council Priority - Streets)

Motion authorizing the City Manager, or designee, to execute a construction contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$10,601,341.44 for Gollihar Road from Staples Street to

Weber Road for a total base bid and to execute a construction materials testing agreement with Rock Engineering in the amount of \$90,801.00 for Gollihar Road from Staples Street to Weber Road. (Bond 2014, Proposition 1).

Mayor Pro Tem Vaughn referred to Item 5, execution of a construction contract and construction materials agreements for Gollihar Road from Staples to Weber Project. Director of Engineering Services Jeff Edmonds and council members discussed the following topics: the scope of work; the addition of an in-road bike lane and cost; the other portion of Gollihar Road already awarded with the bike lane; the construction schedule timeframe; previous council direction to include bicycle paths in street projects for bicycle connectivity throughout the City; the cost of bike lanes per one and one-half miles and specifications; and the master plan for bicycle connectivity presented by the Metropolitan Planning Organization (MPO).

Mayor Pro Tem Vaughn called for comments from the public. Abel Alonzo, 1701 Thames, spoke regarding the alternative mobility plan for bicycle lanes to encourage healthy lifestyles and improve the environment. Miguel Saldana, 4553 Moonlake Ridge, spoke regarding the MPO's Bike Lane plan and the public involvement in the development of the plan. Linda Salomon, 1429 Ormond, spoke regarding the location of the project and the cost for bicycle lanes.

Council Member Garza made a motion to approve the motion, seconded by Council Member Molina. This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: M2017-027

8. Lease-Purchase of a Valve Maintenance Trailer for Water Department (Council Priority - Water)

Resolution authorizing the City Manager, or designee, to lease-purchase a valve maintenance trailer for the Utilities Department from E. H. Wachs Utility Products, a division of ITW, of Harvard, Illinois, based on a sole source for a total amount not to exceed \$82,280.21; and finding that the purchase of the valve maintenance trailer is necessary to preserve and protect the public health and safety of the City's residents.

Total Lease-Purchase Price:	\$75,387.35
Total Estimated Allowable Interest for Lease:	<u>\$6,892.86</u>
Grand Total:	\$82,280.21

Mayor Pro Tem Vaughn referred to Item 8, lease-purchase of vehicles. Director

of Fleet Maintenance Jim Davis and council members discussed the following topics on Items 8 and 9: the reason for lease-purchasing vehicles rather than purchasing and the significant benefits; lease-purchases not being reflected in the overall debt of the City; a breakdown of the total amount of City debt to be discussed during the budget process; lease-purchasing committed into future budgets; the current cash balance and yield; and the auctioning of the replaced vehicles. There were no comments from the public.

Council Member Hunter made a motion to approve Item 8, seconded by Council Member Garza. This Resolution was passed and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: 031068

9. Lease-Purchase of Two 2017 Isuzu PipeHunter Trucks for Wastewater Department

Motion authorizing the lease-purchase of two 2017 Isuzu PipeHunter trucks from Rush Truck Centers of Texas, L.P., of Houston, Texas, based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative, dba BuyBoard for a total amount not to exceed \$239,644.19, with an estimated expenditure of \$23,914.44 in FY2016-2017.

Total Lease-Purchase Price:	\$220,450.00
Total Estimated Allowable Interest for Lease:	<u>\$19,194.19</u>
Grand Total:	\$239,644.19

Mayor Pro Tem Vaughn referred to Item 9. Questions regarding this item were addressed during the discussion on Item 8. There were no comments from the Council or the public.

Council Member McComb made a motion to approve the motion, seconded by Council Member Garza. This Motion was passed and approved with the following vote:

Aye: 7 - Council Member Garza, Council Member Guajardo, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Absent: 1 - Council Member Hunter

Abstained: 0

Enactment No: M2017-030

L. RECESS FOR LUNCH

Mayor Pro Tem Vaughn called for a brief recess at 1:45 p.m. Mayor Pro Tem Vaughn reconvened the Council meeting at 2:16 p.m.

M. REGULAR AGENDA: (ITEM 16)

16. Second Reading Ordinance - Granting a Revocable Easement and Temporary Construction Easement on four (4) City Owned Properties (1st Reading 2/14/17) (Council Priority - Economic Development)

Ordinance accepting and appropriating \$97,145.58 of revenue from DCP Sand Hills Pipeline, LLC; authorizing the City Manager or designee to execute a Revocable Easement and a Temporary Construction Easement to DCP Sand Hills Pipeline, LLC to construct, operate, maintain, repair and remove one 10 inch pipeline.

Mayor Pro Tem Vaughn deviated from the agenda and referred to Item 16. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute a Revocable Easement and Temporary Construction Easement to DCP Sand Hills. There were no comments from the public.

A council member asked questions regarding the funding appropriated in the Police CIP fund and when the project could begin.

Council Member Smith made a motion to approve the ordinance, seconded by Council Member Rubio. This Ordinance was passed on second reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: 031072

L. PUBLIC HEARINGS: (ITEMS 13 - 15)

13. Public Hearing and First Reading Ordinance - Rezoning property located at 7564 Brooke Road.

Case No. 0117-04 Palm Land Investment: A change of zoning from the "RS-4.5" Single Family Residential District to the "RS-TH" Residential Townhouse District. The property to be rezoned is described as a 5.824 acre tract of land out of a portion of Flour Bluff and Encinal Farm and Garden Tracts, Section 26, Lots 10 and 11, located on the west side of Oso Parkway and south of Dove Hollow Drive.

Planning Commission and Staff Recommendation (January 11, 2017): Approval of the change of zoning from the "RS-4.5" Single Family

Residential District to the “RS-TH” Residential Townhouse District.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Palm Land Investment (“Owner”), by changing the UDC Zoning Map in reference to 5.824 acre tract of land of a portion of Flour Bluff and Encinal Farm and Garden Tracts, Section 26, Lots 10 and 11, from the “RS-4.5” Single Family Residential District to the “RS-TH” Residential Townhouse District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Vaughn deviated from the agenda and referred to Item 13. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to rezone the subject property to allow for the development of 37 townhomes with a proposed density of 6.35 units per acre, less than the 9.68 unit density permitted in the current zoning. Mr. Dimas stated that the Planning Commission and staff were in favor of the zoning change.

Mayor Pro Tem Vaughn opened the public hearing. There were no comments from the Council or the public. Mayor Pro Tem Vaughn closed the public hearing.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Hunter. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

14. Public Hearing and First Reading Ordinance - Rezoning property located at 4343 Ocean Dr.

Case No. 0117-02 Carriage Management, Inc.: A change of zoning from the “RM-AT” Multi-Family Apartment Tourist District to the “RS-10/SP” Single-Family 10 District with a Special Permit. The property is described as being 2.24-acres out of Seaside Subdivision and Riviera Condo, Block 1, Lot 6B, located along the south side of Ocean Drive between Robert Drive and Airline Road.

Planning Commission and Staff Recommendation (January 11, 2017): Approval of the change of zoning from the “RM-AT” Multi-Family Apartment Tourist District to the “RS-10/SP” Single-Family 10 District with a Special Permit.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by CLA Realtors for Carriage Management, Inc. (“Owner”),

by changing the UDC Zoning Map in reference to a 2.24-acre tract of land out , Seaside Subdivision and Riviera Condo, Block 1, Lot 6B, from the "RM-AT" Multi-Family Apartment Tourist District to the "RS-10/SP" Single-Family 10 District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Vaughn referred to Item 14. Interim Director of Development Services Julio Dimas stated that Items 14 and 15 are related and the purpose of the items are to rezone the subject properties to allow for the expansion of Seaside Cemetery by construction of an event center, two chapels, and administrative offices. Mr. Dimas stated that the Planning Commission and staff are in favor of the zoning changes.

Mayor Pro Tem Vaughn opened the public hearing on Items 14 and 15. There were no comments from the public. Mayor Pro Tem Vaughn closed the public hearing.

In response to a council member, Mr. Dimas confirmed that the recommendation is contingent upon the applicant not placing any burial plots on the property abutting Ocean Drive.

Council Member Smith made a motion to approve Item 14, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

15. Public Hearing and First Reading Ordinance - Rezoning property located at 4401 Ocean Dr.

Case No. 0117-03 Carriage Management, Inc.: A change of zoning from the "RM-AT" Multi-Family Apartment Tourist District to the "RS-10/SP" Single-Family 10 District with a Special Permit. The property is described as being 3.09 acres out of Seaside Subdivision, Block 2, Lots 1 and 2, located along the south side of Ocean Drive between Robert Drive and Airline Road.

Planning Commission and Staff Recommendation (January 11, 2017): Approval of the change of zoning from the "RM-AT" Multi-Family Apartment Tourist District to the "RS-10/SP" Single-Family 10 District with a Special Permit.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by CLA Realtors for Carriage Management, Inc. ("Owner"), by changing the UDC Zoning Map in reference to a 3.09-acre tract of land out , Seaside Subdivision, Block 2, Lots 1 and 2, from the

“RM-AT” Multi-Family Apartment Tourist District to the “RS-10/SP” Single-Family 10 District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Vaughn referred to Item 15. This item was discussed during the discussion on Item 14.

Council Member Garza made a motion to approve Item 15, seconded by Council Member Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

M. REGULAR AGENDA: (ITEM 17)

17. Second Reading Ordinance - Appointments of Municipal Court Judges (First Reading - 02/14/17)

Ordinance appointing Young Min Burkett, Jacqueline Del Llano Chapa, Ray A. Gonzalez, Gail Loeb, Patrick O’ Hare, and Mike James Alaniz as Municipal Judges of the Municipal Court of Record in the City of Corpus Christi, Texas; appointing Gail Loeb as the Presiding Judge; appointing Jerry L. Batek, Robert Brunkenhoefer, Christopher E. Matt, Michael McCaig, Todd A. Robinson, and David Walsh as Part-Time Judges of the Municipal Court of Record In the City of Corpus Christi; determining salary; providing a term of office; and declaring an effective date.

Mayor Pro Tem Vaughn deviated from the agenda and referred to Item 17. City Secretary Rebecca Huerta stated that the purpose of this item is to appoint the Municipal Court Judges. The item passed on first reading after executive session on February 14, 2017.

Chairperson of the Municipal Court Committee Lucy Rubio spoke regarding the meetings of the Municipal Court Committee and acknowledged the hard work of committee members Rudy Garza, Paulette Guajardo and Ben Molina.

There were no comments from the public.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on second reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: 031073

N. FIRST READING ORDINANCES: (ITEMS 18 - 22)

20. First Reading Ordinance - Service Agreement to Manage and Operate the Al Kruse Tennis Center (Tabled 2/14/17) (Tabled 2/21/17)

Ordinance authorizing the City Manager or designee to execute a service agreement with TOPS Tennis LLC, Dallas, Texas for Management and Operations Service for Al Kruse Tennis Center for a term of 36 months with up to two additional 12-month extension option periods; the City will pay the Contractor \$3,166.00 per month for an estimated annual total of \$38,000.00, and the Contractor will pay the City 5% of all Pro Revenue and 50% of collected City Revenue in return for managing and operating the Al Kruse Tennis Center.

Mayor Pro Tem Vaughn deviated from the agenda and referred to Item 20, service agreement to manage and operate the Al Kruse Tennis Center. City Manager Margie C. Rose requested that this item be tabled until March 21, 2017 to allow her additional time to get the answers to questions raised regarding this item.

Council members discussed the following topics: the reasons for not moving forward on this item; the possibility of council discussing in executive session; the legal aspects of the issue that would warrant an executive session discussion; and respecting the City Manager's request for additional time for review before presenting to the City Council for action.

Council Member Garza made a motion to table this item to the March 21, 2017 Council meeting, seconded by Council Member Rubio. This Motion to table to a specified date was approved with the following vote:

Aye: 5 - Council Member Garza, Council Member McComb, Council Member Molina, Council Member Rubio and Council Member Vaughn

Nay: 3 - Council Member Guajardo, Council Member Hunter and Council Member Smith

Abstained: 0

18. First Reading Ordinance - Appropriating Funds for Repairs to the Violet Radio Transmission Tower

Ordinance appropriating \$12,075.64 from the Radio System Capital Replacement Reserve Fund to pay for repairs to transmission lines at the Violet radio transmitter site which serves the City, County, and RTA radio systems; amending the FY16-17 budget adopted by Ordinance No. 030965 to increase expenditures by \$12,075.64.

Mayor Pro Tem Vaughn deviated from the agenda and referred to item 18.

Police Chief Mike Markle stated that the purpose of this item is to appropriate \$12,075.64 from the Radio System Capital Replacement Reserve Fund to pay for repairs to the Violet radio transmission tower. There were no comments from the Council or the public.

Council Member Smith made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

19. First Reading Ordinance - Accepting and Appropriating the High Intensity Drug Trafficking Area (HIDTA) Grant Award for the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant award in the amount of \$170,815 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for the salary and benefits of a full-time program coordinator, one administrative assistant, overtime for 4 Corpus Christi Police Officers, and 4 lease vehicles; and appropriating the \$170,815 in the No. 1061 Police Grants Fund.

Mayor Pro Tem Vaughn referred to Item 19. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant award in the amount of \$170,815 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for the salary and benefits of a full-time program coordinator, one administrative assistant, overtime for four police officers, and four lease vehicles. There were no comments from the Council or the public.

Council Member McComb made a motion to approve the ordinance, seconded by Council Member Rubio. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

21. First Reading Ordinance - Closing a Utility Easement Located at 5921 Saratoga Boulevard (Council Priority - Economic Development)

Ordinance closing, abandoning, and vacating a 0.071-Acre portion of

an existing utility easement out of a part of Lot 1A, Block 1 of Saratoga Heights Subdivision, located at 5921 Saratoga Blvd. and requiring the owner, PlainsCapital Bank, to comply with the specified conditions.

Mayor Pro Tem Vaughn referred to Item 21. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to abandon and vacate an existing utility easement located at 5921 Saratoga Boulevard to allow for PlainsCapital Bank to replace the existing building with a new building layout and provide more direct and efficient utility routing. There were no comments from the Council or the public.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio and Council Member Vaughn

Nay: 1 - Council Member Smith

Abstained: 0

22. First Reading Ordinance - Creating One-Way Traffic Flow Along Booty Street (Bond 2014, Proposition 1) (Council Priority - Streets)

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-250 Schedule I - One Way Streets and Alleys by changing designated portions of Booty Street from a two-way traffic pattern to a one-way traffic pattern and Schedule III - Parking prohibited at all times on certain streets by adding Booty Street; providing for severance; and providing for publication.

Mayor Pro Tem Vaughn referred to Item 22. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the City's Code of Ordinances, One Way Streets by changing the two-way traffic pattern on Booty Street between Fifth Street and Santa Fe to one-way. Ms. Gray provided a project vicinity map; location map; an existing site plan; the proposed site plan; and project scope. There were no comments from the public.

Council members and staff discussed the following topics: closing Booty Street at Fifth Street; the proposed plan allowing for parking; meetings with stakeholders; the benefit of the plan to businesses in the area; and approval by the Transportation Advisory Committee.

Council Member Molina made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

P. BRIEFINGS: (ITEM 36)**36. Affordable Cottage Housing (Council Priority - Economic Development)**

Mayor Pro Tem Vaughn deviated from the agenda and referred to item 36. Interim Director of Development Services Julio Dimas introduced Andy Taubman, who would be leading the presentation.

Mr. Taubman stated that the purpose of this item is to present an affordable, infill housing proposal using manufactured homes. Mr. Taubman is proposing to build two homes, at his own expense and without subsidy, to demonstrate the viability of this approach. Mr. Taubman expressed the need for affordable housing in Corpus Christi and stated that his proposal can deliver manufactured 3 bedroom/2 bath homes for \$75,000. Mr. Taubman provided information on the safety, aesthetics, and neighborhood suitability aspects associated with manufactured housing and good public policy results.

Council members spoke regarding the following topics: the location of the properties in the Flour Bluff area; steps that need to occur to make this proposal happen; the rezoning process; the difference between manufactured and site built homes; revitalization of entire neighborhoods; the housing methodology for truly affordable housing; creation of a Planned Unit Development (PUD); the type of foundation used with this proposal; the process for determining locations and criteria; the number of vacant lots in the City; areas that are currently zoned for this type of development; suggestion to waive development fees on these demonstration projects; and use of City-owned property and incentive programs.

MOTION OF DIRECTION

Council Member Guajardo made a motion directing the City Manager and staff to work with Andy Taubman to evaluate manufactured housing as a method of affordable housing creation, including determination of the scope, definition, and granting of zoning variances necessary to construct two demonstration homes. A presentation should be prepared and presented to the City Council by March 21, 2017; seconded by Council Member Rubio and passed unanimously.

N. FIRST READING ORDINANCES: (ITEM 23)**23. First Reading Ordinance - Calling a Special Election to be held on May 6, 2017 for the Election of Mayor**

Ordinance ordering a special election to be held on May 6, 2017 in the City of Corpus Christi for the election of Mayor to fill remainder of the unexpired term; authorizing a runoff election, if one is necessary, on June 24, 2017; providing for procedures for holding such election; authorizing a joint election agreement with Nueces County; and enacting provisions incident and relating to the subject and purpose of this ordinance.

Mayor Pro Tem Vaughn deviated from the agenda and referred to Item 23. City

Secretary Rebecca Huerta stated that the purpose of this item is to call the Special Election for May 6, 2017 and update the City Council on developments related to the election. On February 14, 2017, the City Council was informed that the estimated election costs were approximately \$150,000. The City Secretary's Office received a new estimate in the amount of \$130,000 on February 15, 2017 by the Nueces County Clerk. The City would be entering into a Joint Election Agreement and sharing polling places with the City of Driscoll, City of Bishop, Bishop Independent School District and Emergency Service District No. 3. The City's cost for the election are approximately \$90,000 for an estimated total cost of \$220,000. City Secretary Huerta provided a breakdown of the estimated election costs and funding; the joint election services agreement; and the early voting schedule. City Secretary Huerta explained that City Hall will be a polling place on election day because the Nueces County Courthouse is the central counting station. City Secretary Huerta stated that staff is currently working on the following: confirming polling places; election workers; confirming the early voting ballot board; coordinating with the Police Department and Traffic Engineering on a plan for handling drop off of equipment and traffic delays on election day; and coordinating with the Public Information Office on a communication plan. The goal is to call the election on February 28, 2017 and bring back an amended ordinance on March 21, 2017 to include an ordinance with the exhibits for the early voting locations, polling places, early voting ballot board and election judges and alternate judges.

Mayor Pro Tem Vaughn called for comments from the public. Laura Ballew, 10730 Atlanta, spoke regarding the following: the language in the City Charter; qualifying candidate for elections; the cost of the election; the qualification for Mark Scott for running for Mayor; and term limits.

Council members and staff spoke regarding the following topics: the qualifications for a candidate running for an elected position; the vetting process; whether additional qualifications can be added; filing applications not making reference to education; requiring applicants that file for office not owe property taxes or any other fines; requirements contained in the City Charter; and the need to begin a Charter Commission to review loopholes and other Council priorities.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

O. FUTURE AGENDA ITEMS: (ITEMS 24 - 35)

Mayor Pro Tem Vaughn referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Item 30 - 35. A council member requested information on Item 26.

24. Engineering Contract Amendment No. 2 for On-Call Technical Services Related to Water Supply Planning (Council Priority - Water)

Motion authorizing the City Manager, or designee, to execute Amendment No. 2 with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$31,700, for a total restated fee of \$81,600, for the On-Call Technical Services Related to Water Supply Planning.

This Motion was recommended to the consent agenda.

25. Supply Agreement for the Purchase of Meter Transmission Units for Water Utilities and Gas Department (Council Priority - Water)

Motion authorizing City Manager, or designee, to execute a supply agreement with Aclara Technologies LLC, of Hazelwood, Missouri for the purchase of meter transmission units (MTUs), based on the cooperative purchasing agreement with the Houston-Galveston Area Council for a total amount not to exceed \$1,079,680.00, with an estimated expenditure of \$629,813.33 in FY2016-17. The term of the agreement is a term of 12 months, with an option to extend for up to one additional 12-month period, subject to the sole discretion of the City.

This Motion was recommended to the consent agenda.

26. Service Agreement for Cost Allocation Plans and User Fee Study

Motion authorizing the City Manager or designee to execute a service agreement with MGT of America Consulting, LLC, of Austin, Texas for cost allocation plans and a user fee study for a total amount not to exceed \$101,630, of which \$74,280.00 will be paid in Fiscal Year 2016-2017. The term of the agreement is for 36 months with up to two additional 12-month extension option periods, subject to the sole discretion of the City.

This Motion was recommended to the regular agenda.

27. Construction Contract for Taxiway "K" (Kilo) Extension for Coast Guard Operations at Corpus Christi International Airport

Motion authorizing the City Manager, or designee, to execute a construction contract with SpawGlass Civil Construction, Inc. of Houston, Texas in the amount of \$2,203,523.71 for the Corpus Christi International Airport (CCIA) Taxiway "K" (Kilo) Extension for Base Bid I (Concrete Option).

This Motion was recommended to the consent agenda.

28. Lease-Purchase of One 2018 Freightliner M2-112 Service Truck for the Wastewater Department

Motion authorizing the City Manager, or designee, to lease-purchase one 2018 Freightliner M2-112 service truck from Houston Freightliner, of Houston, Texas, based on the cooperative purchasing agreement with Houston-Galveston Area Council for a total amount not to exceed \$202,497.38, with an estimated expenditure of \$20,199.72 in FY 2016-2017.

This Motion was recommended to the consent agenda.

29. Establish Waste Acceptance Contract with Mark Dunning Industries, Inc.

Motion authorizing the City Manager or designee to execute an 11-year contract with Mark Dunning Industries, Inc., guaranteeing the delivery of specific tonnage of acceptable waste collected within the boundaries of the Coastal Bend Council of Governments' region to the City's Cefe Valenzuela Municipal Landfill, and ratifying the start date of the contract to be November 12, 2016.

This Motion was recommended to the consent agenda.

30. Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA) (Council Priority - Economic Development)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as The Avanti Bayside to be developed by MDS Housing Lipes, Ltd.

This Resolution was recommended to the regular agenda.

31. Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA) (Council Priority - Economic Development)

Resolution of the City Council of Corpus Christi, Texas in support of the proposed affordable housing project known as Oaklake on Rodd Field to be developed by NIFF Oaklake Rodd Field, LP.

This Resolution was recommended to the regular agenda.

32. Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA) (Council Priority -

Economic Development)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Sea Gulf Villa Apartments to be developed by Corpus Christi SGV, LP.

This Resolution was recommended to the regular agenda.

33. **Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA) (Council Priority - Economic Development)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Village at Henderson to be developed by TG 110 Village at Henderson, LP.

This Resolution was recommended to the regular agenda.

34. **Resolution in support of an Affordable Housing development to satisfy the requirement set forth by the Texas Department of Housing and Community Affairs (TDHCA) (Council Priority - Economic Development)**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Samuel Place Apartments to be developed by TG 110 Samuel Place, LP.

This Resolution was recommended to the regular agenda.

35. **Resolution identifying a development in the City Central Corridor Community Revitalization Plan which will contribute to revitalization efforts. (Council Priority - Economic Development)**

Resolution of the City Council of the City of Corpus Christi, Texas identifying the project known as Samuel Place Apartments as a development that will contribute most significantly to the concerted revitalization efforts of the City in the City Central Corridor; and providing for an effective date.

This Resolution was recommended to the regular agenda.

Q. LEGISLATIVE UPDATE:

Mayor Pro Tem Vaughn referred to the Legislative Update. Director of Intergovernmental Relations Tom Tagliabue stated that the purpose of this item is to provide an update on the 85th Regular Texas Legislative Session. Mr.

Tagliabue presented information on the priority bills that Intergovernmental Relations is currently tracking which address the City Council's legislative priorities. Mr. Tagliabue briefed the City Council on two specific bills: Senate Bill (SB) 4, related to Sanctuary Cities, and House Bill (HB) 100, related to Transportation Network Companies.

In response to council members, Mr. Tagliabue recommended supporting an amendment to the engrossed version of SB 4 to reduce the liability to local governments and to clarify what the City would enforce if a bill were to pass, that being, Class B misdemeanors or higher, and requiring written orders from the federal authorities as opposed to verbal. Regarding the transportation network companies, City Manager Margie C. Rose recommended that the City receive a percentage of the transportation network company revenues from the state. Mr. Tagliabue said there is a strong indication that HB 100 is going to pass and recommended that City Council testify regarding revenues and background checks.

R. EXECUTIVE SESSION: (ITEMS 37 - 39)

Mayor Pro Tem Vaughn referred to the day's executive sessions. The Council went into executive session at 5:02 p.m. The Council returned from executive session at 6:46 p.m.

- 37. Executive Session pursuant to Texas Government Code § 551.071** of the Texas Government Code and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to litigation related to the New Broadway Wastewater Treatment Plant, including *Graham Construction Services, Inc. v. City of Corpus Christi* and contract with Advanced Discovery, Inc. for litigation discovery database project management.

Mayor Pro Tem Vaughn referred to Item 37 and the following motion was considered:

Motion authorizing the City Manager to execute a professional services agreement and other necessary documents to obtain database management and storage services, including professional attorney services therein, from Advanced Discovery, Inc. and related entities for the case of Graham Construction Services, Inc. v. City of Corpus Christi, in an amount of \$284,737.

Council Member Smith made a motion to approve the motion, seconded by Council Member Rubio. This Motion was passed and approved with the following vote:

Aye: 7 - Council Member Garza, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Absent: 1 - Council Member Guajardo

Abstained: 0

Enactment No: M2017-031

- 38. Executive Session pursuant to Texas Government Code § 551.071**

and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to annexation, deannexation, provision of utility services in annexed areas, municipal authority in the City's extraterritorial jurisdiction, wind turbines, agreements related to aforementioned items, and other legal matters related to the aforementioned matters in areas annexed by the City in 2014.

This E-Session Item was discussed in executive session.

- 39. Executive session pursuant to Texas Government Code § 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Secretary.**

Mayor Pro Tem Vaughn referred to Item 39 and the following motion was considered:

Motion to provide for an increase in base salary for City Secretary Rebecca Huerta by 2.5%, effective the beginning of the next pay period.

Council Member Rubio made a motion to approve the motion, seconded by Council Member Molina. This Motion was passed and approved with the following vote:

Aye: 7 - Council Member Garza, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Absent: 1 - Council Member Guajardo

Abstained: 0

Enactment No: M2017-032

S. ADJOURNMENT

The meeting was adjourned at 6:48 p.m.