



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, August 27, 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 Pastor Jerry Ward, Lighthouse Tabernacle

The invocation was given by Mayor Pro Tem Mark Scott.

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

The Pledge of Allegiance was given by Interim Assistant City Manager Mark Van Vleck.

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

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

Charter Officers: City Manager Ron Olson, 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 27, 2013 as "Joel Garcia Day"
Proclamation declaring September 7, 2013 as "Operation K.E.Y.S. - Keeping Every Youth in School Day"
Swearing-in Ceremony of the Newly Appointed Board, Commission, and Committee Members
- Mayor Martinez presented the Proclamations, and held the swearing-in ceremony.

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

Mayor Martinez deviated from the agenda and referred to City Manager Comments. City Manager Ron Olson reported on the following issues: 1) Mock utility bills showing street maintenance fee estimated cost will be sent out in October or November 2013. The utility bills will provide information on appeals process in the new messaging section of the bills. 2) In January, when the fee goes into effect, the messaging section of the bill will be changed to show how much of the cost is attributable to unfunded mandates. 3) The portion of proposed project costs due to unfunded mandates will also be reflected in the Capital Improvement and Planning Budget. 4) Executive staff and Fire/EMS staff have completed hurricane preparedness training, and now residents are encouraged to have a personal plan of action. Citizens can sign up for reverse alert system service on the City's website or at reversealert.org (Fire department webpage).

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 deviated from the agenda and called for public comment. Abel Alonzo spoke in support of Destination Bayfront proposition in November election. Johnny French asked the Council to consider holding Council meetings on Saturdays for public convenience. Mary Ann Kelley spoke against the involvement of the U.S. League of Women Voters in local politics.

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)

- 2.** Executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding confidential commercial or financial information received from a business prospect that the City Council seeks to have locate, stay, or expand within the City and with which the City is conducting economic development negotiations and

to deliberate possible offers of financial or other incentives to said business prospect, with possible discussion and action in open session.

This E-Session Item was withdrawn by staff.

I. MINUTES:

3. Regular Council Meeting of August 20, 2013

Mayor Martinez referred to the minutes. Councilmember Garza made a motion to approve the minutes, seconded by Mr. Magill, and passed.

J. BOARDS & COMMITTEE APPOINTMENTS:

**4. Advisory Committee on Community Pride
Mayor's Fitness Council
North Padre Island Development Corporation
Reinvestment Zone No. Two**

Mayor Martinez referred to the board and commission appointments. The following individuals were appointed/reappointed:

Advisory Committee on Community Pride: Bob Copes, Jeff Craft, Christina Hernandez, and Stefany Schade (Reappointed); Bill Hoelscher and Iris Martinez (Appointed).

Mayor's Fitness Council: Patricia Garcia (Appointed)

North Padre Island Development Corporation: Mayor Nelda Martinez, Councilmembers Mark Scott, Priscilla Leal, Rudy Garza, Colleen McIntyre, Chad Magill and Lillian Riojas (Appointed)

Reinvestment Zone No. Two Board: Mayor Nelda Martinez, Councilmembers Mark Scott, Priscilla Leal, Colleen McIntyre, Chad Magill, Lillian Riojas, David Loeb, Rudy Garza and Kelly Allen (Appointed).

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 5 - 23)

Approval of the Consent Agenda

Mayor Martinez called for the consent agenda. Councilmembers had questions regarding Items 12 and 23. The consent agenda was 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. 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 passed on the Consent Agenda.

Enactment No: 029927

6. 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 passed on the Consent Agenda.

Enactment No: 029928

7. 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 passed on the Consent Agenda.

Enactment No: M2013-129

8. 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 passed on the Consent Agenda.

Enactment No: M2013-130

9. 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 passed on the Consent Agenda.

Enactment No: M2013-131

10. 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 passed on the Consent Agenda.

Enactment No: M2013-132

11. 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 passed on the Consent Agenda.

Enactment No: M2013-133

12. 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.

Councilmembers asked about the expansion of the district boundary to include Port Aransas; and informing the public that the State owns the water rights. This Motion was passed on the Consent Agenda.

Enactment No: M2013-134

13. Second Reading Ordinance - Amending the Unified Development Code to create new "RS-22" Single-Family 22 District (1st Reading 8/20/13)

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.

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

Enactment No: 029929

14. Second Reading Ordinance - Appropriating funds for the Texas Automobile Theft Prevention Authority (ATPA) grant (1st Reading 8/20/13)

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.

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

Enactment No: 029930

15. Second Reading Ordinance - Accepting and appropriating local grant for the purchase of two defibrillators (1st Reading 8/20/13)

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.

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

Enactment No: 029931

16. Second Reading Ordinance - Amending the Code of Ordinances regarding Food and Food Establishments (1st Reading 8/20/13)

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.

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

Enactment No: 029932

17. Second Reading Ordinance - Amending the Reformation of the Cooperative Agreement to Operate a Public Health district to adopt a new pay plan (1st Reading 8/20/13)

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.

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

Enactment No: 029933

18. Second Reading Ordinance - Appropriating Program Income from Department of State Health Services (DSHS) (1st Reading 8/20/13)

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.

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

Enactment No: 029934

19. Second Reading Ordinance - Executing Contract and sub-contracts for FY14 Community Youth Development Program and appropriating funds (1st Reading 8/20/13)

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.

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

Enactment No: 029935

20. Second Reading Ordinance - Authorizing the acceptance of donated items to settle overdue library fees (1st Reading 8/20/13)

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

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

Enactment No: 029936

21. Second Reading Ordinance - To reimburse Marvin and Mary Kinnett for the wastewater lot/acreage fees paid in 2000. (1st Reading 8/20/13)

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.

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

Enactment No: 029937

22. Second Reading Ordinance - To rename certain areas of the City as "SEA District" (1st Reading 8/20/13)

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

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

Enactment No: 029938

23. Second Reading Ordinance - Amending the Rules and Regulations of the Utility Business Office (1st Reading 8/20/13)

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.

Councilmembers asked questions regarding the deletion of winter averaging from utility bills; and notifying customers in writing if they were overcharged. This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 029939

M. PUBLIC HEARINGS: (ITEMS 24 - 27)

24. 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.

Mayor Martinez referred to Item 24. Director of Neighborhood Services Eddie Ortega stated that the purpose of the public hearing was to consider a amendment to the approved Consolidated Annual Action Plan (CAAP). He said the Community Development Block Grant (CDBG) received a 10.77% increase from prior proposed amount. The additional \$265,242 in funds is being proposed for the following projects: La Retama Central Library Accessibility; Engineering Accessible Routes in CDBG residential areas Phase 3; Engineering Residential Traffic Management Program, and the Neighborhood Services Demolition Program. Councilmember Magill made a motion to open the public hearing, seconded by Councilmember McIntyre. Abel Alonzo spoke in support of staff's recommendations. Mary Ann Kelley asked if the public hearing could be held on Saturday so the public could attend. Councilmembers spoke regarding the following issues: number of demolition programs; foreclosure process. Councilmember Leal made a motion to close the public hearing, seconded by Mr. Magill, and passed. This Public Hearing was held

25. Second Public Hearing on Fiscal Year 2014 Ad Valorem Taxes

Public Hearing on Fiscal Year 2014 Ad Valorem Taxes

Mayor Martinez referred to Item 25. Director of Financial Services Constance Sanchez stated that this was the second public hearing regarding the proposed tax rate of \$0.585264 per \$100 valuation. Councilmember Scott made a motion to open the public hearing, seconded by Mr. Magill. There were no comments from the public or the Council. Councilmember Garza made a motion to close the public hearing, seconded by Mr. Magill. Mayor Martinez read the following statement: "During the September 10, 2013 City Council meeting beginning at 11:30 a.m. at City Hall, the City Council will vote on the proposed tax rate." This Public Hearing was held

26. Public Hearing and First Reading Ordinance - Rezoning from the "IL" Light Industrial District to the "IC" Industrial Compatible District, on properties located on Brezina Road between Weber and Bratton Roads.

Case No. 0713-01 City of Corpus Christi: A rezoning from the "IL" Light Industrial District to the "IC" Industrial Compatible District on property described as being a 1.205-acre tract of land out of Lot 4A, Block 1, and all of Lots 4B and 4C, Block 2, Brezina Farm Tracts, located along Brezina Road, approximately 1,400 feet south of Bratton Road.

Planning Commission and Staff Recommendation (July 31, 2013)
Approval of the change of zoning from the "IL" Light Industrial District to the "IC" Industrial Compatible District.

Ordinance

Ordinance amending the Unified Development Code, upon initiation by the City of Corpus Christi, Texas, by changing the UDC Zoning Map in reference a 1.205-acre tract of land out of Lot 4A, Block 1, and all of Lots 4B and 4C, Block 2, Brezina Farm Tracts, from the "IL" Light Industrial District to the "IC" Industrial Compatible District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 26. Bob Payne with the Planning Department stated that the purpose of the item was to rezone the subject properties to a zoning district that is compatible with Navy flight patterns and consistent with the City's Comprehensive Plan. He stated that the property owners to the left of the subject property were in support; the property owner, James Byrn, to the left of property was opposed. He owned more than 20% of the property in the subject area. Councilmember Garza made a motion to open the public hearing, seconded by Councilmember Loeb. Councilmembers asked if the Navy was in support of the recommended zoning change. There were no comments from the public. Councilmember Garza made a motion to close the public hearing, seconded by Mr. Magill. This Ordinance was heard on public hearing and passed on first reading with the following vote:

27.

Public Hearing and First Reading Ordinance - Rezoning from the "IL" Light Industrial District to the "CG-2" General Commercial District, on property located at 2317 Rodd Field Road.

Case No. 0713-06 Bay Area Self Storage of Corpus Christi Manager, LLC: A rezoning from the "IL" Light Industrial District to the "CG-2" General Commercial District, not resulting in a change to the Future Land Use Plan, on property described as being a 4.29-acre tract of land out of Lot 21A, Block 2, Windbrook Unit 2, located along the west side of Rodd Field Road, approximately 135 feet north of Cano Lane.

Planning Commission and Staff Recommendation (July 31, 2013)
Approval of the change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Ordinance

Ordinance amending the Unified Development Code upon application by Bay Area Self Storage of Corpus Christi Manager, LLC, acting as agent on behalf of Bay Area Self Storage of Corpus Christi, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 4.29-acre tract of land out of Lot 21A, Block 2, Windbrook Unit 2 from the "IL" Light Industrial 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.

Annika Gunning with Development Services stated that the purpose of the item was to rezone the property to reduce the side and rear yard setback requirements to allow construction of two additional commercial buildings to the mini-storage facility and bring the existing structures into conformity with the Unified Development Code. Councilmember Garza made a motion to open

the public hearing, seconded by Mr. Magill. There were no comments from the public or the Council. Councilmember Magill made a motion to close the public hearing, seconded by Mr. Magill. This Ordinance was heard on public hearing and passed on first reading with the following vote:

N. REGULAR AGENDA: (ITEMS 28 - 31)

28. 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.

Director of Financial Services Constance Sanchez stated that the purpose of Item 28 was to appoint a financial advisor for the FY 2014 Capital Improvement Plan Utility System Revenue Bond issuance. She said staff recommended M.E. Allison and Co. There were no comments from the public or the Council. The motion was passed with the following vote:

Enactment No: M2013-135

29. Second Reading Ordinance - Authorizing the Issuance of Utility System Revenue Bonds(1st Reading 8/20/13)

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.

Director of Financial Services Constance Sanchez stated that the purpose of the ordinance was to provide intent that the City planned on issuing up to \$106,000,000 of Utility System Revenue Bonds to fund utility projects outlined in Year 1 of the FY 2014 CIP, exclusive of the Mary Rhodes Pipeline Phase 2

project. There were no comments from the public or the Council. This Ordinance was passed on second reading with the following vote:

Enactment No: 029940

30. Second Reading Ordinance - Construction contract and materials testing agreement for Bayfront Development Plan, Phase 3 (BOND 2008) Shoreline Boulevard Realignment (1st Reading 8/20/13)

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.

Director of Engineering Services Dan Biles stated that the purpose of Item 30 was to execute a construction contract for the Bayfront Development Plan, Phase 3 - Shoreline Boulevard Realignment. He made a presentation with added graphics depicting the bicycle lanes, parking, and lane movements. He noted that the boulevard would be lined with 210 palm trees, and featured wide sidewalks to facilitate private development. Councilmembers spoke regarding the following issues: provide signage for bicyclists to guide them to safe bike lanes at juncture points; asked the Transportation Advisory Committee's Bicycle Subcommittee to review plan and recommend safe routes; sufficient parking in the plan; street design makes Shoreline easier to cross and encourages more traffic on Water Street; improving pedestrian access of Water Street to Shoreline; ADA accessibility and traffic signalization; maintenance of the palm trees; possibly adding mill and overlay on Water Street in Bond 2014; road realignment addresses safety concerns; creating a Q & A section on the City's website similar to Schilletterbahn; and addressing the outfalls on streets near Destination Bayfront area. Mayor Martinez asked for public comment. Bill Kopecky asked to delay the project until after the November 5 election on destination bayfront; in support of creating a crossover to Water Street. Johnny French spoke about including information on the number of parking spaces and whether they were free parking spaces, and location of bike lanes in the voters guide for November 5 election; parkside parking is dangerous for cyclists. Mary Ann Kelley asked if the City could show the presentation graphics on CCTV for more viewing. This Ordinance was passed on second reading with the following vote:

Enactment No: 029941

31. Second Reading Ordinance - Amending lease agreement for use and management of Whataburger Field (1st Reading 7/30/13)

Ordinance authorizing the City Manager, or designee, to execute the First Amended and Restated Lease Agreement ("Amended Lease") between the City of Corpus Christi ("City") and the Corpus Christi Baseball Club, LP ("Lessee") for operating Whataburger Field ("Baseball Stadium") as a professional baseball venue, in consideration of an additional fifteen (15) year term and Lessee's rental payments therefore.

Assistant City Manager Wes Pierson stated that the purpose of Item 31 was to amend the stadium lease agreement between the City of Corpus Christi and the Corpus Christi Baseball Club (Hooks). He said approval of the agreement would ensure appropriate long-term maintenance and extend the Hooks lease for an additional 15 years beyond their initial lease term. Councilmembers asked questions regarding the following issues: authority for approving additional enhancements to the field; important of not deferring maintenance. There were no comments from the public. This Ordinance was passed on second reading with the following vote:

Enactment No: 029942

O. FIRST READING ORDINANCES: (ITEM 32)

32. First Reading Ordinance - Amending City Code, revising the City's Water Resource Management Ordinance

Ordinance amending City Code of Ordinances, Chapter 55, Article XII Water Resource Management, regarding water resource management including drought restrictions and surcharges, providing an effective date; and providing for penalties.

Director of Water Gustavo Gonzalez stated that the purpose of Item 32 was to revise and/or edit the Water Resource Management ordinance for clarity and improvements. He said the changes were partly in response to customer issues and concerns. He said the proposed changes included allowing irrigation testing outside designated watering times; use of residential fountains; and fire hydrant usage in Stages 3 and 4. There was no public comment. Councilmembers asked questions regarding: clarifying whether section on page 12 applies to Stages 3, 4, and 5; surcharges to customers who exceed allotment; and when Stage 3 and 4 are estimated to begin. This Ordinance was passed on first reading with the following vote:

P. RECESS THE CITY COUNCIL MEETING

Mayor Martinez recessed the Regular Council meeting to hold the Corpus Christi Community Improvement Corporation board meeting.

Q. 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

This Corporation Meeting was held.

R. RECONVENE THE CITY COUNCIL MEETING

Mayor Martinez reconvened the Council meeting.

S. FUTURE AGENDA ITEMS: (ITEMS 34 -37)

Mayor Martinez called for the Future Agenda. City Manager Olson stated that staff had presentations on Items 34, 35, and 36.

34. Approval of Nueces River Authority's FY 13-14 work plan

Motion to authorize the City Manager or designee to execute work plan and budget agreement with the Nueces River Authority to provide water planning, protection, development, and data management services to the City for FY 2013-2014.

This Motion was recommended to regular agenda

35. Annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Society (USGS)

Motion authorizing the City Manager or his designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Society (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of all inflows and releases in the City's water reservoir, with the City's cost to be \$158,462.

This Motion was recommended to regular agenda

36. Recommendation of "Red Route" as preferred alternative route for the replacement of the Harbor Bridge

Resolution to recommend a preferred alternative route for the replacement of the Harbor Bridge.

This Resolution was recommended to regular agenda

37. Amending the FY2013-14 Consolidated Annual Action Plan (CAAP) due to the final allocation of funds being received from the United States Department of Housing and Urban Development

Motion 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 Motion was recommended to consent agenda

T. BRIEFINGS TO CITY COUNCIL: (NONE)

U. ADJOURNMENT

Mayor Martinez adjourned the meeting at 2:39 p.m.