



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes City Council

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Tuesday, April 21, 2015

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

**B. Invocation to be given by Deacon Jesse Hinojosa, Diocese of Corpus Christi.**

Deacon Jesse Hinojosa gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Paul Pierce, Assistant City Secretary.**

Assistant City Secretary Paul Pierce 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 Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

City Manager Ron Olson, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

**Present:** 9 - Mayor Nelda Martinez, Council Member Rudy Garza, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, Council Member Lucy Rubio, Council Member Brian Rosas, Council Member Mark Scott, and Council Member Carolyn Vaughn

**E. Proclamations / Commendations**

1. Proclamation declaring April 21, 2015, "Radiology Associates Day"  
Proclamation declaring April 19-25, 2015, "National Crime Victims' Rights Week"  
Proclamation declaring April 20-24, 2015, "Human Trafficking Awareness Week 2015"  
Proclamation declaring April 24-25, 2015, "Texas A&M Health Science Center Tropical and Infectious Diseases Impacting Texas Weekend"  
Proclamation declaring April 2015, "Corpus Christi Safe Digging"

Month"

Certificate of Commendation Presented to Alfredo Segura of the City Parks and Recreation Department

Check Presentation from AEP for Energy Efficiency Program, Phase 2 Rebate

Mayor Martinez presented the proclamations.

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

Mayor Martinez called for comments from the public. Dr. Gloria Scott spoke regarding the disregard for low income residents in the Washington Coles and Hillcrest area. Dr. Scott requested that an item be placed on the next agenda to research the alleged plans for development of this area. Darryl Haas spoke regarding excavations within 5,000 feet of the City limits and questioned whether permits are required or can be waived for dirt pits in the City limits. Susie Luna Saldana expressed concern regarding additional fees for water and how increased fees impact residents.

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

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

**a. OTHER**

1) Executive staff will make themselves available to the public from 10:00 a.m. to 11:00 a.m., prior to the City Council meeting on April 28, 2015, to allow individuals an opportunity to discuss City issues or make suggestions to improve the City. 2) The Emergency Operations Center (EOC) was activated last Friday and provided support to a number of events taking place that were affected by the storm. City Manager Olson recognized the functions performed by the EOC which included watching the weather, controlling the City's resources, and appropriately protecting the public's safety. 3) The rain has been beneficial to the City's water supply, with combined levels up to 36%. It is expected that the levels may be up to 38% once the rain filters into the lakes. 4) City Manager Olson reported on a recent scam impacting the City regarding individuals claiming to be the CEO of the City's water system and informing citizens that their accounts are delinquent in order to obtain personal information. City Manager Olson informed the public that the City does not handle business in this matter and always provides formal notification to residents. City Manager Olson invited the public to contact the Corpus Christi Police Department at 886-2600 if they suspect a scam is being attempted.

**I. MINUTES:**

- 6.** Regular Meeting of April 14, 2015

Mayor Martinez called for approval of the minutes. Council Member McIntyre made a motion to amend Item 36, second motion of direction, to read "to hold the next arterials and collectors reconstruction Bond Election in 2018 in the amount of approximately \$110,000,000, seconded by Council Member Garza and passed unanimously. The minutes were passed as amended.

**J. BOARD & COMMITTEE APPOINTMENTS: (NONE)**

**Approval of the Consent Agenda**

Mayor Martinez referred to the Consent Agenda. Mayor Martinez called for comments from the public. Reverend Henry Williams and Errol Summerlin requested that Item 12 be pulled for individual consideration. There were no comments from the public. The consent agenda items were approved by one vote as follows:

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**7. Engineering Construction Contract for the Laguna Madre Wastewater Treatment Plant Head Works and Bar Screen Improvements**

Motion authorizing the City Manager or designee to execute a construction contract with Associated Construction Partners LTD of Boerne, Texas in the amount of \$2,895,000 for the Laguna Madre Wastewater Treatment Plant Head Works and Bar Screen Improvements for the Base Bid.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-037

**8. Appointing Board Members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation**

Motion appointing City Council Members Nelda Martinez, Rudy Garza, Chad Magill, Colleen McIntyre, Lillian Riojas, Brian Rosas, Lucy Rubio, Mark Scott and Carolyn Vaughn as board members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-038

**9. Second Reading Ordinance - Rezoning for a Special Permit for a Transitional Housing Facility at 1508 Leopard Street (1st Reading**

**4/14/15)**

Case No. 0215-01 The Salvation Army: From the "CI" Intensive Commercial District to the "CI/SP" Intensive Commercial District with a Special Permit for a transitional housing facility. The property to be rezoned is described as Lots 1 thru 9, Block 2, West End Addition and portion of alley, between Antelope and Leopard Streets and between Mexico and Josephine Streets.

Planning Commission and Staff Recommendation (March 11, 2015): Approval of the change of zoning from the "CI" Intensive Commercial District to the "CI/SP" Intensive Commercial District with a Special Permit for a transitional housing facility, subject to 11 conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by The Salvation Army ("Owner"), by changing the UDC Zoning Map in reference to Lots 1 thru 9, Block 2, West End Addition and portion of alley, from the "CI" Intensive Commercial District to the "CI/SP" Intensive Commercial District with a Special Permit for a transitional housing facility; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 030477

**10. Second Reading Ordinance - Amending the Wastewater Collection System Master Plan (1st Reading 4/14/15)**

Ordinance amending the Wastewater Collection System Master Plan, an element of the Comprehensive Plan of the City of Corpus Christi, Texas, by relocating approximately 17 acres of land from the Wooldridge II Lift Station 48 service area as identified in the Wastewater Collection System Master Plan, Oso W.R.P. Service Area, Area 1, to the Wooldridge Lift Station 61 service area as identified in the Master Sanitary Sewer Plan for the Southern Portion of Corpus Christi, Texas 1983; amending related elements of the City's Comprehensive Plan; providing for severance; and providing for publication.

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

Enactment No: 030478

**11. Second Reading Ordinance - Appropriating funds from back filing of E911 fees from Vonage (1st Reading 4/14/15)**

Ordinance appropriating \$39,533.05 in General Fund No. 1020 from the back filing of E911 fees from Vonage; and changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing revenue and expenditures in the General Fund No. 1020 by \$39,533.05 each.

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

Enactment No: 030479

**13. Second Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located south along Holly Road, east of Rodd Field Road and west of Paul Jones Avenue (1st Reading 4/14/15)**

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, LP ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$49,980.11 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

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

Enactment No: 030480

**14. Second Reading Ordinance - Closing a portion of a utility easement located north of the Saratoga Boulevard (SH 357) state right-of-way, and east of the Airline Road public street right-of-way (1st Reading 4/14/15)**

Ordinance abandoning and vacating a 3,066.16-square foot portion of an existing 15-foot wide utility easement out of a part of Lot 29, Tract N, Bass Subdivision, located north of the Saratoga Boulevard (SH 357) state right-of-way, and east of the Airline Road public street right-of-way; and requiring the owner, George V. Piperis, to comply with the specified conditions

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

Enactment No: 030481

**12. Second Reading Ordinance - Adopting the Corpus Christi Maintenance Code (CCPMC) and approving licensing agreement with the International Code Council (1st Reading 4/14/15)**

Ordinance amending the Corpus Christi Code of Ordinances Chapter 13, Article II to repeal the adoption of the Southern Standards Housing

Code, 1973 Edition and to adopt the Corpus Christi Property Maintenance Code; amending Chapter 13, Article II to extend the time to appeal Building Standard Board decisions and allow for the recoupment of title search expenses; amending Chapter 13, Article II, Division II to modify the definition and procedures for junk vehicles; amending §13-3002 to add the definition of hearing officer; repealing Chapter 13, Article IV in its entirety; repealing in its entirety Ordinance No. 12826 regarding fire breaks; authorizing the City Manager or his designee to execute a licensing agreement with the International Code Council for copyright use of the International Property Maintenance Code; providing for severance; providing for penalties; providing for publication; and providing for effective date.

Mayor Martinez referred to Item 12. Police Chief Floyd Simpson stated that the purpose of this item is adopt the Corpus Christi Property Maintenance Code to bring the code up-to-date from the current 1973 Edition to the 2009 edition. Chief Simpson stated that staff decided to recommend adoption of the 2009 version to be in line with Development Services and the Fire Department. The goal is to update to the 2015 version in the next eighteen months. Mayor Martinez called for comments from the public. Lamont Taylor requested that the City Council not pass this item on second reading to allow Hillcrest residents and other City residents the opportunity to discuss the effects these changes will have on them. Errol Summerlin, member of the Citizens Alliance for Fairness and Progress, said it is the City's responsibility and obligation to ensure that the impact of laws are clearly understood. Mr. Summerlin requested that Item 12 be voted down on second reading to allow the Alliance to meet with the Police Chief to express concerns regarding raising the minimum standards for the older homes in the Hillcrest area and clarifying the provisions to address citations in the technical codes. Dr. Gloria Scott commented that code enforcement is not being enforced throughout the community and expressed concern that older homes in the Hillcrest area that are not in compliance will be torn down. Dr. Scott encouraged the City Council to vote it down. Daniel Pena asked how the Property Maintenance Code would be enforced and expressed the need for more police presence in the Hillcrest area. Reverend Henry Williams requested the opportunity to schedule a meeting with Chief Simpson, Captain David Blackmon and neighborhood residents to get a better understanding of the changes. Chief Simpson said he would schedule meetings across the City to provide information and receive comments from the public. Council members spoke regarding the following topics: the need to update the current code; Section 108, the process for deeming unsafe, unfit structures and equipment; recommending a public hearing/workshop to inform stakeholders of the changes affecting their property; consideration to table the item; and concerns with a "pass-then-educate" process instead communicating with the public prior to passage. Council Member Vaughn made a motion to table Item 12, seconded by Council Member Rubio and passed unanimously. This Ordinance was tabled.

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

**H. EXECUTIVE SESSION: (ITEMS 2 - 5)**

Mayor Martinez referred to the day's executive sessions. The Council went into

executive session.

2. **Executive Session pursuant to Section 551.074, Texas Government Code**, to consider the evaluation of performance and employment of the City Secretary, with possible action and discussion in open session.

**Mayor Martinez referred to Item 2 and stated that the following motion was discussed in executive session:**

**Motion to increase the base salary of the City Secretary by 1% to be effective January 6, 2015, further subject to further service of the City Secretary pursuant hereto.**

**Council Member Scott made a motion to approve the motion, seconded by Council Member Rosas and passed unanimously.**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: M2015-035

3. **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining negotiations, the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters Association and/or Corpus Christi Police Officers' Association, with possible discussion, resolution(s), and other actions in open session concerning any matters related thereto.

**This E-Session Item was discussed in executive session.**

4. **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning status and potential settlement of litigation, including *City of Corpus Christi v. MPM Homes, Inc.*, with additional discussion and possible action in open session concerning any matters related *thereto*.

**This E-Session Item was discussed in executive session.**

5. **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning status and potential settlement of claims, including claims from AT&T and Fiber Light, LLC regarding damage to buried cables, with additional discussion and possible action in open session concerning any matters related thereto.

**Mayor Martinez referred to Item 5 and stated that the following motion was**

discussed in executive session:

**Motion to authorize the City Manager to execute all documents necessary to settle claims from AT&T and Fiber Light, LLC regarding damage to buried cables on or about February 20, 2014, in a total amount not to exceed \$100,000, which is hereby intended to divide the maximum statutory amount for which a City may be liable for property damage between the claimants for property damage.**

**Council Member McIntyre made a motion to approve the motion, seconded by Council Member Riojas and passed unanimously.**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: M2015-036

**N. REGULAR AGENDA: (ITEMS 15 - 21)**

**15. Direction regarding 2012 Bond Projects**

Resolution directing staff to proceed with bidding remaining Bond 2012 Projects; and providing direction on specific projects.

**Mayor Martinez referred to Item 15. Program Manager Jerry Shoemaker stated that the purpose of this item is to provide direction on specific Bond 2012 projects. Council members spoke regarding the following topics: improvements to the existing crosswalk at Kostoryz Road and Texan Trail; the review process for the proposed median on Holly Road; and clarification that Kostoryz Road will not have bike lanes. There were no comments from the public. Council Member Rubio made a motion to approve the resolution, seconded by Council Member Scott. This Resolution was passed and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: 030482

**16. Authorizing Agreement for All Risk Property Insurance Coverage**

Motion authorizing the City Manager to execute a one-year agreement, with Borden Insurance and McGriff, Seibels & Williams of Texas, Inc., for the purchase of all risk property insurance coverages totaling \$2,752,388 of which \$1,131,117.95 is required for the remainder of FY2014-2015. Funds have been budgeted by the Legal Department in FY2014-2015.



Mayor Martinez referred to item 16. Interim Procurement Manager Gabriel Maldonado stated that the purpose of this item is to execute a one-year agreement with Borden Insurance and McGriff, Seibels & Williams of Texas, Inc. for the purchase of all risk property insurance coverages totaling \$2,752,388. There were no comments from the public. Council members spoke regarding the following topics: the renewal date; the reason the City only received one bid; the type of advertising for the Request for Proposal (RFP); the custom that wholesale brokers have exclusive agreements to operate with one insurance broker; establishing the broker of record; how to encourage more insurance companies to participate in the bidding process; the depth of the pool of insurance brokers; providing opportunities for local providers; and the percentage the broker will be paid. Michael Swantner, Borden Insurance, spoke about how selecting a broker of record will eliminate competition and addressed questions regarding the shallow market of agents. Council Member Riojas made a motion to approve the motion, seconded by Council Member Garza. This Motion was passed and approved with the following vote:

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: M2015-039

**17. Approving Real Estate Contract for Elevated Water Storage Tank Site located at Rand Morgan and Leopard Street**

Motion authorizing the City Manager or designee to execute a Real Estate Sales Contract with Marjak, Inc. in the amount of \$188,000 plus \$2,500 in estimated closing costs for a total expenditure of \$190,500, for the purpose of acquiring a tract of land containing 1.76 acres of land located at the southeast corner of the intersection of Leopard Street and Rand Morgan Road, to be used for the construction of an elevated water storage tank in connection with the CC Elevated Storage Tanks - Citywide Project #E12210, Capital Improvement project.

Mayor Martinez referred to Item 17. Executive Director of Utilities Mark Van Vleck stated that the purpose of this item is to approve the purchase of the site for one of the elevated storage tanks. Mr. Van Vleck presented the following information: the Texas Commission on Environment Quality's requirement for alternate capacity; the location of the water storage tanks; the potential land sites; the land acquisition for the Rand Morgan site; the site plan; the future land use plan; and reasons supporting this location. Council members spoke regarding the following topics: consideration to allow Tulosos-Midway Independent School District to have their logo painted on the water tower; whether there are restrictions on what is allowable on the tanks; development of a policy regarding logos and ongoing maintenance; and what other cities have in place for water tower logos. There were no comments from the public.

Council Member Vaughn made a motion to enter into an agreement between the City of Corpus Christi and Tulosos-Midway Independent School District to

paint the district's logo on the water tower and require Tuloso-Midway Independent School District to be responsible for the maintenance, seconded by Council Member Magill and passed unanimously. Mayor Martinez offered a motion to direct the City Manager to develop a policy prior to any agreements with third parties regarding painting on water towers, seconded by Council Member Vaughn and passed unanimously.

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

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: M2015-040

**18. Second Reading Ordinance - Closing a portion of an undeveloped and unsurfaced 20-foot wide public right-of-way, located south of and adjacent to Williams Drive and north of Holly Road (1st Reading 4/14/15)**

Ordinance abandoning and vacating an undeveloped and unsurfaced 11,420-square foot portion (0.262 acres) of a 20-foot wide public right-of-way, out of Lot 1, Block 1, Oso River Estates Unit 2, and requiring the owners, Breckenridge Group Corpus Christi Phase II, LP., to comply with specified conditions.

Mayor Martinez referred to Item 18. Julio Dimas with Development Services stated that during the last City Council meeting, Council Member Rubio asked a question regarding the language in the ordinance pertaining to the time requirements for the closures. Mr. Dimas stated that there is no timing requirement for this item and the ordinance has been revised to remove this language. Mr. Dimas stated the the caption was also revised to be consistent with the ordinance. There were no comments from the public. Council Member Garza made a motion to approve the ordinance as amended, seconded by Council Member McIntyre and passed unanimously. The Ordinance was passed on second reading as amended and approved with the following vote:

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: 030483

**19. Second Reading Ordinance - Closing a portion of a public right-of-way, located south of Williams Drive and north of Holly Road (1st Reading 4/14/15)**

Ordinance abandoning and vacating an undeveloped and unsurfaced 39,530-square foot portion (0.91 acres) of a 20-foot wide public right-of-way, out of Lots 23-24, Section 28, Flour Bluff & Encinal Farm & Garden Tracts and requiring the owners, Gladys Mattie Smith Marital Trust, Patricia Ray Peterson Nuss, and Christy Ann Peterson Brown, to comply with specified conditions.

**Mayor Martinez referred to item 19. Julio Dimas with Development Services said this ordinance has been amended prior to second reading by removing the timing requirement and revising the caption. There were no comments from the Council or the public. Council Member Garza made a motion to approve the ordinance as amended, seconded by Council Member Rubio and passed unanimously. This Ordinance was passed on second reading as amended and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: 030484

**20.**

**Second Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for Wedgewood Terrace Unit 3 located north of Yorktown Drive and West of Flour Bluff Drive, in the southwest portion of Flour Bluff (1st Reading 4/14/15)**

Ordinance exempting Wedgewood Terrace Unit 3 from the payment of wastewater lot and acreage fees pursuant to Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

**Mayor Martinez referred to item 20. Julio Dimas with Development Services stated that this item was presented at the last City Council meeting and has been amended to remove the publication requirement section in the ordinance. There were no comments from the public. Council Member McIntyre made a motion to approve as amended, seconded by Council Member Rubio and passed unanimously. This Ordinance was passed on second reading as amended and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: 030485

**21.**

**Second Reading Ordinance - Amending City Code regarding disbanding the Cable Communications Commission (1st Reading 4/14/15)**

Ordinance amending the Code of ordinances, City of Corpus Christi, Chapter 2 and Chapter 55 regarding disbanding of the Cable Communications Commission

**Mayor Martinez referred to item 21. Director of Communications Kim Womack stated that the purpose of this item is to disband the Cable Communications Commission and move administrative functions to the Communications Department. The ordinance has been amended to reflect the amendment from last week's Council meeting and the additional red-line version was provided to delineate all of the changes in the ordinance. There were no comments from the public. Council Member McIntyre made a motion to approve the ordinance as amended, seconded by Council Member Scott and passed unanimously. This Ordinance was passed on second reading as amended and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Enactment No: 030486

**O. FIRST READING ORDINANCES: (ITEMS 22 - 27)**

**22. First Reading Ordinance - Accepting a donation from the Port of Corpus Christi Authority for training firefighters in marine firefighting from the landside**

Ordinance authorizing the City Manager or designee to accept a donation from the Port of Corpus Christi Port Authority for \$20,000.00 to be used to train firefighters in marina firefighting from the landside; and appropriating \$20,000.00 from the Port of Corpus Christi Authority into the Fire Grant Fund No. 1062.

**Mayor Martinez referred to Item 22. Fire Chief Robert Rocha stated that the purpose of this item is to accept a donation from the Port of Corpus Christi in order to conduct shipboard firefighting. There were no comments from the public. In response to Council Member Riojas, Chief Rocha stated that these funds were solicited by the Fire Department. Council Member McIntyre 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 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Scott

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

**23. First Reading Ordinance - Amending City Code regarding park and beach vendors**

Ordinance amending Chapter 38 of the City Code of Ordinances regarding park and beach vendors.

**Mayor Martinez referred to Item 23. Acting Director of the Parks and Recreation Department Stacie Talbert Anaya stated that the purpose of this item is to amend Chapter 38, City Code of Ordinances, regarding park and beach vendors to strike the words "on a first come, first served basis" from the ordinance. In order to streamline the special events process, the Parks and Recreation Department will have an on-line application for vendors and will accept applications two times per year and award permits for an entire season. Council members spoke regarding the following topics: the process to determine when to add more vendors sites to specific parks and events; whether vendors are determined at specific areas by product type or the number of slots in the area; providing the City Council with a report on the number of vendor slots in park and beach areas and the permit application; the reason that permits will be issues for six months rather than one year; and addressing the supply and demand of the various park and beach areas. There were no comments from the public. Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Magill. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**24. First Reading Ordinance - Lease Agreement renewal for Ben Garza Field and Clara Driscoll Field**

Ordinance authorizing the City Manager, or his designee, to execute five-year lease agreement with Corpus Christi Police Athletic League for the use of Ben Garza field located at 1815 Howard, including sublease of Driscoll Field located at 4235 Baldwin, for baseball program.

**Mayor Martinez referred to Item 24. Acting Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to renew the lease agreement with the Corpus Christi Police Athletic League for the use of Ben Garza field and sublease of Clara Driscoll Field. There were no comments from the Council or the public. Council Member Scott 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:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**25. First Reading Ordinance - Approving the sale of a narrow strip of land for a future street right-of-way**

Ordinance approving the sale of a narrow strip of land -- 0.169 acres out of the City's 4.39 acre tract to MPM Development, LP (Developer) for the amount of \$7,600.00, for the use in constructing future street right-of-way necessary for Developer's proposed Bordeaux Place Unit 4 Subdivision development and associated plat; and authorizing the City Manager or designee to execute a Real Estate Sales Contract, Special Warranty Deed, and all closing documents necessary for the sale and conveyance.

**Mayor Martinez referred to Item 25. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to approve the sale of a .169 acres tract of City land to MPM Development, LP for the use in constructing the street right-of-way for their proposed subdivision plat. The property is located next to a park and is needed in order to construct the Brockhampton Street extension which is required by the Master Plan. Mayor Martinez called for comments from the public. Mossa "Moses" Mostaghasi, developer, asked why the City is requiring him to purchase land from the City that he has to give back for a right-of-way and a street master plan that the City never intends to use. Ms. Gray explained that the City property was purchased with parkland funds and was never formally adopted as City parkland. The City cannot gift the property to a developer to use for a right-of-way. There were no comments from the Council. Council Member Riojas 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 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Scott and Council Member Vaughn

**Absent:** 1 - Council Member Rosas

**Abstained:** 0

**26. First Reading Ordinance - Approving a Real Estate Sales Contract for the Citizen's Collection Center for Flour Bluff/Padre Island**

Ordinance amending the FY 2015 Capital Improvement Program Budget adopted by Ordinance No. 030303 by transferring \$78,000.00 from Fund 3365 Sanitary Landfill 2008 Certificate of Obligation Project Reserves to Project #E12190 Citizens Collection Center - Flour Buff/Padre Island; increasing expenditures in the amount of \$78,000.00; and authorizing the City Manager or designee to execute a Real Estate Sales Contract with Alamo Concrete Products Company in the amount of \$275,000 plus \$3,000 in estimated closing costs for a total expenditure of \$278,000, for the purpose of acquiring a tract of land containing 5.320 acres located at the northeast corner of the intersection of Flour Bluff Drive and Division Road, to be used for the Citizens Collection Center - Flour Bluff/Padre Island Area Project #E12190.

**Mayor Martinez referred to Item 26. City Secretary Huerta announced that Council Member Scott would be abstaining from this item. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute**

a Real Estate Sales Contract with Alamo Concrete Products Company to acquire a 5.320 acre tract of land located at the northeast corner of the intersection of Flour Bluff Drive and Division Road to be used for the Citizens Collection Center - Flour Bluff/Padre Island Area Project. Ms. Gray said this project will provide needed services to the residents of Padre Island and Flour Bluff and will result in a new Citizen's Collection Center for drop-off of solid waste and various other items. Ms. Gray provided a location map, project schedule, and picture of a sample facility. Council Member McIntyre made a motion to approve Item 26, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

**Aye:** 7 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio and Council Member Vaughn

**Absent:** 1 - Council Member Rosas

**Abstained:** 1 - Council Member Scott

**27. First Reading Ordinance - Amendment No. 1 to Lease for Real Property for U.S. Coast Guard Navigational Marker ACLL 7817**

Ordinance authorizing the City Manager or designee to execute Amendment No. 1 to the US Government Lease for Real Property for the US Coast Guard Aid to Navigation Marker ACLL 7817, amending Paragraph four (4) NOTICE section, of the current lease of real property to the U.S. Government in connection with a navigation marker mounted on the east wall of the South Texas Institute for the Arts building, an aid to navigation (ATON) structure known as the "Corpus Christi Channel Cut "B" West Range Front Light (ACLL 7817)"; and providing for publication.

Mayor Martinez referred to Item 27. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute Amendment No. 1 to the U.S. Government Lease for U.S. Coast Guard Aid to Navigation Marker mounted on the east side of the South Texas Institute of the Arts building. The amendment authorizes the Coast Guard and the City to terminate the lease, without cause or reason, by giving each party thirty days notice in writing. There were no comments from the Council or the public. Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:

**Aye:** 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Scott and Council Member Vaughn

**Absent:** 1 - Council Member Rosas

**Abstained:** 0

**P. RECESS COUNCIL MEETING**

Mayor Martinez recessed the regular Council meetings to hold the corporation meetings of the Coastal Bend Health Facilities Development Corporation and

the Coastal Bend Cultural Education Facilities Finance Corporation.

**CORPORATION MEETINGS: (ITEMS 28 - 29)**

- 28. Corporation Meeting of the Coastal Bend Health Facilities Development Corporation**
- Annual Meeting of the Coastal Bend Health Facilities Development Corporation
- This Corporation Meeting was held.
- 29. Corporation Meeting of the Coastal Bend Cultural Education Facilities Finance Corporation**
- Annual Board Meeting of the Coastal Bend Cultural Education Facilities Finance Corporation
- This Corporation Meeting was held.

**Q. RECONVENE COUNCIL MEETING**

Mayor Martinez reconvened the regular Council meeting.

**R. FUTURE AGENDA ITEMS: (ITEMS 30 - 35)**

Mayor Martinez referred to Future Agenda Items. City Manager Olson stated that staff had a planned presentation on Item 32.

- 30. Purchase and Installation of Casework, Lab Benches, Cabinetry, and a Chemical Hood**
- Motion approving the purchase and installation of the casework, lab benches, cabinetry, and the chemical hood necessary to renovate three (3) laboratory rooms at the Water Utilities Laboratory from VWR International, LLC, Irving, Texas in accordance with the State of Texas Cooperative Purchasing Program for a total expenditure of \$72,820.63. Funds have been budgeted by the Utilities Department in FY 2014- 2015.
- This Motion was recommended to the consent agenda.
- 31. Approving Amendment No. 1 to Professional Services Contract for Signal Improvements and Street Lighting Project (Bond 2012)**
- Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to a Contract for Professional Services with Maldonado-Burkett Intelligent Transportation Systems, LLP of Austin, Texas in the amount of \$30,321.74 for a re-stated fee not to exceed \$79,833.85 for the Signal Improvements and Street Lighting BOND



2012 project.

This Motion was recommended to the consent agenda.

**32. Engineering Construction Contract and Design Contract  
Amendment No. 1 Indefinite Delivery/Indefinite Quantity Minor  
Street Pavement Improvements**

Motion authorizing the City Manager, or designee, to execute a construction contract with Grace Paving and Construction, Inc. of Corpus Christi, Texas in the amount of \$1,880,404.50 for the Indefinite Delivery/Indefinite Quantity Minor Street Pavement Improvements and to execute Amendment No. 1 to a Contract for Professional Services with Engineering & Construction Management Services, LLC (ECMS, LLC) in the amount of \$97,440.00 for a restated fee of \$114,940.00 for the Indefinite Delivery/Indefinite Quantity Minor Street Pavement Improvements.

This Motion was recommended to the consent agenda.

**33. Interlocal Agreement with the Port of Corpus Christi for Sam  
Rankin Street from Port Avenue to West Broadway Street**

Motion authorizing the City Manager or designee to execute an Interlocal Agreement with the Port of Corpus Christi Authority of Nueces County, Texas (PCCA) for improvements to Sam Rankin Street from Port Avenue to West Broadway Street.

This Motion was recommended to the consent agenda.

**34. Interlocal Agreement with Texas A&M University Kingsville for a  
decision support modeling system for modeling the water  
resources around Choke Canyon Reservoir Region**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with Texas A&M University Kingsville in the amount of \$59,697 for a decision support modeling system for modeling the water resources around the Choke Canyon Reservoir Region of the Nueces River Basin.

This Resolution was recommended to the consent agenda.

**35. Interlocal agreement with Tuloso-Midway Independent School  
District for public infrastructure**

Resolution authorizing the City Manager or designee to execute all documents necessary to resolve the future funding of streets on the City's Street Master Plan by Tuloso-Midway Independent School District by Interlocal Agreement in relation to a subdivision plat for a new Agricultural Building.

This Resolution was recommended to the consent agenda.

S. **BRIEFINGS: (ITEM 36)**

36. **Water Rate - Adjustments and Unit Costs**

Mayor Martinez referred Item 36. Executive Director of Utilities Mark Van Vleck an overview of the previous water presentations including: past and current rate projections; the discovery process; the rate review schedule; the calculation for unit cost; the water system components and customers of the system; and the utility bill breakdown. Mr. Van Vleck stated that the purpose of this item is to discuss water rate - adjustments, including Choke Canyon Reserve; raw water and treatment true-ups; water losses through the system; the minimum treatment water rates for inside city-limit (ICL) customers; non-operating revenue; one-time adjustments; debt coverage; and water supply development reserve. Mr. Van Vleck also presented slides for the upcoming presentation for raw water including: raw water inputs and unit cost for rate payer. Council members spoke regarding the following topics: the cost to deliver water versus what is being charged to inside city-limit customers and the percentage for large volume customers.

T. **LEGISLATIVE UPDATE:**

None.

U. **ADJOURNMENT**

Council Member McIntyre clarified that City Secretary Huerta received a 1% raise for the evaluation received during executive session today, in addition to the 2.5% step increase received on her anniversary date for a total of 3.5%. Council Member McIntyre recognized the outstanding job City Secretary Huerta is doing for the City.

The meeting was adjourned at 6:34 p.m.