



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, May 13, 2014

11:30 AM

Council Chambers

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

Present: 7 - Council Member Kelley Allen, Council Member David Loeb, Council Member Mark Scott, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Rudy Garza

Absent: 2 - Council Member Priscilla Leal, and Mayor Nelda Martinez

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

City Secretary Huerta stated that due to the absence of Mayor Martinez and Mayor Pro Tem Priscilla Leal, the Council will need to nominate Rudy Garza as Mayor Pro Tem. Council Member McIntyre made a motion to nominate Council Member Garza as Mayor Pro Tem, seconded by Council Member Magill and passed.

Mayor Pro Tem Garza called the meeting to order.

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

Absent: 2 - Council Member Leal and Mayor Martinez

Abstained: 0

B. Invocation to be given by Chaplain Lynn Blackler, CHRISTUS Spohn Health System.

Chaplain Lynn Blackler gave the invocation.

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

Director of General Services Jim Davis lead the Pledge of Allegiance.

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

City Secretary Huerta called the roll and stated that a quorum of the Council and required Charter Officers were present to conduct the meeting. City Secretary Huerta announced that Council Member Leal has been granted a leave of absence.

Charter Officers:

City Manager Ron Olson, Interim City Attorney Barney L. Knight, and City Secretary Rebecca Huerta.

Present: 7 - Council Member Kelley Allen, Council Member Rudy Garza, Council Member David Loeb, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Mark Scott

Absent: 2 - Mayor Nelda Martinez, and Council Member Priscilla Leal

E. Proclamations / Commendations

Mayor Pro Tem Garza presented the proclamations.

1. Proclamation declaring May 2014, as "Older Americans Month"
Proclamation declaring May 2014, as "Elder Abuse Prevention Month"
Proclamation declaring May 11-17, 2014, as "National Hospital Week"
Proclamation declaring May 13, 2014, as "Flour Bluff Junior High School and Intermediate TMSCA Champions 1986-2014"
Proclamation declaring May 13, 2014, as "Retired Teachers' Day"
Proclamation declaring May 15, 2014, as "Dr. Hector P. Garcia & Dr. Cleo Garcia American GI Forum Chapters of Texas Stand Up for Veterans 3rd Annual Scholarship Awards Banquet"
Proclamation declaring May 18-24, 2014, as "National Public Works Week"
Certificate of Commendation Presentation to the Flour Bluff High School Pink Lady Hornets Robotic Team

This Proclamations was presented

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 Pro Tem Garza called for comments from the audience. Abel Alonzo spoke regarding the youth being the City's future and invited the Council to attend an event sponsored by the Nueces County "I Believe in Me Foundation" which will be held on Saturday, May 31st at Manuel Salinas Park. Carrie Robertson Meyer read a letter from the North Beach Community Association commending the Parks and Recreation Department for their high level of service for ground work on the beach. Ms. Meyer also invited the Council to attend the Beach Walk Event which will be held on June 7th at 9:00 a.m. at Dolphin Park. Tim Beyerly spoke in opposition to the proposed theatre related Zoning Case No. 0414-04, BCH Investment Group, LLC because of traffic flow, alcohol being served on the property and other issues that will deteriorate the value of the neighborhood. Johnny French requested that the Council schedule a public hearing to discuss the collection of opossums in private traps and euthanizing them. Brian Watson spoke regarding his uncle, who was the former tennis pro at HEB Tennis Center, and thanked the City for their

commitment to the sport.

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

Mayor Pro Tem Garza referred to City Manager's Comments.

b. Water Conservation

City Manager Olson announced that the City won first place in the National Mayors' Challenge for Water Conservation sponsored by the Wyland Foundation and Toyota. The challenge asked citizens to pledge to make conservation efforts to reduce water waste. A resident of Corpus Christi who participated in the challenge was selected as the winner of a new car.

a. City Performance Report - Finance Department

Director of Financial Services Constance Sanchez provided a briefing on the operations, mission and goals of the Finance Department.

c. Other

None.

REGULAR AGENDA: (ITEM 14)

14. Resolution supporting approval of bonds and a project relating to Texas A&M - Corpus Christi

Resolution of the City Council of the City of Corpus Christi, Texas authorizing the Mayor to approve the issuance of New Hope Cultural Education Facilities Finance Corporation Student Housing Revenue Bonds (CHF - Collegiate Housing Corpus Christi I, L.L.C. - Texas A&M University-Corpus Christi Project) Series 2014A and to approve the project to be acquired with the proceeds of such bonds

Mayor Pro Tem Garza deviated from the agenda and referred to Item 14. Noel Valdez of McCall, Parkhurst & Horton, stated that his law firm is serving as Bond Counsel for the Corporation issuing the proposed bonds for development of approximately 482 campus housing units for Texas A&M University - Corpus Christi. Mr. Valdez stated that this transaction involves a Corporation issuing tax exempt bonds, lending those monies to the Corporation that is going to build the units for the University. Mr. Valdez explained that because the bonds are being issued as tax exempt bonds, they are governed by federal tax law, and federal tax law mandates that before these bonds are issued, the Mayor must execute a certificate approving the project and the bonds. Mr. Valdez stated that there is no financial liability to the City. Mayor Pro Tem Garza called for comments from the public and there were none. Council members asked questions regarding the traffic flow to and from the University and access to Ennis Joslin. This Resolution was passed and

approved with the following vote:

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

Absent: 2 - Mayor Martinez and Council Member Leal

Abstained: 0

Enactment No: 030177

H. EXECUTIVE SESSION: (ITEMS 2 - 3)

Mayor Pro Tem Garza referred to the day's executive sessions. The Council went into executive session. The Council returned from executive session.

2. Executive Session pursuant to Section 551.071, Texas Government Code, and Rule 1.05, Texas Disciplinary Rules of Professional Conduct, for consultation with the interim city attorney regarding General Open Records Opinion OR2014-07118 and contemplated litigation, with possible action and discussion in open session.

This E-Session Item was discussed in executive session

3. Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding fire collective bargaining negotiations with possible discussion and action in open session

This E-Session Item was discussed in executive session

I. MINUTES:

4. Regular Meeting of April 29, 2014

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

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

Absent: 3 - Council Member Allen, Council Member Leal and Mayor Martinez

Abstained: 0

J. BOARDS & COMMITTEE APPOINTMENTS: (NONE)

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 5 - 8)

Approval of the Consent Agenda

Mayor Pro Tem Garza referred to the consent agenda. There were no comments from the Council or the public. The consent agenda items were passed by one vote as follows:

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

Absent: 3 - Mayor Martinez, Council Member Allen and Council Member Leal

Abstained: 0

5. Supply agreement for cement stabilized sand and cushion sand for backfill of utility trenches after repairs are complete

Motion approving a supply agreement with G.P Transport Inc., Corpus Christi, Texas for cement stabilized sand and cushion sand in accordance with Bid Invitation No. BI-0124-14, based on only bid for an estimated twelve month expenditure of \$167,250.00 of which \$69,687.50 is required for the remainder of FY 2013-2014. The term of the supply agreement will be for twelve months with an option to extend for up to two additional twelve-month periods subject to the approval of the supplier and the City Manager or designee. Funds are available in the Utilities Operations Budget in FY 2013-2014.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-056

6. Landscape maintenance agreement for landscape improvements on State Highway 286 at J. C. Elliott Landfill Transfer Station

Resolution authorizing the City Manager, or designee, to execute a Landscape Maintenance Agreement with the Texas Department of Transportation (TXDOT) for landscape improvements within the project's scope of SH 286 (Crosstown Expressway) at J. C. Elliott Landfill Transfer Station.

This Resolution was passed on the Consent Agenda.

Enactment No: 030174

7. Second Reading Ordinance - Participation agreement with developer and reimbursement for the City's cost of South Oso Parkway (1st Reading 4/29/14)

Ordinance authorizing the City Manager or designee to execute a developer participation agreement with MPM Development, LP., ("Developer"), to reimburse the Developer up to \$215,861.52 for the

City's share of the cost to extend South Oso Parkway, in accordance with the Unified Development Code.

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

Enactment No: 030175

8. Second Reading Ordinance - Approving an agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located south of Leopard Street and east of McKinzie Road (1st Reading 4/29/14)

Ordinance authorizing the City Manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with First Landmark Development Inc., ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$104,218.24 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: 030176

M. PUBLIC HEARINGS: (ITEMS 9 - 11 and 13)

9. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "ON" Office District for Klatt Thomas, LLC on property located at 4302 Interstate Highway 69

Case No. 0414-01 Klatt Thomas, LLC: A change of zoning from the "RS-6" Single-Family 6 District to the "ON" Office District, resulting in a change to the Future Land Use Plan from commercial and medium density residential to office uses. The property is described as Lot 22, River Forest Acres, located along the northwest side of Interstate Highway 69, between Teague Lane and Cornett Road.

Planning Commission and Staff Recommendation (April 9, 2014): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "ON" Office District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Klatt Thomas, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 22, River Forest Acres, from the "RS-6" Single-Family 6 District to the "ON" Office District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Garza referred to Item 9. Annika Gunning with Development

Services stated that the purpose of this item is to rezone the subject property to allow for office and multifamily uses. Ms. Gunning stated that the Planning Commission and staff were in favor of the zoning change. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Magill and passed. There were no comments from the Council or the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Allen. The ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Leal and Mayor Martinez

Abstained: 0

10. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Residential District to the "CG-2" General Commercial District for Peterson Properties, Ltd. on property located at 5425 & 5515 Old Brownsville Road & 809 South Padre Island Drive

Case No. 0414-02 Peterson Properties, Ltd.: A change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, resulting in a partial change to the Future Land Use Plan from light industrial to commercial uses. The property is described as being a 118.30-acre tract of land out of Lots 9, 10, 11, 14, 15, and 16, Section 5, Range VIII, of the Gugenheim and Cohn's Farm Lots, located between Old Brownsville Road (FM 665), South Padre Island Drive (SH 358), and West Point Road.

Planning Commission and Staff Recommendation (April 9, 2014): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Peterson Properties, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 118.30-acre tract of land out of Lots 9, 10, 11, 14, 15, and 16, Section 5, Range VIII, of the Gugenheim and Cohn's Farm Lots, from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Garza referred to Item 10. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for commercial development. Ms. Gunning stated that the Planning Commission and staff were in favor of the zoning change. Council Member Scott made a motion to open the public hearing, seconded by Council Member Magill. There were no comments from the Council or the public. Council Member Scott made a motion to close the public hearing, seconded by Council

Member McIntyre. The ordinance passed on first reading and was approved with the following vote:

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

Absent: 2 - Council Member Leal and Mayor Martinez

Abstained: 0

11. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family to the "RM-1" Multifamily for John O. Nicholson, III d/b/a Barton Street Pub on property located at 1005 & 1009 Mounts Drive

Case No. 0414-03 John O. Nicholson, III d/b/a Barton Street Pub: A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, resulting in a change to the Future Land Use Plan from commercial to medium density residential uses. The property is described as being a 0.421-acre tract of land out of Lots 7 and 8, Block H, Flour Bluff Estates, located at the southeast intersection of Mounts Drive and Melody Lane.

Planning Commission and Staff Recommendation (April 9, 2014): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by John O. Nicholson, III d/b/a Barton Street Pub ("Owner"), by changing the UDC Zoning Map in reference to a 0.421-acre tract of land out of Lots 7 and 8, Block H, Flour Bluff Estates, from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Garza referred to Item 11. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for the expansion of a small scale apartment complex. Ms. Gunning stated that the Planning Commission and staff were in favor of the zoning change. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Scott. There were no comments from the Council or the public. Council Member Scott made a motion to close the public hearing, seconded by Council Member McIntyre. This ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Mayor Martinez and Council Member Leal

Abstained: 0

13. Public Hearing and First Reading Ordinance - Adopting Unified Development Code Text Amendments for plat recordation prior to final acceptance of infrastructure improvements

Ordinance amending the Unified Development Code to provide Conditional Acceptance requirements by revising section 8.1.11 - Requirements for Plat Recordation; subsections 8.1.11.A - Traffic Engineering Department acceptance requirements, 8.1.11.B - Water Department acceptance requirements, 8.1.11.C - Wastewater Department acceptance requirements, 8.1.11.D Storm Water Department acceptance requirements, 8.1.11.E Street Department acceptance requirements; section 8.1.12 Technical Requirements for Final Acceptance; subsections 8.1.12.A Traffic Engineering Department acceptance requirements, 8.1.12.B Water Department acceptance requirements, 8.1.12.C Wastewater Department acceptance requirements, 8.1.12.D Storm Water Department acceptance requirements, and 8.1.12.E Street Department acceptance requirements.

Mayor Pro Tem Garza referred to Item 13. Interim Director of Development Services Barney Williams stated that the purpose of this item is to amend the Unified Development Code for infrastructure requirements for plat recordation and final acceptance. Council Member Scott made a motion to open the public hearing, seconded by Council Member McIntyre. There were no comments from the Council or the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Scott.

Council Member Magill made a motion to amend Section 8.1.11.C.3. to read "all service connections", seconded by Council Member Scott and passed. This Ordinance was passed on first reading as amended and approved with the following vote:

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

Absent: 2 - Mayor Martinez and Council Member Leal

Abstained: 0

N. REGULAR AGENDA: (ITEM 15)

15. Resolution supporting protest of McMullen County regarding disposal facility operation application to the Railroad Commission of Texas

Resolution of the City of Corpus Christi, Texas supporting protest letter filed by McMullen County regarding application of PetroWaste Environmental, L.P. to Railroad Commission of Texas for operation of

a Commercial Disposal Facility in McMullen County and authorizing the City Manager or designee to take steps necessary to protect the City of Corpus Christi's water sources in this application process

Mayor Pro Tem Garza referred to Item 15. Assistant City Manager Gus Gonzales stated the purpose of this item is to approve a resolution of support of McMullen County's letter of protest to the Railroad Commission of Texas regarding PetroWaste Environmental L.P. and take the necessary steps to protect the City's water sources. There were no comments from the public. Council members requested that staff work on changing the requirements for the notification process to make the City aware of waste sites. This Resolution was passed and approved with the following vote:

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

Absent: 2 - Mayor Martinez and Council Member Leal

Abstained: 0

Enactment No: 030178

O. FIRST READING ORDINANCES: (ITEMS 16 - 18)

16. First Reading Ordinance - Lease agreement for North Bayfront Park kiosk

Ordinance authorizing the City Manager or designee to execute a five year term lease agreement with the Corpus Christi Convention & Visitors Bureau for the North Bayfront Park Kiosk, located on North Shoreline Blvd, near the intersection with Resaca Street; Lessee agrees to pay the City \$200 on a monthly basis beginning May 1, 2014; terminating a 1998 lease agreement with the Corpus Christi Business Alliance, a predecessor entity for the Corpus Christi Convention & Visitors Bureau, for the Tex Mex Railroad Depot located on North Chaparral Street; appropriating \$1,000 of anticipated rental income in the No. 4710 Visitors Facility Fund for the maintenance of the North Bayfront Park Kiosk; changing the FY2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing revenues and appropriations by \$1,000 each.

Mayor Pro Tem Garza referred to Item 16. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to approve a lease agreement for the North Bayfront Park Kiosk and terminate the lease of the Tex Mex Railroad Depot for the Convention and Visitors Bureau (CVB) to locate the visitors center at the kiosk. Paulette Kluge with the CVB responded to questions regarding the hours of operation and services that will be provided at the kiosk. Mayor Pro Tem Garza called for comments from the public. Abel Alonzo thanked the Board of the CVB for selecting Paulette Kluge as President and spoke regarding the importance of tourism. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Mayor Martinez and Council Member Leal

Abstained: 0

17. First Reading Ordinance - Appropriating funds for the Utilities Department reorganization and maintenance services

Ordinance changing the FY 2014 budget adopted by Ordinance 029915 to appropriate and approve a transfer of \$268,017 from Storm Water Fund 4300 to and appropriate in Street Fund 1041 and reducing the transfer from Water Fund 4010 to Storm Water Fund 4300 by \$59,540 and appropriating \$59,540 in the Engineering Fund 5310 to cover costs associated with transfer of staff due to recent reorganization; to appropriate and approve a transfer of \$1,536,333 from Fleet Maintenance Fund 5110 to and appropriate in the Facilities Maintenance Fund 5115 for noncash assets and liabilities; and increasing revenues and expenditures by \$1,744,810.

Mayor Pro Tem Garza referred to Item 17. Assistant Director of Management and Budget Eddie Houlihan stated that the purpose of this item is to appropriate and transfer funds to cover the costs associated with the movement of personnel due to the recent reorganization of the Utilities and Maintenance Services Departments. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Mayor Martinez and Council Member Leal

Abstained: 0

18. First Reading Ordinance - Closing a portion of a 15-foot wide utility easement located northeast of Junior Beck Drive and southwest of South Padre Island Drive

Ordinance abandoning and vacating a portion of a 15-foot wide utility easement out of Lots 5A and 6A, Industrial Technology Park Unit 1, and requiring the owner, Agnes Properties, to comply with the specified conditions.

Mayor Pro Tem Garza referred to Item 18. Interim Director of Development Services Barney Williams stated that the purpose of this item is to abandon and vacate a portion of a utility easement out of Lots 5A and 6A, Industrial Technology Park Unit 1, to allow the applicant to combine lots for future development. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Mayor Martinez and Council Member Leal

Abstained: 0

P. FUTURE AGENDA: (ITEMS 19 - 27)

Mayor Pro Tem Garza referred to the Future Agenda items. City Manager Olson stated that staff had planned presentations on Items 19-23. Council members spoke on Item 27.

Vehicle Purchases (Related Items 19 - 23)

19. Purchase of two CNG pickup trucks for use at landfill

Motion approving the purchase of two (2) CNG pickup trucks from Burns Motors LTD, McAllen, Texas in accordance with Bid Invitation No. BI-0136-14 based on only bid for a total amount of \$75,600.00. Funding for the purchase of CNG pickup trucks is available in the Capital Outlay Budget of the Maintenance Service Fund.

This Motion was recommended to consent agenda

20. Purchase of thirty-one (31) trucks and one (1) SUV and Lease-purchase of fifty (50) trucks

Motion approving the purchase of five (5) heavy trucks, twenty-six (26) light trucks, and one (1) SUV and the lease-purchase of five (5) heavy trucks, and forty-five (45) light trucks for the total amount of \$2,896,263.60, of which \$1,077,464.00 is required for the remainder of FY 2013-2014. The vehicles are awarded to the following companies for the following amounts in accordance with Bid Invitation No. BI-0117-14 based on lowest responsible bid and on lowest local bid. Funding for the purchase of vehicles is available in the Capital Outlay Budget of the Maintenance Service Fund and the Municipal Information System Fund. Financing for the lease-purchase of vehicles will be provided through the City's lease-purchase financing contractor.

Grapevine DCJ, LLC Grapevine, TX Items 13 & 26 \$45,642.60	Silsbee Ford Silsbee, TX Items 2, 4, & 9 \$82,572.00	AutoNation Ford Corpus Christi, TX Items 1, 3, 5-8, 10-12, 14-25, 27-31 \$2,768,049.00
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Grand Total: \$2,896,263.60

This Motion was recommended to consent agenda

21. Lease-Purchase of four (4) freightliner trucks and four (4) Peterson lightning loader bodies for brush collection

Motion approving the lease-purchase of four (4) Freightliner trucks from Houston, Freightliner, Inc., Houston, Texas and four (4) Peterson lightning loader bodies from Texan Waste Equipment, Inc., Houston, Texas for a total amount of \$520,120. The award is based on the cooperative purchasing agreements with the Houston-Galveston Area Council of Governments (HGAC) and the Texas Local Government Purchasing Cooperative (TLGPC). Funding is available from the City's lease-purchase financing contractor.

This Motion was recommended to consent agenda

22. Lease-Purchase of three (3) freightliner trucks and Peterson rear-steer loader bodies for brush collection

Motion approving the lease-purchase of three (3) Freightliner trucks from Houston, Freightliner, Inc., Houston, Texas and three (3) Peterson rear-steer loader bodies from Texan Waste Equipment, Inc., Houston, Texas for a total amount of \$443,520. The award is based on the cooperative purchasing agreements with the Houston-Galveston Area Council of Governments (HGAC) and the Texas Local Government Purchasing Cooperative (TLGPC). Funding is available from the City's lease-purchase financing contractor.

This Motion was recommended to consent agenda

23. Purchase of one freightliner vacuum truck and sewer cleaner body for wastewater collection main line maintenance

Motion approving the purchase of one (1) Freightliner truck from Houston Freightliner, Inc., Houston, Texas and one (1) VAC-ALL sewer cleaner body from Waukesha-Pierce Industries, Inc., Dallas, Texas for a total amount of \$322,073.45. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). The unit is a replacement to the fleet and will be used by the Utilities Department. Funds are available in the Fleet Maintenance Services Fund FY 2013-2014.

This Motion was recommended to consent agenda

24. Service agreement for school crossing guard program

Motion approving a service agreement with All City Management Services, Houston, Texas to administer the School Crossing Guard Program in accordance with Bid Invitation No. BI-0114-14 based on

only bid for an estimated twelve-month expenditure of \$257,936.40 of which \$46,897.53 is required for the remainder of FY 2013-2014. The term of the service agreement will be for twelve-months with an option to extend for up to two additional twelve-month periods subject to the approval of the service provider and the City Manager or designee. Funds are available in the General Fund and the Red Light Photo Enforcement Fund in FY 2013-2014.

This Motion was recommended to consent agenda

25. Interlocal agreement and approval for submission of grant application for Federal funds from the Edward Byrne Memorial Justice Grant (JAG) Program FY 2014 Local Solicitation

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$168,613 to the U.S. Department of Justice, Bureau of Justice Assistance for funding eligible under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2014 Local Solicitation with 50% of the funds to be distributed to Nueces County under the established Interlocal Agreement; and authorizing the City Manager or designee to execute Interlocal Agreement between the City of Corpus Christi and Nueces County to establish terms for the sharing of the Edward Byrne Memorial Justice Grant (JAG) Program FY 2014 Local Solicitation.

This Resolution was recommended to consent agenda

26. Contract amendment no. 1 for on-call engineering services for dams for construction phase services

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the engineering contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$10,500, for a total restated fee not to exceed \$60,000 for On-Call Engineering Services for Dams for construction phase services.

This Motion was recommended to consent agenda

27. Approval of a reservation agreement with Flint Hills Resources Corpus Christi, LLC for use of recycled water

Motion authorizing the City Manager or designee to execute an Agreement for Exclusive Reservation of Recycled Water (the "Reservation") with Flint Hills Resources Corpus Christi, LLC (FHR) for 2 million gallons per day (MGD) of recycled water.

This Motion was recommended to consent agenda

M. PUBLIC HEARINGS: (ITEM 12)

12. Public Hearing and First Reading Ordinance - Rezoning from the "RM-2" Multifamily 2 District to the "CG-2" General Commercial District, on property located at 7601 South Staples Street (FM 2444)

Case No. 0414-04 BCH Investment Group, LLC: A change of zoning from the "RM-2" Multifamily 2 District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being an 8.080-acre tract of land out of Lots 23 and 24, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, located along the west side of South Staples Street (FM 2444), approximately 400 feet south of Yorktown Boulevard.

Planning Commission and Staff Recommendation (April 9, 2014): Approval of the rezoning from the "RM-2" Multifamily 2 District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by BCH Investment Group, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 8.080-acre tract of land out of Lots 23 and 24, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, from the "RM-2" Multifamily 2 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Garza referred to Item 12. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for commercial development, specifically a movie theater, bowling alley, arcade and laser tag facility. Ms. Gunning referred to a powerpoint presentation including an aerial overview and the future land use maps. Ms. Gunning stated that the Planning Commission and staff were in favor of the zoning change. Ms. Gunning reported that the notification requirement has met the 20% threshold pursuant to state law requiring a super majority vote of the council members to pass.

Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Scott. Mayor Pro Tem Garza called for comments from the public. The following individuals spoke in support of the rezoning: Sara Tulley; Jeffery Dinger; Susie Luna Saldana; Ridge Hammons; John Kelley; Abel Alonzo; Tiffany Hamlin; Bob Porter; Heidi Hovda; Amanda Stevens; Larry Tascham; Rhonda Braselton; Joe Hilliard; Hank Riddick; Debbie Lindsey-Opel; Douglas Johnson; Ronnie Holliday; Aislynn Campbell; and John Bell. The following individuals spoke in opposition to the rezoning: Nelda Garcia; Jason Teague; Jim Kaelin; Tim Dowling; Barry Philinger; Mark Casanova; Jean Marie Welch; Janet Leon; Tom Corbin; Mark Jordan; Janelle Casanova; Sue Hoyt; and Dr. James Prewitt. Council Member Loeb made a motion to close the public hearing, seconded by Council Member McIntyre and passed.

Council Members spoke regarding the following topics: whether there is an ability to put in a slow down lane for ingress and egress into the parking lot; the possibility of installing traffic calming devices on collectors and manage residential traffic, especially on Strasbourg, Chicago and Boston streets; height requirements and lighting requirements for "CN-1" and multifamily; request to have the Texas Department of Transportation (TXDOT) attend the second reading to provide a presentation on traffic issues in the area; the concept to advance the traffic signals at Oso and Staples; slowing down the speed limit on Staples; concerns from the neighborhood that the facility will lower property values and the sale of alcohol; the Urban Transportation Plan; the difference between A-2 and A-3 arterial streets; expected future growth south of the Oso; whether there are screening requirements for the playground area by Asbury Church; and restrictions for "CN-1" zoning.

Council Member Magill made a motion to deny the "CG-2" zoning and in lieu thereof, approve the "CN-1" zoning with a Special Permit including a height restriction of 60 feet and a screening fence that borders the portion by the church, seconded by Mayor Pro Tem Garza and passed. This Ordinance was passed on first reading as amended and approved with the following vote:

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

Absent: 2 - Mayor Martinez and Council Member Leal

Abstained: 0

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

R. ADJOURNMENT

The meeting was adjourned at 5:45 p.m.