



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, November 10, 2015

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 11:31 a.m..

B. Invocation to be given by Pastor David Beirne, Travis Baptist Church.

Pastor David Beirne gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Pastor Rick Milby, Abundant Life Fellowship.

Pastor Rick Milby led the Pledge of Allegiance.

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

City Secretary Rebecca Huerta called the roll and verified that a quorum of the City Council and required Charter Officers were present to conduct the meeting.

(Note: Council Member Rubio arrived at 11:35 a.m. Council Member McIntyre arrived at 11:37 p.m.)

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 November 17, 2015, "Annual World Wide GIS Day of the Coastal Bend 2015 - Discovering the World through GIS". Korean Chamber of Commerce Check Presentation to the Sister City Committee and to the City of Corpus Christi. The Texas Mayors of Military Communities Presents "Legislative

Champion of the Year 2015" Award to Senator Juan "Chuy" Hinojosa. National Veteran Senior Corps Pinning Ceremony.

Mayor Martinez recognized Senator Juan "Chuy" Hinojosa as the "Legislative Champion of the Year 2015" and 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. City Attorney Miles K. Risley read the Rules of Decorum for the Council Chambers. Rick Milby, 4412 High Ridge Drive, thanked the City Council for their service and for his appointment to the Charter Review Commission. Mr. Milby commended the City Council for their appointments to the Ad Hoc Residential Infrastructure Committee, and acknowledged the experience of committee member Toby Futrell. Mr. Milby provided information on the street system and asked the City Council to cut the City's budget and use the savings to repair the streets. Greg Smith, 1746 Glenoak, reported on the Island Strategic Action Committee's support for the Park Road 22 Bridge at their November meeting. Angela Leal, Westside Business Association, announced the state and national historical designation bestowed upon the Galvan Ballroom, located at 1632 Agnes Street. To honor the Galvan family and their legacy, the Westside Business Association will be holding their annual fundraiser, "El Gran Baile", on Saturday, November 14, 2015 at the Galvan Ballroom. John White, 77 Townhouse Lane, spoke on behalf of the Padre Island Business Association and expressed the Association's support for the Park Road 22 water exchange. John Stafford, 5130 Fox Run Drive, spoke regarding the following topics: the street repair budget; developing an annual plan to prioritize and budget for street improvements; in opposition to funding the Park Road 22 Bridge to assist a developer; and what the City Council is doing to keep jobs in Corpus Christi. Jack Gordy, 4418 Bray, spoke regarding his public information request for information from the United States Department of Justice grandfathering the palm trees on Airline Road and the mediation on this issue. Christopher Manuel, 911 Laredo, suggested a plan to hire the homeless population to clean the parks and streets. Carolyn Moon, 4902 Calvin, spoke regarding the money the City has spent on various plans. Ms. Moon recommended that instead of considering giving up on the Plan CC 2035 document, the Council could tackle it one goal at a time. Errol Summerlin, Citizens Alliance for Fairness and Progress, spoke regarding several development plans that address the future land use, growth and improvements for the Hillcrest and Washington Coles area that differ from Plan CC 2035. Douglas Johnson, 610 Brock, spoke regarding the following topics: the condition of the streets; the division of the City Council on this topic; and the appointments to the Ad Hoc Residential Infrastructure Committee. Mr. Johnson stated that the committee can look at this issue from any perspective, however, raising taxes and funding is the only way to address the streets. Shirley Thornton, 1917 Woodcrest, spoke in opposition to Plan CC 2035 and stated that a comprehensive plan should address repairing and preparing the infrastructure to accommodate the natural growth of the City. To address street repair issues, Ms. Thorton said the City should utilize the talents in the community; establish community "think tanks"; and cut the City budget by 3% every month. Walter Saganice, 3449 Picadilly

Lane, spoke regarding Plan CC 2035 and the elements required for an urban village concept.

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) City Manager Olson introduced the Employee of the Quarter, Joe Salinas with the Streets Department. 2) The City of Corpus Christi/Nueces County Public Health District will be holding their annual Flu Vaccine Drive-Through Clinic on Friday, November 13, 2015 from 9 a.m. to 4 p.m. There will be a cost of \$30 per vaccine and Medicaid and Medicare will be accepted. The Public Health District is encouraging the public to take advantage of this opportunity to minimize the impact of flu on society. 3) City Manager Olson said there have been various conversations with the City Council regarding security measures at City Hall, including metal detectors at City Hall. The metal detectors are scheduled to go into effect on December 21st and a small presentation will be provided by Police Officer Denise Pace on the implementation and the employee and public entrances.

H. MINUTES:

2. Regular Meeting of October 27, 2015

Mayor Martinez referred to approval of the minutes.

Council Member Garza made a motion to approve the minutes, seconded by Council Member Magill and passed unanimously.

I. BOARD & COMMITTEE APPOINTMENTS: (NONE)

J. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 3 - 10)

Approval of the Consent Agenda

Mayor Martinez referred to the Consent Agenda. There were no comments from the Council or the public.

A motion was made by Council Member Magill, seconded by Council Member Riojas, to approve the Consent Agenda. 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

3. Engineering Construction Contract for Southern Minerals Road from Up River Road to IH37 BOND 2014

Motion authorizing the City Manager, or designee, to execute a construction contract with Haas-Anderson, Inc. of Corpus Christi, Texas in the amount of \$3,060,904.65 for the Southern Minerals Road from Up River Road to IH 37 for the total Base Bid. (Bond 2014)

This Motion was passed on the Consent Agenda.

Enactment No: M2015-126

4. Engineering Construction Contract for Development & Improvements at HEB Tennis Center and Al Kruse Tennis Center

Motion authorizing the City Manager, or designee, to execute a construction contract with Safenet Services, LLC. of Corpus Christi, Texas in the amount of \$1,809,131 for the HEB and Al Kruse Tennis Centers (Rebid) for the Base Bid, Part A only for repairs to the tennis centers. (Bond 2012)

This Motion was passed on the Consent Agenda.

Enactment No: M2015-127

5. Expand Solid Waste Operations' DriveCam Program to reduce preventable vehicle accidents within the fleet

Resolution finding that competitive bids are not required for procurement from Lytx, Inc., and authorizing the City Manager, or designee, to execute agreements with Lytx, Inc., totaling \$133,225.26 for the purchase of additional hardware and software to expand the vehicle-mounted camera program for the Solid Waste Operations Department.

This Resolution was passed on the Consent Agenda.

Enactment No: 030677

6. Assessment of the Efficiency and Effectiveness of the City of Corpus Christi's Financial Services Department

Motion authorizing the City Manager or designee to execute a consultant agreement with Weaver and Tidwell, L.L.P to assess the efficiency and effectiveness of the Financial Services Department for

an amount not to exceed \$228,500. Funding is available in the Financial Services Department Budget for fiscal year 2015/2016.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-128

7. Second Reading Ordinance - Amending the Civil Service Board Rules and Regulations (1st Reading 10/27/15)

Ordinance amending the Civil Service Board Rules and Regulations in its entirety as recommended by the Civil Service Board; providing for severance; and providing an effective date.

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

Enactment No: 030678

8. Second Reading Ordinance - Ordinance authorizing a use privilege agreement with the Tulo-so-Midway Independent School District located at 2653 McKinzie Road (1st Reading 10/27/15)

Ordinance authorizing the City Manager to execute a use privilege agreement with the Tulo-so-Midway Independent School District ("Permittee") to install, operate, maintain, and remove a private eight-inch PVC wastewater sanitary sewer main ("Wastewater Line") across the Haven Drive Public street right-of-way, located west of McKinzie Road public right-of-way, subject to the Permittee's compliance with specified conditions.

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

Enactment No: 030679

9. Second Reading Ordinance - Authorizing the Tax Increment Reinvestment Zone #3 Board to expend funds and approve reimbursement agreements (1st Reading 10/27/15)

Ordinance authorizing the Tax Increment Reinvestment Zone #3 (TIRZ #3) Board to expend funds and approve reimbursement agreements in accordance with the Project and Financing Plan.

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

Enactment No: 030680

10. Second Reading Ordinance - Appropriating funds for Tax Increment Reinvestment Zone (TIRZ) #3 Project Plan (1st Reading 10/27/15)

Ordinance appropriating \$1,597,564 from the unreserved fund balance in Fund 1112 Reinvestment Zone No. 3 Fund (Downtown TIF) to fund approved projects in FY2016 and changing the FY2016 Operating Budget adopted by ordinance 030620 by increasing expenditures by \$1,597,564.

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

Enactment No: 030681

M. PUBLIC HEARINGS: (ITEMS 14 - 15)

14. Public Hearing and First Reading Ordinance - Rezoning Property located at 9001 Leopard Street

Case No. 0915-07 City of Corpus Christi: A change of zoning from the interim "FR" Farm Rural District after annexation to the permanent zoning district of "IH" Heavy Industrial District. The property is described as being a 70.25 acre tract of land, described in Nueces County Deed Records by Warranty Deed Document # 2013016625, owned by SKB Acquisition Company, LLC (formerly Sam Kane Beef Processors) and located on the southwest corner of Leopard Street and North Clarkwood Road.

Planning Commission and Staff Recommendation (September 23, 2015):

Approval of the change of zoning from the "FR" Farm Rural District to the "IH" Heavy Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by the City of Corpus Christi for property owned by SKB Acquisition Company, LLC (formerly Sam Kane Beef Processors), by changing the UDC Zoning Map in reference to a 70.25 acre tract of land, described in Nueces County Deed Records by Warranty Deed Document # 2013016625, from the interim "FR" Farm Rural District after annexation to the permanent zoning district of "IH" Heavy Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez deviated from the agenda and referred to Item 14. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow heavy industrial uses associated with beef processing. Mr. Grimsbo said the Planning Commission and staff were in favor of the zoning change. Mayor Martinez opened the public hearing. There were

no comments from the Council or the public. Mayor Martinez closed the public hearing.

Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Riojas. 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

15. Public Hearing and First Reading Ordinance - Rezoning of seven newly annexed properties in Industrial District No. 1

Case No. 0915-08 City of Corpus Christi: A change of zoning from the Interim "FR" Farm Rural District after annexation to the "IH" Heavy Industrial District. The properties to be rezoned are described as **Tract 1:** Being a 1.095-acre tract of land, more or less, being out of a 34.54 acre tract out of Survey 421, Abstract No. 572 in Nueces County, Texas, such 34.54 acre tract recorded at Volume 1482, Page 1029, Deed Records of Nueces County, Texas owned by ABTEX Brinkerhoff Oil Company and said landlocked tract generally located between IH-37 and Hearn's Ferry Road and east of Carbon Plant Road; **Tract 2:** Being a tract of land containing 42,000 square feet (0.96 acre) of land out of a 3.23 acre tract recorded in Volume 1722, Page 552 of the Deed Records of Nueces County, Texas, owned by Coastal States Petroleum and said landlocked tract generally located east of North Navigation Boulevard and north of Up River Road; **Tract 3:** Being a tract of land containing 25,185 square feet (0.58 acre) of land out of a 3.23 acre tract recorded in Volume 1722, Page 552 of the Deed Records of Nueces County, Texas, owned by Coastal States Petroleum and said landlocked tract generally located east of North Navigation Boulevard and north of Up River Road; **Tract 4:** Being a 0.095 acre tract of land situated in the Rincon Del Oso Grant, Nueces County, Texas and being out of that certain 6.985 acre tract of land described in a Warranty Deed to Valero Energy Corporation recorded in Volume 2327, Page 543, Nueces County Deed Records and owned by Coastal Liquids Partners, LP and said landlocked tract generally located east of North Navigation Boulevard and north of Up River Road; **Tract 5:** Being a 0.92 acre tract of land situated in the Rincon Del Oso Grant, Nueces County, Texas and being out of that certain 6.985 acre tract of land described in a Warranty Deed to Valero Energy Corporation recorded in Volume 2327, Page 543, Nueces County Deed Records and owned by Coastal Liquids Partners, LP and said landlocked tract generally located east of North Navigation Boulevard and north of Up River Road; **Tract 6:** Being a 0.187 acre (8,138.134 square feet) out of Lot 7-B of the Oak Lawn Subdivision as

recorded in Volume 33, Page 63 of the Map Records of Nueces County, Texas and owned by Exxon Pipeline Company and located on the south corner of Buddy Lawrence Drive and Oak Park Avenue; and **Tract 7**: Being a 0.25 acre tract of land out of Lot 7-B of the Oak Lawn Subdivision as recorded in Volume 33, Page 63 of the Map Records of Nueces County, Texas and owned by Koch Gathering Sys, Inc. and located between Oak Park Avenue and Buddy Lawrence Drive and north of Huisache Street.

Planning Commission and Staff Recommendation (September 23, 2015):

Approval of the re-zoning from the Interim "FR" Farm Rural District after annexation to the "IH" Heavy Industrial District on Tracts 1-7.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by the City of Corpus Christi for seven tracts of land described and owned as follows: **Tract 1**: ABTEX Brinkerhoff Oil Co. (1.09 acres); **Tracts 2 and 3**: Coastal State Petroleum Co. (0.96 and 0.58 acres); **Tracts 4 and 5**: Coastal Liquids Partners LP (0.10 and 0.92 acres); **Tract 6**: Exxon Pipeline Co. (0.18 acres); and **Tract 7**: Koch Gathering Sys Inc. (0.25 acres), by changing the UDC Zoning Map in reference to the seven tracts encompassing 4.08 acres of land, more specifically described by City Council Ordinance 030640, from the interim "FR" Farm Rural District after annexation to the permanent zoning district of "IH" Heavy Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 15. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow heavy industrial uses in Industrial District No. 1. Mr. Grimsbo said the Planning Commission and staff were in favor of the zoning change. Mayor Martinez opened the public hearing. There were no comments from the Council or the public. Mayor Martinez closed the public hearing.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Scott. City Secretary Huerta announced that Council Member Riojas was abstaining from the vote on this item. 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 Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Abstained: 1 - Council Member Riojas

N. ONE-READING ACTION ITEMS: (ITEM 16)

16. One-Reading Action Item - Amending the Ordinances for the Victims Of Crime Act (VOCA) grants to comply with grant requirements

Ordinance amending Ordinance 030636 which accepted a grant from the State of Texas, Criminal Justice Division in the amount of \$84,795.95 for the 3rd project year of the Victims of Crime Act (VOCA) Outreach Program and Ordinance 030637 which accepted a grant in the amount of \$188,264.42 to continue the Victims of Crime Act (VOCA) grant within the Police Department for the 16th and 17th project years, to add a section regarding return of funds in event of loss or misuse of funds in order to comply with grant requirements.

Mayor Martinez referred to Item 16. City Secretary Rebecca Huerta stated that this item is listed as a one reading action item and will need to be amended to declare it as an emergency. Interim Police Chief Mike Markle stated that the purpose of this item is to amend Ordinances 030636 and 030637 to add verbiage as required by the Texas Administrative Code that the governing body will return all funds in the event of loss or misuse of grant funds. There were no comments from the Council or the public.

Council Member McIntyre made a motion to amend the ordinance to declare it an emergency, seconded by Council Member Garza and passed unanimously.

Council Member McIntyre made a motion to approve the ordinance as amended, seconded by Council Member Rosas. This Ordinance was passed on emergency 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: 030682

O. REGULAR AGENDA: (NONE)

P. FIRST READING ORDINANCES: (ITEMS 17 - 24)

17. First Reading Ordinance - Accepting and appropriating State grant funds for the 16th program year of the Violence Against Women Act (VAWA) program within the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$34,645.86 for the 16th

program year of the Violence Against Women Act (VAWA) Program within the Police Department with a City match of \$27,800.14 and an in-kind match of \$5,520 from the No. 1020 Police General Fund; appropriating the \$34,645.86 in the No. 1061 Police Grants Fund for the VAWA grant in the Police Department; and authorizing the transfer of \$27,800.14 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$67,966.00.

Mayor Martinez referred to Item 17. Interim Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant from the State of Texas, Criminal Justice Division in the amount of \$34,645.86 for the 16th program year of the Violence Against Women Act (VAWA) Program. There were no comments from the Council or the public.

Council Member Rubio 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 Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member McIntyre

Abstained: 0

18. First Reading Ordinance - Accepting and appropriating grant funds for CPR training of graduating seniors within Corpus Christi Independent School District (CCISD)

Ordinance authorizing the City Manager or designee to accept a grant from NuStar Energy L.P. in the amount of \$2,500 to support a joint pilot program between CCFD and CCISD to provide CPR training to all graduating seniors; and appropriating \$2,500 from NuStar Energy L.P. into the No .1062 Fire Grant Fund to be used specifically to purchase any equipment and/or supplies to directly benefit Fire Departments' CPR Pilot Program.

Mayor Martinez referred to Item 18. Fire Chief Robert Rocha stated that the purpose of this item is to approve acceptance of a grant from NuStar Energy L.P. in the amount of \$2,500 to purchase equipment to support the CPR Pilot Program with the Corpus Christi Independent School District to train all graduating seniors on CPR techniques. There were no comments from the public. In response to a council member, Chief Rocha stated that this is a pilot program and the Fire Department will explore the ability to expand the program to other school districts in the future.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member McIntyre. 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

19. First Reading Ordinance - Reimbursement agreement for the construction of water arterial transmission and grid main line located along North Oso Parkway, east of Ennis Joslin Road and north of Wooldridge Road

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, L.P., ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$79,747.60 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Mayor Martinez referred to Item 19. Director of Development Services Dan Grimsbo stated that the purpose of this item is to execute a water arterial transmission and grid main construction and reimbursement agreement with MPM Development, L.P. for the construction of a water arterial transmission and grid line and appropriate \$79,747.60 to reimburse the developer in accordance with the agreement. There were no comments from the Council or the public.

Council Member Garza 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: 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

20. First Reading Ordinance - Closing a portion of a utility easement located east of Fort Worth Street and South of Campbell Street

Ordinance abandoning and vacating a 1,094-square foot portion of an existing 10-foot wide utility easement out of a part of Lot 1B, Hospital Tracts Subdivision, located east of the Fort Worth Street and south of Campbell Street; and requiring the owner, Driscoll Children's Hospital to comply with the specified conditions.

Mayor Martinez referred to Item 20. Director of Development Services Dan Grimsbo stated that the purpose of this item is to abandon and vacate a utility easement to allow Driscoll Children's Hospital to relocate a City water main in order to build a new parking garage expansion. There were no comments from

the Council or the public.

Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Riojas. 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 Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

21. First Reading Ordinance - Appropriating funds to continue construction/safety enhancements/safety modification for Runway 17/35 at Corpus Christi International Airport

Ordinance appropriating \$665,021 from the Federal Aviation Administration Grant No. 3-48-0051-049-2012 Amendment No. 1 in the No. 3020 Airport Capital Improvement Fund for the Runway 17/35 600-ft Extension Displacement and Associated Taxiways and the Runway 13/31 Connecting Taxiway Projects; amending the FY2015-2016 Capital Budget adopted by Ordinance No. 030621 by increasing revenues and expenditures by \$665,021 each. With a 10% match with Airport Fund Reserves.

Mayor Martinez referred to Item 21. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate \$665,021 from Federal Aviation Administration Grant No. 49 to continue construction and safety modifications for Runway 17/35. There were no comments from the Council or the public.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member McIntyre. 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

22. First Reading Ordinance - Appropriating funds to continue construction/runway safety for Runways 17/35 and 13/31 at Corpus Christi International Airport

Ordinance appropriating \$1,733,597 from the Federal Aviation Administration Grant No. 3-48-0051-050-2013 Amendments No. 2 and 3 in the No. 3020 Airport Capital Improvement Fund for Runway 13/31, 1,000-ft extension displacement and connecting taxiways, reconstruct and expand north general aviation apron, reconstruct air carrier taxiway, extend Taxiway F, Runway 17/35, NAVAIDS site work, and

Gate 10B projects; amending the FY2015-2016 Capital Budget adopted by Ordinance No. 030621 by increasing revenues and expenditures by \$1,733,597 each. With a 10% match from the Airport Fund Reserves.

Mayor Martinez referred to Item 22. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate \$1,733,597 from the Federal Aviation Administration Grant (FAA) 50 Amendment Nos. 2 and 3 for Runways 17/35 and 13/31 to fund runway extension, connecting taxiways, expansion of north general aviation apron, and reconstruction of air carrier taxiway. There were no comments from the Council or the public.

Council Member Garza 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

L. EXECUTIVE SESSION: (ITEMS 11 - 13)

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

- 11. Executive session pursuant to Texas Government Code § 551.071 for consultation with attorneys regarding collective bargaining negotiations and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters' Association.**

This E-Session Item was discussed in executive session.

- 12. Executive session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to potential economic development agreements involving Park Road 22, Gulf Shores Joint Venture, the Packery Channel Tax Increment Reinvestment Zone, and unexpended proceeds from prior debt issuance and pursuant to Texas Government Code § 551.087 to discuss or deliberate regarding commercial or financial information relating to the aforementioned matters and entities that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations and/or financial or other incentives involving said business prospect**

This E-Session Item was discussed in executive session.

- 13. Executive session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to**

consult with attorneys concerning legal issues involving administrative orders and/or potential litigation from the U.S. Environmental Protection Agency, U.S. Department of Justice, and/or Texas Commission on Environmental Quality related to the City's wastewater treatment plants, sanitary sewer overflows, and the City's Sanitary Sewer Collection System.

Mayor Martinez referred to Item 13 and the following motion was considered:

Motion to authorize the extension of unexpended funds previously authorized for Lloyd Gosselink, HDR, Pipeline Analysis, Barnes & Thornburg, and CDM Smith for legal and engineering services in negotiation and potential litigation with the U.S. Environmental Protection Agency and U.S. Department of Justice regarding sanitary sewer overflows and effluent excursions from Fiscal Year 2014-2015 to Fiscal Year 2015-2016 and the treatment of such entities in a collective manner for expenditure of said funds.

Council Member Garza made a motion to approve the motion, seconded by Council Member McIntyre. This Motion was passed 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

Enactment No: M2015-129

FIRST READING ORDINANCES: (ITEMS 23 - 24)

23. First Reading Ordinance - Approving the Proposed 2016 Annual Audit Plan

Ordinance to approve the 2016 Annual Audit Plan

Mayor Martinez referred to item 23. City Auditor Arlena Sones stated that the purpose of this item is to request approval of the 2016 Annual Audit Plan. The proposed audit plan was approved by the Audit Committee in October and revisions to the proposed plan were discussed at today's Audit Meeting. Ms. Sones provided an overview of the audit projects.

Council Member Scott, Chairman of the Audit Committee, provided information on the Audit Committee's discussions regarding zero-based budgeting (A6). Council Member Scott stated that the Audit Committee is requesting that the City Council provide a motion of direction to the City Manager to set forth a deliberative conversation regarding zero-based budgeting that could lead to a decision at the City Council retreat. If this motion is approved by the City Council, the Audit Committee is recommending that item regarding zero-based budgeting be removed from the proposed audit plan.

MOTION OF DIRECTION

Council Member Magill made a motion directing the City Manager to bring a

briefing to the City Council on the City of Corpus Christi's Annual Operating Budget converting to a true zero-based budget process before the City Council Retreat, seconded by Council Member Vaughn and passed unanimously (Rosas - absent).

Council Member Scott made a motion to amend the 2016 Proposed Annual Audit Plan by removing Item A6 regarding zero-based budgeting, seconded by Council Member Magill and passed unanimously (Rosas - absent). There were no comments from the public.

Council Member Scott made a motion to approve the ordinance as amended, seconded by Council Member Riojas. This Ordinance was passed on first reading as amended 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

24.

First Reading Ordinance - Accepting and Appropriating Partial Reimbursement for Election Services Overbilling

Ordinance accepting payment from Nueces County in the amount of \$73,616.52 as partial reimbursement for election services overbilling and appropriating in the No. 1020 General Fund; changing the FY2015-2016 operating budget adopted by Ordinance 030620 to increase revenues and expenditures by \$73,616.52.

Mayor Martinez referred to Item 24. City Secretary Rebecca Huerta stated that Nueces County Clerk Kara Sands recently notified the City of Corpus Christi that Nueces County had completed an audit of the cost of election services billed to the City from October 2012 and December 2014. City Secretary Huerta stated that the purpose of this item is to accept and appropriate the first of two \$73,616.52 reimbursement payments from Nueces County. The second payment is expected to be reimbursed by Nueces County next fiscal year. There were no comments from the public.

Council members spoke regarding the following topics: where the funds would be appropriated and appreciation to Nueces County Clerk Kara Sands for ordering the audit.

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

Aye: 8 - 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

Q. FUTURE AGENDA ITEMS: (ITEMS 25 - 30)

Mayor Martinez referred to Future Agenda Items. City Manager Olson stated that staff had a planned presentation on Item 30.

25. Purchase of Emulsified Polymerized Asphalt for use in street sealcoating

Motion authorizing the City Manager, or designee, to enter a supply agreement with Ergon Asphalt & Emulsions, Inc., Austin, Texas for emulsified polymerized asphalt in accordance with Bid Event 75, based on only bid, for an estimated 6-month expenditure of \$349,450.00. The term of the agreement shall be for six (6) months with options to extend for up to five (5) additional six-month periods, subject to the approval of the supplier and the City Manager or designee. Funds are available in the Material Inventory Fund by the Street Operations Department in FY 2015-2016.

This Motion was recommended to the consent agenda.

26. Resolution approving a Developer Participation Agreement for the City's cost to extend North Oso Parkway located east of Ennis Joslin and north of Wooldridge Road

Resolution authorizing the City Manager or designee to execute a developer participation agreement with MPM Development, L.P., ("Developer"), to reimburse the Developer up to \$304,508.60 for the City's share of the cost to extend North Oso Parkway, in accordance with the Unified Development Code.

This Resolution was recommended to the consent agenda.

27. Engineering Contract for McBride Lift Station and Force Main Improvements

Motion authorizing the City Manager or designee to execute an engineering contract with Coym, Rehmet & Gutierrez of Corpus Christi, Texas in the amount of \$391,870 for the McBride Lift Station and Force Main Improvements for design, bid and construction phase services.

This Motion was recommended to the consent agenda.

28. Resolution to approve repair and completion of preventative maintenance of the LED lighting system on the Harbor Bridge

Resolution finding that competitive bids are not required for procurement from Pfeiffer & Son, Ltd, and authorizing the City Manager, or designee, to execute an agreement with Pfeiffer & Son,

Ltd. in the amount of \$69,064.50 for the repair and preventative maintenance of the LED lighting system on the Harbor Bridge.

This Resolution was recommended to the consent agenda.

29. Resolution requesting Corpus Christi Regional Transportation Authority Forensic Audit

Resolution authorizing issuance of a letter to the Corpus Christi Regional Transportation Authority requesting a forensic audit of the Corpus Christi Regional Transportation Authority's finances and accounting practices.

This Resolution was recommended to the regular agenda.

30. Resolution authorizing the submission of a grant application to the Governor's office for the Defense Economic Adjustment Assistance Grant (DEAAG) program

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of up to five million dollars (\$5,000,000) to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program.

This Resolution was recommended to the consent agenda.

R. BRIEFINGS: (ITEMS 31 - 32)

31. Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Economic Update

Mayor Martinez referred to Item 31. Iain Vasey, President/CEO of the Corpus Christi Regional Economic Development Corporation (EDC), stated that the purpose of this item is to provide the EDC quarterly update. Mr. Vasey provided the following information: the EDC's goals and results; data for the Coastal Bend Workforce Area; key economic indicators; the strategic plan; the economic return on investment; and the 2016 economic outlook.

Council members spoke regarding the following topics: the efforts made by the EDC regarding job retention and creation and global company presence in Corpus Christi.

32. Housing Workshop #4

Mayor Martinez referred to Item 32. Assistant City Manager Susan Thorpe stated that the purpose of this item is to present Housing Workshop #4 regarding a proposal for a new infill housing incentive program for council discussion and direction. Assistant City Manager Thorpe introduced the presentation team members: Assistant City Manager Gus Gonzalez and Director of Housing and Community Development Eddie Ortega. Assistant City Manager Thorpe provided a brief recap of the previous workshops: the

housing market supply for homes below \$100,000; focusing housing policies and programs on vacant, substandard, infill/revitalization, and downtown areas; the City's tools to influence housing; short and long-term recommendations; and the current housing programs for Housing and Community Development (HCD) and Type A. Assistant City Manager Thorpe presented information on the Type A Pilot Program approved by the Type A board at their September 21, 2015 meeting and the proposed City Infill Housing Incentive Program's purpose, benefits, program guidelines and incentives. Staff is recommending that the proposed Infill Housing Incentive Program be considered for the six lots within the CDBG boundaries that the City Council previously directed to be sold.

Council members spoke regarding the following topics: the software tracking program used by Housing and Community Development (HCD) to track payment of loans; the interest rate on loans; how the loans generate revenue; the Type A loan for Home Buyer Assistance up to \$10,000; the maximum loan that can be received when combining the HCD and Type A loans; gap analysis on Type A loans; whether Type A funds can be used for closing costs; the ability to provide incentives on vacant lots in the CDBG area on both private and City-owned lots; the similarities between the Type A Pilot Program and the existing demolition/reconstruction program in HCD; whether there is a market for the Type A pilot program; generating comparables through the Type A Pilot Program; risks associated with the Type A Pilot Program; modifying the Type A Pilot Program to a loan program to build a house; the number of loans provided for demolition/reconstruction program; the infill lot programs provided by the City of San Antonio; average price of a house per square foot in the CDBG area; creating a list of multiple or vacant homes in an area to develop "opportunity spaces" for builders/investors and provide incentives or rezoning to revitalize neighborhoods; investigating other programs that are successful in affordable housing; an example of the type of home that will be built; the long-term recommendation for partnering with the Corpus Christi Housing Authority; the reason the lots were not sold as previously directed by City Council; the total amount of incentives that the City would provide; responses from the builders regarding the programs; the timeframe for the bidding process; options to encourage the Texas Department of Housing and Community Affairs to provide points for infill/redevelopment; and that the City should not be in the home building business.

The consensus of the City Council was to: bring forward the Infill Housing Incentive Program for vacant City-owned lots and the targeted CDBG area; bring back to City Council, the Type A Pilot Program with clear information on the lending process, with no risk to the taxpayers; and provide periodic progress reports to City Council with results and recommendations.

S. LEGISLATIVE UPDATE:

None.

T. ADJOURNMENT

The meeting was adjourned at 6:13 p.m.