



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, March 24, 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. Mayor Martinez announced that Council Member Magill welcomed the arrival of a baby girl, Avery Gray Magill, at 11:18 a.m.

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

Reverend Gloria Lear gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Steve Viera, Benefits Manager.

Benefits Manager Steve Viera 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: 8 - Mayor Nelda Martinez, Council Member Rudy Garza, 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

Absent: 1 - Council Member Chad Magill

E. Proclamations / Commendations

1. Proclamation declaring March 27-29, 2015, "Corpus Christi Festival of the Arts"
Proclamation declaring March 28, 2015, "The 16th Annual Celebration of Cesar Chavez Day"
Swearing-in Ceremony for Newly Appointed Board, Commission and

Committee Members

Swearing-in Ceremony for Newly Appointed Municipal Court Judges

Mayor Martinez presented the proclamations and conducted the swearing-in ceremony for newly appointed board and committee members. Retired Senior District Judge Jack Hunter conducted the swearing-in ceremony for newly appointed Municipal Court Judges.

- 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. Jack Gordy spoke regarding palm trees blocking the sidewalk on Airline Road. Susie Luna Saldana provided clarification that LULAC Council #1 is not associated with the legal issues discussed in the media regarding the settlement agreement between the City and LULAC Village Park Apartments. Kevin Hill spoke regarding the Shoreline Boulevard realignment and the concept of a park road on the closed section of Shoreline. Eloy Garza expressed concern regarding Municipal Court fines.

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

Mayor Martinez referred to City Manager's Comments. City Manager Olson spoke regarding the following topics:

a. OTHER

1) The rain that was received last week has brought the current lake levels up to 33.2% as of today with anticipated lake levels to conclude at 36%. Lake Texana, which is not part of the combined lake levels, is at 100%. 2) City Manager Olson announced that the bond rating agency, Standard and Poors, has increased the City's bond rating for the Combined Utility System from an A+ to a AA-. 3) City Manager Olson announced the appointment of Jeff Edmonds as the new Director of Capital Programs and welcomed Mr. Edmonds to the staff.

I. MINUTES:

- 5. Regular Meeting of March 10, 2015**

A motion was made by Council Member Rudy Garza, seconded by Council Member Colleen McIntyre, that the Minutes be passed. The motion carried by a unanimous vote.

J. BOARD & COMMITTEE APPOINTMENTS:

- 6. Board of Adjustment
Building Standards Board**

Corpus Christi Regional Transportation Authority
Electrical Advisory Board
Island Strategic Action Committee
Landmark Commission
Museum of Science and History Advisory Board
Senior Companion Program Advisory Committee

Mayor Martinez referred to board and committee appointments. The following appointments are made:

Board of Adjustment

Council Member McIntyre made a motion to reappoint John Douglas McMullan, Heriberto A. (Tony) Pineda, Cliff Atnip (Alternate) and Taylor Mauck (Alternate), seconded by Council Member Garza and passed unanimously. Council Member McIntyre made a motion to align Cliff Atnip and Taylor Mauck to Regular Members, seconded by Council Member Scott and passed unanimously. Council Member McIntyre made a motion to appoint Burris W. McRee (Regular Member), seconded by Council Member Garza and passed unanimously. Council Member Scott made a motion to appoint Shawn Matthew Karaca (Alternate), seconded by Council Member McIntyre and passed unanimously. Council Member Scott made a motion to appoint Theunis "Tim" Voorkamp (Alternate) , seconded by Council Member Garza and passed unanimously.

Building Standards Board

Council Member Scott made a motion to appoint Tim Honea (General Contractor), seconded by Council Member Garza and passed unanimously. Mayor Martinez made a motion to appoint Craig Stephen Loving (At-Large), seconded by Council Member McIntyre and passed unanimously.

Corpus Christi Regional Transportation Authority

Council Member Rosas made a motion to appoint Edward Martinez, seconded by Council Member Rubio and passed unanimously.

Electrical Advisory Board

Mayor Martinez made a motion to appoint Vernon A. Wuensche (Registered Professional Engineer), seconded by Council Member McIntyre and passed unanimously. Council Member Garza made a motion to appoint Robert Sandate (Electrical Supply Business), seconded by Council Member Riojas and passed unanimously.

Island Strategic Action Committee

Council Member McIntyre made a motion to reappoint Alex Harris (Construction Contractor), Jodi Steen (At-Large), and William F. Goldston (Professional Engineer), seconded by Council Member Garza and passed unanimously. Council Member McIntyre made a motion to realign Alex Harris from Construction Contractor to Developer, Jodi Steen from At-Large to Construction Contractor, and Rick Sowash from At Large to Realtor, seconded by Council Member Scott and passed unanimously. Council Member McIntyre made a motion to appoint Libby Edwards Middleton (Residential Property),

seconded by Council Member Garza and passed unanimously. Council Member McIntyre made a motion to appoint David J. Perry (Environmental), seconded by Council Member Scott and passed unanimously. Council Member McIntyre nominated Laurence R. (Brud) Jones III (At Large). Council Member Rubio nominated Carter L. Tate (At Large). Council Member Rubio made a motion to appoint Laurence R. (Brud) Jones, III (At Large) and Carter L. Tate (At Large), seconded by Council Member Scott and passed unanimously.

Landmark Commission

Council Member McIntyre made a motion to appoint Jillian Becquet (Historian), seconded by Council Member Scott and passed unanimously. Mayor Martinez made a motion to appoint Tiffani McKinney (Regular Member), seconded by Council Member Garza and passed unanimously.

Museum of Science and History Advisory Board

Mayor Martinez made a motion to appoint Steve Arnold (Friends of Museum), seconded by Council Member Riojas and passed unanimously. Mayor Martinez made a motion to appoint Anita Eisenhower (Advisory, Non-Voting), seconded by Council Member Garza and passed unanimously.

Senior Companion Program Advisory Committee

Council Member McIntyre made a motion to appoint Veronica Suniga (At-Large) and Veronica Marcello (At-Large), seconded by Council Member Riojas and passed unanimously.

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 7 - 17)

Approval of the Consent Agenda

Mayor Martinez referred to the Consent Agenda. There were no comments from the Council or the public. Council Member Garza made a motion to approve the consent agenda items, seconded by Council Member Rubio. The consent agenda was passed with the following vote:

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

Absent: 1 - Council Member Magill

Abstained: 0

7. **Authorizing a grant application submission for funding available under the Victims of Crime Act Fund**

Resolution authorizing the submission of a grant application in the amount of \$90,366.92 to the State of Texas, Criminal Justice Division for funding available under the Victims of Crime Act (VOCA) fund for

the Police Department's Family Violence Unit with a city match of \$18,592.68 and \$4,000 in-kind services for a total project cost of \$112,959.60; and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

This Resolution was passed on the Consent Agenda.

Enactment No: 030447

8. Authorizing a grant application submission to fund year 3 of the Victim Outreach Program

Resolution authorizing the submission of a grant application in the amount of \$78,273.18 to the State of Texas, Criminal Justice Division Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit to continue Year 3 of the Victim Outreach Program with a City match of \$13,368.30 and \$6,200 in-kind services, for a total project cost of \$97,841.48; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

This Resolution was passed on the Consent Agenda.

Enactment No: 030448

9. Approving the Purchase of Radar Equipment

Motion approving the purchase of twenty (20) ProLaser radars for the Corpus Christi Police Department in the amount of \$65,335.60 from Kustom Signals, Inc. Chanute, KS. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funds are available through the Crime Control and Prevention District.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-025

10. Approving the Lease-Purchase of Aerial Platform Vehicle Unit

Motion approving the lease-purchase of one (1) aerial platform vehicle unit from Siddons-Martin Emergency Group, Houston, Texas for a total amount of \$1,199,000.00, of which \$21,199.88 is required for the remainder of FY 2014-2015. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Financing for the lease-purchase will be provided through the City's lease-purchase financing contractor.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-026

11. Approving the Purchase of the Learning Management

Subscription Licenses

Motion authorizing the City Manager or designee, to approve a five year agreement for the purchase of Learning Management Subscription licenses and consulting hours from INFOR (US), Inc., Alpharetta, GA in the amount of \$257,688. Expenditures for the first year total \$97,688 that includes \$57,688 in consulting hours and an annual subscription licenses of \$40,000. Funds are available in the Human Resources FY2015 budget and the annual subscription licenses of \$40,000 will be requested through the budget process for subsequent years.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-027

12. Approving the Purchase of Additional Licenses to a Subscription of Curated Online Courses through OpenSesame

Motion authorizing the City Manager or designee to execute all documents necessary to approve the purchase of additional subscription service licenses provided sole source from Open Sesame Inc, Portland OR, for a total expenditure of \$74,580 for the subscription service for one (1) year. Funds are available in the Human Resources FY2015 budget.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-028

13. Approving a resolution opposing a Revenue Cap and Legislative Interference with Local Services

Resolution of the City of Corpus Christi, Texas, in opposition to a Revenue Cap and Legislative Interference with Local Services.

This Resolution was passed on the Consent Agenda.

Enactment No: 030449

14. Second Reading Ordinance - Amending the Unified Development Code to increase the self-storage use compartment size limitation (1st Reading 3/10/15)

Ordinance amending the Unified Development Code ("UDC") by revising Section 5.2.14.C allowing an increase in self-storage use compartment sizes from 400 square feet to 500 square feet; and providing for severance, penalties, and publication.

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

Enactment No: 030450

15. Second Reading Ordinance - Rezoning from Farm Rural to Single-Family on Tract 1 and to Commercial on Tract 2 at 714 FM 2444 (1st Reading 3/10/15)

Case No. 0115-06 South Staples LLC: A change of zoning from the "FR" Farm Rural District to the "RS-15" Single-Family 15 District on Tract 1 and from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District on Tract 2. Tract 1 is described as being an 8.57 acre tract out of a 78.76 acre parcel which is out of the East One-Half of the Northwest One-Quarter, Section Thirty, Laureles Farm Tracts. Tract 2 is described as being a 5.22 acre tract out of a 78.76 acre parcel which is out of the East One-Half of the Northwest One-Quarter, Section Thirty, Laureles Farm Tracts. The properties are located at the northwest corner of South Staples Street (FM 2444) and County Road 41A.

Planning Commission and Staff Recommendation (February 11, 2015):

Tract 1: Denial of the rezoning from the "FR" Farm Rural District to "RS-15" Single-Family 15 District and, in lieu thereof, approval of the "RS-22/SP" Single-Family 22 District with a Special Permit subject to a site plan and conditions.

Tract 2: Approval of the rezoning from the "FR" Farm Rural District to "CN-1" Neighborhood Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by South Staples, LLC ("Owner"), by changing the UDC Zoning Map in reference to Tract 1, being an 8.57-acre tract out of a 78.76-acre parcel which is out of the East One-Half of the Northwest One-Quarter, Section Thirty, Laureles Farm Tracts, and Tract 2, being a 5.22-acre tract out of a 78.76-acre parcel which is out of the East One-Half of the Northwest One-Quarter, Section Thirty, Laureles Farm Tracts, from the "FR" Farm Rural District to the "RS-22/SP" Single-Family 22 District with a Special Permit on Tract 1; and from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District on Tract 2; 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: 030451

16. Second Reading Ordinance - Closing a portion of a utility easement located east of and at the dead-end of the Lands' End Drive public street right-of-way (1st Reading 3/10/15)

Ordinance abandoning and vacating a 925-square foot portion of an existing 10-foot wide utility easement out of Lot 32A, Block 16, Rancho Vista Subdivision Unit 8, located east of and at the dead-end of the Lands' End Drive public street right-of-way; and requiring the owner, Yorktown Oso Venture, to comply with the specified conditions.

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

Enactment No: 030452

17. Second Reading Ordinance - Engineering Construction Contract for Cefe Valenzuela Landfill Disposal Sector 1B and 1C Re-Bid (1st Reading 3/10/15)

Ordinance amending the FY 2015 Capital Improvement Program Budget adopted by Ordinance No. 030303 by transferring \$580,749.23 from Sanitary Landfill 2006 CIP Fund 3362 project reserves to Project E13035 Cefe Valenzuela Landfill Disposal Sector 1B and 1C; transferring 74,250.77 from Sanitary Landfill 2008 CIP Fund 3365 project reserves to Project E13035 Cefe Valenzuela Landfill Disposal Sector 1B and 1C; increasing the budget by \$655,000; and authorizing the City Manager, or designee, to execute a construction contract with LD Kemp Excavating, Inc. of Fort Worth, Texas in the amount of \$3,425,921.00 for the Cefe Valenzuela Landfill Disposal Sector 1B and 1C Re-Bid for the total Base Bid plus Additive Alternate 1.

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

Enactment No: 030453

R. BRIEFINGS: (ITEMS 34)

34. City of Corpus Christi - Debt

Mayor Martinez referred to Item 34. Mayor Martinez asked staff if there was an urgency to have the discussion on the City of Corpus Christi - Debt today or if it could be delayed to allow Council Member Magill to be present. City Manager Olson responded that the item could be postponed. Council Member Garza made a motion to table Item 34 until March 31, 2015, seconded by Council Member Rubio and passed unanimously.

M. PUBLIC HEARINGS: (ITEMS 18 - 20)

18. Public Hearing and First Reading Ordinance - Rezoning from Multifamily to Resort Commercial at 221 Hotel Place

Case No. 0115-07 North Beach Holdings, LLC: A change of zoning from the "RM-AT" Multifamily AT District to the "CR-3" Resort Commercial District. The property to be rezoned is described as Lot

52A, Block III, Corpus Beach Hotel Addition, located along the south side of Hotel Place approximately 180 feet east of Surfside Boulevard and along the beach frontage.

Planning Commission and Staff Recommendation (February 25, 2015):

Approval of the change of zoning rezoning from the "RM-AT" Multifamily AT District to the "CR-3" Resort Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by North Beach Holdings, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 52A, Block III, Corpus Beach Hotel Addition, from the "RM-AT" Multifamily AT District to the "CR-3" Resort Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 18. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for an outdoor recreation use, such as a ferris wheel, to be placed in the vacant parking lot. Mr. Grimsbo stated that the Planning Commission and staff are in favor of the zoning change. Mayor Martinez opened the public hearing. There were no comments from the public. Mayor Martinez closed the public hearing. Mayor Martinez thanked applicant, Lynn Frazier for this significant investment on North Beach. Lynn Frazier said he has received positive feedback from visitors and appreciated the support of the City Council. 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030454

19. Public Hearing and First Reading Ordinance - Rezoning from Neighborhood Commercial to General Commercial at 4655 Kostoryz Road

Case No. 0115-08 David A. Montero Fonseca: A change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District, not resulting in a change to the Future Land Use Plan. The property is described as Block B, Sunnybrook Addition, located at the northwest corner of Kostoryz Road and Sunnybrook Road.

Planning Commission and Staff Recommendation (February 25, 2015):

Approval of the change of zoning from the, "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by David A. Montero Fonseca ("Owner"), by changing the UDC Zoning Map in reference to Block B, Sunnybrook Addition, from the "CN-1" Neighborhood Commercial 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 Martinez referred to Item 19. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow a commercial use such as a vehicle sales business. Mr. Grimsbo stated that the Planning Commission and staff are in a favor of the zoning change. Mayor Martinez opened the public hearing. There were no comments from the public. Mayor Martinez closed the public hearing. In response to a council member, Mr. Grimsbo stated that notification is sent to residents within 200 feet and a sign is posted at the subject property. Council members spoke in support of the improvements to the area. Council Member Scott 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030455

20. Public Hearing and First Reading Ordinance - Rezoning from Multifamily to Townhouse at 14101 Commodores Drive

Case No. 0115-09 Oceanic B.C., LLC: A change of zoning from the "RM-AT" Multifamily AT District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay. The property to be rezoned is described as Lot 21, Block 34, Island Fairway Estates, located south of the intersection of Commodores Drive and Aquarius Street (formerly Estrada Drive).

Planning Commission and Staff Recommendation (February 25, 2015): Approval of the change of zoning from the "RM-AT" Multifamily AT District to the "RS-TH/PUD" Townhouse with a Planned Unit Development Overlay, subject to ten conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC") upon

application by Oceanic B.C., LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 21, Block 34, Island Fairway Estates, from the "RM-AT" Multifamily AT District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

Mayor Martinez referred to Item 20. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for the construction of a 20-unit townhouse development that deviates from the typical townhouse development standards. Mr. Grimsbo stated that the Planning Commission and staff are 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 McIntyre. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030456

H. EXECUTIVE SESSION: (ITEMS 2 - 4)

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

- 2. 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 matters including pending or contemplated litigation regarding Cause No. 2013-DCV-4206-C, styled *Valero Refining-Texas, LP and Valero Refining Company vs. Nueces County Appraisal District*, with additional discussion and possible action in open session.**

This E-Session Item was discussed in executive session.

- 3. Executive session pursuant to Texas Government Code § 551.071 for consultation with attorneys regarding fire collective bargaining negotiations, the Agreement between the City of Corpus Christi and the Corpus Christi Firefighters Association and/or police 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 legal requirements of the Texas Local Government Code and other Texas laws regarding the various legally allowed methods of purchasing insurance, including possible utilization of the RFP Broker/Agent of Record method and minimum allowable timelines for said utilization, with additional discussion and possible action in open session regarding any aspect of purchasing property insurance, utilizing a particular method for acquiring insurance or broker services or other issues related to the acquisition of insurance coverage.

This E-Session Item was discussed in executive session.

N. REGULAR AGENDA: (NONE)

O. MID-YEAR BUDGET ADJUSTMENTS: (ITEMS 21 - 24)

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

Absent: 1 - Council Member Magill

Abstained: 0

21. First Reading Ordinance - Amending the Budget Ordinance to increase the number of Police Captain positions by one

Ordinance amending Ordinance No. 030294 to increase the number of positions authorized for the classification of "Police Captain" from fifteen (15) to sixteen (16).

Mayor Martinez referred to Item 21. Police Chief Floyd Simpson stated that the purpose of this item is to increase the number of Police Captain positions authorized by one (1) to provide a Captain position to the Animal Control Division. There were no comments from the Council or the public. Council Member Scott 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: 8 - Mayor Martinez, Council Member Garza, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030457

22. First Reading Ordinance - Appropriating Funds to Cover Additional Estimated Costs Related to December of 2014's Runoff Election

Ordinance appropriating a total of \$176,712 from the unreserved fund balance in the No. 1020 General Fund for additional estimated costs related to the runoff election held in December 2014; and changing the operating budget adopted by Ordinance No. 030294 by increasing expenditures by \$176,712.

Mayor Martinez referred to Item 22. Assistant Director of Management and Budget Eddie Houlihan stated that the purpose of this item is to authorize additional funding in the amount of \$176,712 to cover additional estimated costs related to the December 2014 Runoff Election. Mr. Houlihan said the Council discussed this item in December 2014. There were no comments from the public. Council Member Riojas said she would like an update on discussions between City Secretary Huerta and Nueces County Clerk Kara Sands regarding consolidation of costs, new ideas and best practices for future elections. City Secretary Huerta stated that she plans on having that discussion after receiving the final election invoice in late March or early April and will keep the Council informed. 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030458

23.

First Reading Ordinance - Appropriating funds for the Residential/Local Street Capital Fund for Residential/Local Street Reconstruction

Ordinance appropriating \$1,000,000 from the Unreserved Fund Balance in the No. 1020 General Fund; transferring to and appropriating in the No. 1042 Street Fund for the residential and local street program; changing the FY 2014-2015 Operating Budget adopted by ordinance no. 030294 to increase appropriations by \$1,000,000 in the No. 1020 General Fund and \$1,000,000 in the No. 1042 Street Fund and to increase revenue by \$1,000,000 in the No. 1042 Street Fund.

Mayor Martinez referred to Item 23. Assistant Director of Management and Budget Eddie Houlihan stated that the purpose of this item is to establish a newly created fund in accordance with the Financial Policies approved by the City Council in August 2014. This action will transfer \$1,000,000 from the Unreserved Fund Balance in the General Fund to the newly created Residential/Local Street Capital Fund. There were no comments from the public. In response to a council member, Mr. Houlihan stated that the language "unusual and unforeseen condition" in the ordinance is standard language. Council Member Garza 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: 8 - Mayor Martinez, Council Member Garza, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030459

24. First Reading Ordinance - Appropriating funds for the Facilities and Property Management Maintenance Consolidation

Ordinance transferring \$459,104.37 from the No. 1020 General Fund to and appropriating in the No. 5115 Facilities Fund; transferring \$53,206.02 from the No. 4130 Gas Fund to and appropriating in the No. 5115 Facilities Fund; appropriating \$1,100,000 from the unreserved fund balance in the No. 5115 Facilities Fund to consolidate maintenance related costs in the No. 5115 Facilities Fund; and amending the FY2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing revenue by \$512,310.39 and expenditures by \$1,612,310.39.

Mayor Martinez referred to Item 24. Assistant Director of Management and Budget Eddie Houlihan stated that the purpose of this item is to transfer funds from the General Fund and Gas Fund to establish a centralized Facilities and Property Management department which include the consolidations of full time employees and appropriates \$1,100,000 in the Facilities Fund from FY2014 to FY2015 to complete maintenance projects. There were no comments from the public. In response to a council member, Mr. Houlihan stated that next year's budget will include budgeted amounts for specific projects. 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030460

P. FIRST READING ORDINANCES: (ITEMS 25 - 30)

25. First Reading Ordinance - Accepting and appropriating funds from the Texas Law Enforcement Standards and Education (LEOSE) Account for training and equipment

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an annual allocation payment from the

State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$28,936.41; and appropriating funds from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$28,936.41 in the No. 1061 Police Grants Fund for training of police personnel and purchase of training equipment.

Mayor Martinez referred to Item 25. Police Chief Floyd Simpson stated that the purpose of this item is to accept an annual allocation payment in the amount of \$28,936.41 from the State of Texas - Law Enforcement Officer Standards and Education (LEOSE) Account for training purposes for police personnel. There were no comments from the Council or the public. Council Member Scott 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030461

26.

First Reading Ordinance - Use Privilege Agreement for Underground Communications Cable to cross Williams Drive right-of-way

Ordinance authorizing the City Manager or designee, to execute a use privilege agreement with Breckenridge Group Corpus Christi Phase II, LP. ("Permittee"), to install, operate, maintain, and remove a private underground fiber optic communications cable from the existing Phase 1 property (Oso River Estates Subdivision) located on the north side of Williams Drive and crossing approximately 70 linear feet of the Williams Drive public street right-of-way, to the Phase 2 property (Oso River Estates Unit 2 Subdivision) located on the south side of Williams Drive, subject to Permittee' compliance with specified conditions.

Mayor Martinez referred to Item 26. Director of Development Services Dan Grimsbo stated that the purpose of this item is to execute a Use Privilege Agreement with Breckenridge Group for underground communication cables to allow the ability to provide communication services from property in Oso River Estates Subdivision from Phase 1 to Phase 2. There were no comments from the Council or the public. Council Member Garza 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: 8 - Mayor Martinez, Council Member Garza, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030462

27. First Reading Ordinance - to reimburse developer for shared cost of bridge construction

Ordinance appropriating \$3,294.94 of interest earned in the No. 4730 Infrastructure Fund and transferring to and appropriating in No. 3530 Streets CIP Fund; and appropriating \$28,783.91 from the No. 4730 Infrastructure Fund to reimburse VOJO Ventures, LLC.; and approving \$28,783.91 to reimburse the VOJO Ventures, LLC. from the No. 4730 Infrastructure Fund for the proportionate share of a future bridge construction and supporting public utility infrastructure as required to plat The Coves at Lago Vista Unit 1.

Mayor Martinez referred to Item 27. Director of Development Services Dan Grimsbo stated that the purpose of this item is to reimburse VOJO Ventures, LLC for the shared cost to construct a bridge for The Coves at Lago Vista Unit 1. There were no comments from the Council or the public. Council Member Garza 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: 8 - Mayor Martinez, Council Member Garza, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030463

28. First Reading Ordinance - To allow the City to reimburse itself for costs incurred prior to receipt of bond proceeds for Bond 2014 Projects

Ordinance relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements from the proceeds of one or more series of tax-exempt obligations to be issued by the City for authorized purposes in an amount not to exceed \$99,495,000; authorizing other matters incident and related thereto; and providing an effective date.

Mayor Martinez referred to Item 28. Director of Financial Services Constance Sanchez stated that the purpose of this item is to authorize the City to reimburse itself for costs incurred associated with Bond 2014 projects prior to the receipt of bond proceeds. There were no comments from the Council or the public. Council Member Garza 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030464

29. First Reading Ordinance - Authorizing Issuance of General Improvement Bonds to finance voter-approved Bond 2014 Projects

Ordinance authorizing the issuance of one or more series of "City of Corpus Christi, Texas General Improvement Bonds", as further designated by series, in an aggregate principle amount not to exceed \$99,495,000; levying a continuing direct annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds; including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement and a purchase contract; complying with the letter of representations on file with the depository trust company; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the bonds; and providing an effective date.

Mayor Martinez referred to Item 29. Director of Financial Services Constance Sanchez stated that the purpose of this item is to authorize the issuance of General Improvement Bonds in an amount not to exceed \$99,495,000 to finance projects approved by the voters in November 2014. Ms. Sanchez stated that at the time of the election, voters were told that passing Proposition 1 would not result in a property tax increase and passing Proposition 2 could result in a property tax increase of up to \$0.021. The City will receive the certified assessed values in July 2015 from the Nueces County Tax Appraisal District and at that time, staff will be able to determine if an increase will be needed. There were no comments from the Council or the public. 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030465

30. First Reading Ordinance - Authorizing the Issuance of General Improvement Refunding Bonds

Ordinance authorizing the issuance of one or more series of "City of

Corpus Christi, Texas General Improvement Refunding Bonds”, as further designated by series, in an aggregate principal amount not to exceed \$85,000,000, levying a continuing direct annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds; including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrars agreement, a purchase contract, and an escrow agreement; complying with the letter of representations on file with the depository trust company; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the bonds; and providing an effective date.

Mayor Martinez referred to Item 30. Director of Financial Services Constance Sanchez stated that the purpose of this item is to authorize the issuance of General Improvement Refunding Bonds in an amount not to exceed \$85,000,000. If all eligible outstanding bonds are refunded at today's interest rate, a net present value savings of \$4,816,538 or 5.835% would be realized. The actual amount to be refunded will be determined at the time of pricing. Ms. Sanchez stated that Future Agenda Item 31 is related to Items 29 and 30 and the purpose is to appoint M.E. Allison & Co. as Financial Advisor of both transactions. Ms. Sanchez updated the Council regarding the RFP for the Financial Advisor by stating that staff is currently in the evaluation phase. Since the RFP is not complete, staff is recommending the appointment of M.E. Allison & Co. Mayor Martinez called for comments from the public. Abel Alonzo thanked the City Manager and staff for bringing forward projects that save the taxpayers money. Council Member McIntyre thanked staff for bringing forward this refinancing item and asked how staff is made aware of these finance opportunities. Ms. Sanchez stated that the City's financial advisor informed staff. 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Magill

Abstained: 0

Enactment No: 030466

Q. FUTURE AGENDA ITEMS: (ITEMS 31 - 33)

Mayor Martinez referred to Future Agenda Items. City Manager Olson stated that future agenda items allow the Council the opportunity to review and make the public aware of items that do not require two readings. City Manager Olson stated that staff previously presented information on Item 31 and did not have any additional comments on the remaining items.

31. Appointment of Financial Advisor for Issuance of General Improvement Bond (Bond 2014 Projects) and General

Improvement Refunding Bonds

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for one or more series of "City of Corpus Christi, Texas General Improvement Bonds" in an aggregate principal amount not to exceed \$99,495,000, and for one or more series of "City of Corpus Christi, Texas General Improvement Refunding Bonds" in an amount not to exceed \$85,000,000.

This Motion was recommended to the consent agenda.

Enactment No: M2015-031

32. Approving amended Type A Board Affordable Housing Goals and Strategies

Motion to approve amended Type A Board Affordable Housing Goals and Strategies

This Motion was recommended to the consent agenda.

Enactment No: M2015-029

33. Approving Amendment No. 5 and Amendment No. 1 to the Engineering Contracts for the City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program for Wastewater

Motion authorizing the City Manager or designee to execute Amendment No. 5 to the engineering contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$238,550 for a total restated fee not to exceed \$542,470 and to execute Amendment No. 1 to the engineering contract with Urban Engineering of Corpus Christi, Texas in the amount of \$120,880 for a total restated fee not to exceed \$241,760 for the City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program.

This Motion was recommended to the consent agenda.

Enactment No: M2015-030

R. BRIEFINGS: (ITEMS 35)**35. Water Rate - Debt**

Mayor Martinez referred to Item 35. Executive Director of Utilities Mark Van Vleck providing an overview of the last water rate presentation including: the past and current rate projections; the discover process; the rate review schedule; the calculation for unit cost; the water system components and customers of the system; the utility bill breakdown and cost. Mr. Van Vleck stated that the purpose of this item is to discuss the debt service related to the

water and storm water systems. Mr. Van Vleck presented information on the assumptions in rate model; the existing and projected debt for the water fund; raw water and water supply projections; raw water capital improvement projects; treatment projections; treatment capital improvement projects; transmission projects and capital improvement projects; distribution projects and capital improvement projects; storm water projections; storm water capital improvements projects and impact on the rate; and the combined water and storm water debt projections for the next 20 years. Council members spoke regarding the following topics: the distinction between future street and drainage projects; addressing existing infrastructure; the storm water projections that are associated with street projects that are voter approved or unfunded mandates; and whether the utility rates projected are based on the City receiving assistance through grants or other funding.

S. LEGISLATIVE UPDATE:

Mayor Martinez referred to the Legislative Update and recognized the work being done by Director of Intergovernmental Relations Tom Tagliabue and the City's local delegation.

T. ADJOURNMENT

City Manager Olson acknowledged Executive Director of Utilities Mark Van Vleck and his staff for their work on the water rates.

The meeting was adjourned at 3:41 p.m.