



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, December 10, 2013

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

B. Invocation to be given by Reverend Paul Allan, Mission Church, Ministry of St. John's United Methodist Church.

Reverend Paul Allan gave the invocation.

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

Fire Chief Robert Rocha gave the Pledge of Allegiance.

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

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

Charter Officers:

City Manager Ron Olson, Interim City Attorney Lisa Aguilar, and Assistant City Secretary Rebecca Huerta.

Present: 9 - Council Member Kelley Allen, Council Member Priscilla Leal, Council Member David Loeb, Mayor Nelda Martinez, Council Member Mark Scott, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Rudy Garza

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

Mayor Martinez deviated from the agenda and referred to City Manager's Comments. City Manager Ron Olson reported on the following issues:

a. Employee of the Quarter

Mr. Olson recognized Animal Control Officer Danni Alcantara for receiving the Employee of the Quarter recognition from her peers.

b. City Performance Report - Fire Department

City Manager Olson asked Fire Chief Robert Rocha to provide a briefing on the operations, goals and mission elements of the Fire Department. Fire Chief Rocha also provided an update on the first quarter impact of the additional two (2) ambulance units.

c. Other

- 1) Last week, the City sold \$97 million in utility system bonds and saved over \$1 million in interest due to an extremely good market.
- 2) On Monday, December 16th, the Coast Guard Stonewater Project will have a ground breaking ceremony at 10:00 a.m. at the Corpus Christi International Airport.
- 3) Mr. Olson provided the Council with the proposed revisions to the City's Ethical Business Conduct Policy for City employees.

E. Proclamations / Commendations

None.

H. EXECUTIVE SESSION: (NONE)**I. MINUTES:****1. Regular Council meeting of November 19, 2013.**

Mayor Martinez deviated from the agenda and called for approval of the minutes. Council Member Mark Scott requested that the minutes be amended on Item 38, last sentence, to remove the words "this issue" and add "audit firm selection process". Council Member Scott made a motion to approve the minutes as amended, seconded by Council Member Loeb and passed unanimously.

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

Mayor Martinez deviated from the agenda and called for comments from the audience. Johnny French requested that the agenda be posted two (2) weeks in advance to allow the public time to react to future agenda items. Colin Sykes thanked the Council for proposing to spend funds on La Retama Park and requested consideration for a public podium in the park. Mr. Sykes also spoke against the rerouting of Shoreline Boulevard.

J. BOARDS & COMMITTEE APPOINTMENTS:

- 2. C.C. Aquifer Storage and Recovery Conservation District
North Padre Island Development Corporation
Port of Corpus Christi Authority of Nueces County, TX
Reinvestment Zone No. Two Board

Mayor Martinez called for board and committee appointments. The following appointments were made:

C.C. Aquifer Storage and Recovery Conservation District - Pete Anaya, Margie Rose, and Fred Segundo (Reappointed); Dan Biles (Appointed)
 North Padre Island Development Corporation - David Loeb, Kelley Allen, Lillian Riojas, Colleen McIntyre and Rudy Garza (Reappointed)
 Port of Corpus Christi Authority of Nueces County, TX - David P. Engel and Richard R. Valls Jr. (Appointed)
 Reinvestment Zone No. Two Board - Council Member Colleen McIntyre was appointed as chairperson for a term of one-year beginning 1-01-14.

K. EXPLANATION OF COUNCIL ACTION:

None.

L. CONSENT AGENDA: (ITEMS 3 - 18)

Approval of the Consent Agenda

Mayor Martinez called for the consent agenda. Council Member McIntyre requested that Item 4 be pulled for individual consideration. Johnny French requested that Item 6 be pulled for individual consideration. The consent agenda was passed as follows:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

3. Lease - purchase of one rescue pumper for emergency response

Motion approving the lease purchase of one (1) rescue pumper from Siddons-Martin Emergency Group, of Denton, Texas based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC), in the amount of \$525,000 of which \$9,252.69 is required in FY 2013-2014. The rescue pumper will be used by the Fire Department. Funds for the lease purchase of the rescue pumper will be provided through the City's lease/financing program.

This Motion was passed on the Consent Agenda.

Enactment No: M2013-174

4. Engineering construction inspection services contract for the public safety warehouse (Bond 2008)

Motion authorizing the City Manager, or designee, to execute a Contract for Construction Inspection Services with AGCM, Inc. from Corpus Christi, Texas in the amount of \$83,125, for inspection services required during the construction of the Public Safety Warehouse project. (Bond 2008)

This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Loeb

Abstained: 0

Enactment No: M2013-175

5. Engineering construction inspection services contract for fire station no. 5 (Bond Issue 2008)

Motion authorizing the City Manager, or designee, to execute a contract for Construction Inspection Services with AGCM, Inc. from Corpus Christi, Texas in the amount of \$71,725, for inspection services required during the construction of Fire Station No. 5.

This Motion was passed on the Consent Agenda.

Enactment No: M2013-176

6. Engineering design contract for Packery Channel Phase 3, Restroom Facilities

Motion authorizing the City Manager, or designee, to execute an agreement for Engineering Design Services with Chuck Anastos Associates, LLC. in the amount of \$193,500.00 for Packery Channel Phase 3, Restroom Facilities for design, bid and construction observation phase services.

This Motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-177

7. Resolution delegating authority for alternative delivery methods

to implement Texas Government Code Chapter 2269 related to contracting and delivery procedures for construction projects

Resolution adopting rules to implement Chapter 2269 of the Government Code regarding contracting and delivery methods for construction projects; and delegating authority to implement Chapter 2269 to the City Manager.

This Resolution was passed on the Consent Agenda.

Enactment No: 030019

8. Resolution approving the City's investment policy

Resolution reaffirming the City of Corpus Christi's Investment Policy.

This Resolution was passed on the Consent Agenda.

Enactment No: 030020

9. Affordable Housing Agreement between the City of Corpus Christi and the Corpus Christi Business & Job Development Corporation

Motion authorizing the City Manager, or designee, to execute an Affordable Housing Agreement between the City of Corpus Christi and the Corpus Christi Business & Job Development Corporation (CCBJDC).

This Motion was passed on the Consent Agenda.

Enactment No: M2013-178

10. Second Reading Ordinance - Rezoning from the "CR-1/IO" Resort Commercial District with an Island Overlay and the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, on property located at 15229 Windward Drive (1st Reading 11/19/13)

Case No. 1013-03 Nemo Court Construction, LLC: Rezoning from the "CR-1/IO" Resort Commercial District with an Island Overlay and the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Lots 10, 11 & 12R, Block 46 Padre Island- Corpus Christi Section A, located at the northwest corner of Windward and Robla Drives.

Planning Commission and Staff Recommendation (October 23, 2013):

Approval of the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, subject to nine conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Nemo Court Construction, LLC, by changing the UDC Zoning Map in reference to Lots 10, 11 & 12R, Block 46, Padre Island - Corpus Christi Section A, from the "CR-1/IO" Resort Commercial District with an Island Overlay and "RM-AT/IO" Multifamily AT with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay; 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: 030021

11. Second Reading Ordinance - Adopting the MobilityCC unified transportation plan (1st Reading 11/19/13)

Ordinance adopting Mobility CC, an element of the Comprehensive Plan of the City of Corpus Christi (" The City "), by merging and modifying the existing Corpus Christi Urban transportation Plan and the Corpus Christi ADA Master Plan, for the City and its extraterritorial jurisdiction by establishing a unified transportation plan consistent with the public interest; repealing the existing Corpus Christi Urban transportation Plan, adopted by Ordinance #028504, March 9, 2010 repealing conflicting ordinances; amending conflicting provisions of the Comprehensive Plan; providing for severance; and providing for publication.

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

Enactment No: 030022

12. Second Reading Ordinance - Amending the Unified Development Code to adopt acceptable utility design standards (1st Reading 11/19/13)

Ordinance amending Articles 1 and 8 of the Unified Development Code relating to design standards, criteria, and requirements for design; requiring compliance with design standards issued by the City Engineer; and providing for severance, penalties, and publication.

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

Enactment No: 030023

13. Second Reading Ordinance - Accepting and appropriating a State grant for the State Homeland Security Program (1st Reading 11/19/13)

Ordinance authorizing the Mayor or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA) in the amount of \$126,807.57 for FY 2013 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP); and appropriating \$126,807.57 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA), FY 2013 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out homeland security projects that will significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities.

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

Enactment No: 030024

14. Second Reading Ordinance - Accepting and appropriating State grant for homeland security for law enforcement terrorism prevention activities (1st Reading 11/19/13)

Ordinance Authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA) in the amount of \$38,598.00 for FY 2013 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP) Law Enforcement Terrorism Prevention Activity (LETPA); and appropriating \$38,598.00 from the Texas Department of Public Safety/Texas Homeland Security State Administrative Agency (TXHLS-SAA), FY 2013 Homeland Security Grant Program (HSGP), State Homeland Security Program (SHSP), into the No. 1062 Fire Grants Fund to carry out law enforcement terrorism prevention and protection-oriented activities (LETPA) such as planning, organization, training, exercises, and purchase needed equipment

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

Enactment No: 030025

15. Second Reading Ordinance - Reimbursement agreement and appropriation of funds for water distribution main line located on the north side of State Highway 44, west of Clarkwood South Road (FM 2292), and west of North Padre Island Drive (SH 358) (1st Reading 11/19/13)

Ordinance authorizing execution of a distribution main extension construction and reimbursement Agreement (“Agreement”) with Coyote Acres Real Estate Holdings, LLC (“Developer”), for the construction of a distribution waterline and appropriating \$12,920.00 from the NO. 4030 Water Distribution 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: 030026

16. Second Reading Ordinance - Exempting Water's Edge at Kitty Hawk Subdivision Unit I, located south of South Staples Street (FM 2444) and east of County Road 41, from wastewater lot/acreage fees (1st Reading 11/19/13)

Ordinance exempting Water's Edge at Kitty Hawk Subdivision Unit I, a subdivision located south of South Staples Street (FM 2444) and east of County Road 41, from the payment of wastewater lot/acreage fees under Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

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

Enactment No: 030027

17. Second Reading Ordinance - Exempting Kitty Hawk Subdivision Unit II, located south of South Staples Street (FM 2444) and east of County Road 41, from wastewater lot/acreage fees (1st Reading 11/19/13)

Ordinance exempting Kitty Hawk Subdivision Unit II, a subdivision located south of South Staples Street (FM 2444) and east of County Road 41, from the payment of wastewater lot/acreage fees under Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

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

Enactment No: 030028

18. Second Reading Ordinance - Exempting Kitty Hawk Subdivision Unit III, located south of South Staples Street (FM 2444) and east of County Road 41, from wastewater lot/acreage fees (1st Reading 11/19/13)

Ordinance exempting Kitty Hawk Subdivision Unit III, a subdivision located south of South Staples Street (FM 2444) and east of County Road 41, from the payment of wastewater lot/acreage fees under Section 8.5.2.G.1. of the Unified Development Code; requiring the

owner/developer to comply with the specified conditions.

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

Enactment No: 030029

M. PUBLIC HEARINGS: (ITEM 19)

19. Public Hearing and First Reading Ordinance - Rezoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District, on property located at 5621 Corisca Road and 6940 South Staples Street (FM 2444).

Case No. 1013-02 Mokry Family: Rezoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District, resulting in a change to the Future Land Use Plan from medium density residential to low density residential. The property to be rezoned is described as being a 4.01-acre tract of land, more or less, out of Lot 31, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, located on both sides of Corsica Road and approximately 620 feet east of South Staples Street (FM 2444).

Planning Commission and Staff Recommendation (October 23, 2013): Approval of the rezoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by the Mokry Family, i.e., Tim J. Mokry, Gerard L. Mokry, Catherine J. Mokry, Edmund J. Mokry, Loraine Mokry Nemec, Leona Mokry Williams, Thelma Eugenia Mokry, and Estate of Louis V. Mokry, Deceased ("Owners"), by changing the UDC Zoning Map in reference to a 4.01-acre tract of land, more or less, out of Lot 31, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 19. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow construction of a single-family residential subdivision. Ms. Gunning stated that Planning Commission and staff were in favor of the zoning change. Council Member Magill made a motion to open the public hearing, seconded by Council Member Scott 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 Loeb. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 030036

N. REGULAR AGENDA: (ITEM 20)

20. Pre-Purchase of Pumps & Motors for Mary Rhodes Pipeline Phase 2

Motion approving the purchase of pumps and motors for Mary Rhodes Phase 2 from Smith Pump Company, Inc., Austin, Texas, based on lowest responsible proposer, pursuant to Request for Proposal number BI-0198-12, for a total expenditure of \$4,554,446.20. Funds are budgeted in the Water Capital Improvement Project #7.

Mayor Martinez referred to Item 20. Director of Engineering Services Dan Biles stated that the purpose of this item is to approve the pre-purchase of pumps and motors for Mary Rhodes Pipeline Phase 2. Mr. Biles provided a project schedule and budget. In response to a council member, Mr. Biles explained that the encumbered funds were for legal fees, land acquisition and purchase of the pumps. There were no comments from the public. Council Members spoke regarding the following topics: charts indicating water supply and demand; re-use of water; next steps and strategies beyond Mary Rhodes Phase 2 and diversity of water supply. This Motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-179

P. FUTURE AGENDA ITEM: (ITEMS 50)

Mayor Martinez referred to Future Agenda Item 50. Director of Engineering Dan Biles gave a presentation on this item.

50. Reservation agreement for recycled water

Motion authorizing the City Manager or designee to execute an Agreement for Exclusive Reservation of Recycled Water (the "Reservation") with Valero Refining - Texas, L.P. (Valero) for 4 million gallons per day (mgd) of recycled water.

This Motion was recommended to consent agenda

Enactment No: M2013-196

Mayor Martinez called for a 25-minute recess.

N. REGULAR AGENDA: (ITEMS 21-23)**21. Second Reading Ordinance - Accepting and appropriating State award fund for Texas Medicaid Managed Care Initiative - 1115 waiver - Obesity Project (1st Reading 11/19/13)**

Ordinance authorizing the advance of up to \$2,000,000 from the No. 1020 General Fund to the Texas Health and Human Services Commission (TX HHSC) and in turn the Centers for Medicare and Medicaid Services (CMS) for the City's local match for City projects under the Corpus Christi - Nueces County Public Health District's (CCNCPHD) 1115 Transformation Waiver; and authorizing pass-through payment of up to \$1,500,000 from the No. 9100 Nueces County Health District Fund for Nueces County's local match for County projects under the CCNCPHD 1115 Transformation Waiver; funds to be repaid from the CMS within 2 months of the advance for both the City's and the County's local match; Additionally, authorizing the City Manager, or his designee, to execute all documents necessary to accept and appropriate the award fund upon receipt in the amount of approximately \$2,100,000 from CMS and the TXHHSC to implement a program to reduce and prevent obesity in children and adolescents for the period of October 1, 2012 through September 30, 2014; and to ratify acceptance of the award fund to begin as of October 1, 2012.

Mayor Martinez reconvened the meeting and referred to Item 21. Director of Public Health Annette Rodriguez stated that the purpose of this item is to request an advance of up to \$2,000,000 for the childhood obesity prevention program; approval of a pass-through payment of up to \$1,500,000 for Nueces County; and authorize execution of all documents upon approval of the fund award. Ms. Rodriguez introduced Brian Finnerty with MEND (M-Mind, E-Exercise, N-Nutrition, D-Do It!) who presented information on the outcome measurements and components of the program. There were no comments from the public. Council members asked questions regarding the following topics: how the funding will be used; a matrix on outcome and accountability; whether reimbursement is determined by the number of participants or outcome; the Year 1 matrix and the amount of funding; measurement of success and outcomes; when the results would be available; and the worst case scenario should the outcomes not be met. Upon staff's recommendation, Council Member Loeb made a motion to change the caption language from "grant" to "award fund", seconded by Council Member Leal, and passed. This Ordinance was passed on second reading as amended and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 030030

22. Purchase of child obesity prevention program

Motion approving the purchase of child obesity prevention program from Healthy Weight Partnership, Inc., Boston, MA, based on sole source, for a total estimated three-year expenditure of \$1,688,295, of which, approximately \$335,425 will be required through the remainder of FY 2013/2014. Funds are budgeted in the Corpus Christi Nueces County Health District's (CCNCPHD) 1115 Transformation Waiver Fund.

Mayor Martinez referred to Item 22. Assistant Director of Financial Services Mike Barrera stated that the purpose of this item is to award the purchase of the MEND Program for the child obesity prevention program based on sole source. There were no comments from the Council or the public. This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-180

23. Service agreements for Child Obesity Prevention Program providers

Motion approving service agreements for child obesity program prevention providers for the Corpus Christi Nueces County Public Health District (CCNCPHD) with the following organizations, for the following amounts, in accordance with Request for Qualifications No. BI-0015-14 for an estimated three-year expenditure of \$1,398,000, of which \$203,000 is required for FY 2013-2014. The term of the service agreements will be for three years. Funds are budgeted in the Corpus Christi Nueces County Public Health District (CCNCPHD) 1115 Transformation Waiver Fund.

Corpus Christi I.S.D. Corpus Christi, TX \$954,000	Boys & Girls Club Corpus Christi, TX \$105,000	Boys & Girls Club Robstown, TX \$105,000
YMCA of the Coastal Bend Corpus Christi, TX \$195,000	Taft I.S.D. Taft, TX \$39,000	

Grand Total: \$1,398,000

Mayor Martinez referred to Item 23. Assistant Director of Financial Services

Mike Barrera stated that the purpose of this item is to approve the award to the service providers of the child obesity prevention program. There were no comments from the Council or the public. This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-181

O. FIRST READING ORDINANCES: (ITEMS 24 - 33)

24. First Reading Ordinance - Accepting and appropriating a State grant for the Senior Companion Program (SCP)

Ordinance authorizing the City Manager, or designee, to execute all documents necessary to accept and appropriate a Grant from The Corporation for National and Community Service in the amount of \$5,756.00 to the No. 1067 Parks and Recreation Funds - for funding of a national service project -- Senior Companion Program.

Mayor Martinez referred to Item 24. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to accept and appropriate the grant funding from the Corporation for National and Community Service for the Senior Companion Program. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030037

25. First Reading Ordinance - Accepting and appropriating a local grant for the Retired Senior Volunteer Program (RSVP)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$18,059 grant awarded by the Corporation for National and Community Service for the Retired Senior Volunteer Program; appropriating the \$18,059 grant in the No. 1067 Parks and Recreation Grants Fund.

Mayor Martinez referred to Item 25. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to accept and appropriate the grant award from the Corporation for National and Community Service for the

Retired Senior Volunteer Program (RSVP). There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030038

26. First Reading Ordinance - Lease agreement with Coinmach Corporation for operation of laundry facilities

Ordinance authorizing the City Manager, or designee, to execute a five year Lease Agreement with Coinmach Corporation for operation of laundry facilities at Sunrise Beach RV Park in consideration of fifty percent of gross receipts.

Mayor Martinez referred to Item 26. Deputy Director of Water Operations Brian Butscher stated that the purpose of this item is to approve a lease agreement between the City and Coinmach Corporation to provide laundry facilities at Sunrise Beach. In response to a council member, Mr. Butscher said Sunrise Beach's occupancy currently is 38 trailers with five (5) reservations. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Leal and Council Member Riojas

Abstained: 0

Enactment No: 030039

27. First Reading Ordinance - Amending City code titled "Streets and Sidewalks" related to street cuts

Ordinance amending Chapter 49 of the Code of Ordinances titled "Streets and Sidewalks" in order to provide requirements and prohibitions related to street cuts.

Mayor Martinez referred to Item 27. Director of Engineering Services Dan Biles stated that the purpose of this item is to amend Chapter 49 of the Code of Ordinances, Streets and Sidewalks. Mr. Biles said this ordinance is amending the portion pertaining to street cuts and highlighted the changes to Article III., Cuts and Excavations. 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 Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre and Council Member Garza

Absent: 2 - Council Member Leal and Council Member Riojas

Abstained: 0

Enactment No: 030040

28. First Reading Ordinance - Continuing Texas Municipal Retirement System (TMRS) updated service credits for participants and increases for prior and current annuities

Ordinance authorizing and allowing, under the Act governing the Texas Municipal Retirement System, "Updated Service Credits" in said system for service performed by qualifying members of such system who presently are members of the City of Corpus Christi; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; establishing an effective date for such actions; and providing for severance.

Mayor Martinez referred to Item 28. Director of Human Resources Yasmine Chapman stated that the purpose of this item is to authorize and allow, under the Act governing the Texas Municipal Retirement System, "Updated Service Credits" in said system for service performed by qualifying members of such system who presently are members of the City of Corpus Christi. City Manager Ron Olson said that the City is currently on an Ad Hoc basis and he is focusing commitment to renew to the annual repeating system. Mayor Martinez called for comments from the public. Scott Leeton, President of the Corpus Christi Police Officers Association, thanked the City Manager and Council for addressing this situation. There were no comments from the Council. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030041

29. First Reading Ordinance - Purchase of Community Development and Regulation (CDR) module of Infor software

Ordinance appropriating \$1,648,183 from the Unreserved Fund Balance in the Development Services Fund No. 4670 for the purchase of the Infor Community Development and Regulation (CDR) module; changing the FY 2013-2014 Budget adopted by Ordinance No. 029915 to increase appropriations by \$1,648,183; authorizing the City Manager, or designee, to execute amendment to Master Contract with

Infor, Inc. for CDR module, with an initial three-year service agreement and initial one-year hosting and maintenance agreements, each with automatically annual renewal terms upon payment of annual fees, with the total amount of the fixed price agreement of \$1,648,183, which includes the recurring support costs for years one and two, and additional recurring support costs of \$64,820 per year for years three through five.

Mayor Martinez referred to Item 29. Director of Municipal Information Services Michael Armstrong stated that the purpose of this item is to execute an amendment to the Master Contract with Infor, Inc. for the implementation of software for Development Services, Neighborhood Services and the Health Department that is compatible with the Enterprise Resource Planning (ERP) system. Mr. Armstrong presented information on the history and problems of the existing software; project funding for the next 10 years; comparison of the proposed and existing software; benefits of the new system and proposed project phasing. There were no comments from the public. Council members asked questions regarding the unreserved fund balance and the differential in project costs from current software. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Leal and Council Member Riojas

Abstained: 0

Enactment No: 030042

30. First Reading Ordinance - Appropriating funds for the purchase of court case management software

Ordinance authorizing participation in the National Joint Powers Alliance Cooperative Purchasing program; appropriating \$1,300,000 from the Unreserved Fund Balance in the No. 1020 General Fund for court case management software and data conversion services; authorizing execution of contract with Tyler Technologies in amount of \$777,044; changing the FY 2013-2014 Budget adopted by Ordinance No. 029915 to increase expenditures by \$1,300,000 in the No. 1020 General Fund.

Mayor Martinez referred to Item 30. Director of Municipal Information Services Michael Armstrong stated that the purpose of this item is to replace the existing software used by Municipal Court. Mr. Armstrong provided information on the existing software; the vendor selection process; the selected vendor; and the associated costs. There were no comments from the public. Council members spoke regarding the following topics: automatic ticket writer integration; online payment capabilities; case load and management tools; interfacing with Police Department system; and the ability to use the software to schedule officers for court. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030043

31. First Reading Ordinance - Appropriating funds for safety vestibule at City Detention and Magistration Center

Ordinance appropriating and transferring \$50,000.00 from the Unreserved Fund Balance in the No. 1020 General Fund for the remodeling of the City Detention and Magistration Center to create a safety vestibule; and changing the FY 2013-2014 Adopted Annual Operating Budget adopted by Ordinance No 029915 by increasing expenditures by \$50,000 in the No. 1020 General Fund.

Mayor Martinez referred to Item 31. Director of Municipal Court Kimberly Jozwiak stated that the purpose of this item is to appropriate and transfer \$50,000 from the Unreserved Fund Balance for the remodeling of the City Detention and Magistration Center to create a safety vestibule. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

32. First Reading Ordinance - Appropriating Passenger Facility Charge (PFC) funds for debt service payment associated with airport terminal and roadway improvements

Ordinance appropriating \$1,138,856 from the Unreserved Fund Balance in the Passenger Facility Charge Fund No. 4621 and transferring \$823,854 to the Airport 2012A Debt Service Fund No. 4640 and \$315,002 into Airport 2012A Debt Service Fund No. 4641 for debt service on Airport Improvements; amending the FY 2013-2014 Capital Budget adopted by Ordinance No. 029916 to increase appropriations by \$1,138,856.

Mayor Martinez referred to Item 32. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate passenger facility charges that will be used to pay for debt service. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030044

33. First Reading Ordinance - Appropriating Federal grant for funding airport upgrades to security and perimeter road systems

Ordinance appropriating \$62,249 from the Federal Aviation Administration Grant No. 3-48-0051-048-2011 in the No. 3020 Airport Capital Improvement Fund to upgrade security and perimeter road systems at Corpus Christi International Airport; changing the FY 2013-2014 Capital Budget adopted by Ordinance No. 029916 by increasing revenues and expenditures by \$62,249.

Mayor Martinez referred to Item 33. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate \$62,249 from the Federal Aviation Administration to upgrade security and perimeter systems at the Corpus Christi International Airport. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030045

P. FUTURE AGENDA ITEMS: (ITEMS 34-49 and 51-58)

Mayor Martinez referred to the Future Agenda. City Manager Ron Olson stated that staff had presentations on Items 34, 35, 36, 37, 38, 39, 51, 52, and 56.

34. Agreement for delivery of electricity and related services

Motion authorizing the City Manager to execute a Commercial Energy Sales Agreement for deliveries of electricity and necessary, related services at a fixed energy price per kilowatt hour (kWh) not to exceed the current contract rate for 2011-2013 plus standard delivery services charges effective January 1, 2014, for 48 months ending December 31, 2017, for certain electric accounts in the area served by Nueces Electric Cooperative.

This Motion was recommended to consent agenda

Enactment No: M2013-183

35. Adopting the federal legislative priorities

Resolution adopting the City of Corpus Christi's federal legislative priorities for 113th U.S. Congress.

This Resolution was recommended to consent agenda

Enactment No: 030031

36. Lease purchase of freightliner truck for chipped tree transport

Motion approving the lease purchase of one (1) Freightliner truck with Knapheide Forestry Body from Freightliner of Houston, Houston, Texas for a total amount of \$90,870.00 of which \$7,014.06 is required in FY 2013-2014. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funding is available from the City's lease-purchase financing contractor.

This Motion was recommended to consent agenda

Enactment No: M2013-184

37. Lease purchase of freightliner truck with aerial lift body for traffic signal maintenance

Motion approving the lease-purchase of one (1) Freightliner truck with aerial lift body from Freightliner of Houston, Houston, Texas for a total amount of \$131,620.00. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funding is available from the city's lease-purchase financing contractor.

This Motion was recommended to consent agenda

Enactment No: M2013-185

38. Lease purchase of dump trucks for landfill

Motion approving the lease purchase of three (3) Freightliner trucks with Warren 18-yard dump body from Freightliner of Houston, Houston, Texas for a total amount of \$366,832.00 of which \$25,860.44 is required in FY 2013-2014. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funding is available from the City's lease-purchase financing contractor.

This Motion was recommended to consent agenda

Enactment No: M2013-186

39. Purchase of freightliner truck with cement mixer body for concrete repair by water distribution crews

Motion approving the purchase of one (1) Freightliner truck with cement mixer body from Houston Freightliner, Inc., Houston, Texas for a total amount of \$230,205.00. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). Funding is available in the FY 2013-2014 Capital Outlay Budget of the Water Fund.

This Motion was recommended to consent agenda

Enactment No: M2013-187

40. Supply Agreement for Single Port Meter Transmission Units

Motion approving a supply agreement with Aclara Technologies LLC, Hazelwood, Missouri for approximately 5,376 single port meter transmission units (MTU's). The award is based on sole source, for an estimated annual expenditure of \$473,088 of which \$336,512 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve months with an option to extend the contract for up to two additional twelve month periods, subject to the approval of the City Manager or designee. Funds have been budgeted by the Water Department in FY 2013-2014.

This Motion was recommended to consent agenda

Enactment No:

41. Supply agreement for pipe repair clamps

Motion approving a supply agreement with Ferguson Enterprises, Corpus Christi, Texas for pipe repair clamps in accordance with Bid Invitation No. BI-0037-14 based on lowest responsible bid for an estimated annual expenditure of \$223,313.50, of which \$148,875.66 is required for the remainder of FY 2013-2014. The term of the agreement shall be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Water Department in FY 2013- 2014.

This Motion was recommended to consent agenda

Enactment No: M2013-188

42. Purchase of emergency standby pump for the Wooldridge lift station

Motion approving the purchase of one (1) emergency standby pump

from Xylem Dewatering Solutions, Inc., dba Godwin Pumps, Bridgeport, New Jersey for a total amount of \$162,989.32. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). Funding is available in the FY 2013-2014 Wastewater System Fund.

This Motion was recommended to consent agenda

Enactment No: M2013-189

43. Supply agreement for sodium bisulfite solution, a chemical used for dechlorination at the wastewater treatment plants

Motion approving a supply agreement with Calabrian Corporation, Port Neches, Texas for approximately 1,973,368 pounds of sodium bisulfite solution for use at the Wastewater Treatment Plants in accordance with Bid Invitation No. BI-0065-14, based on lowest responsible bid for an estimated twelve month expenditure of \$600,890.56 of which \$400,593.68 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 Wastewater Operations Budget in FY2013-2014.

This Motion was recommended to consent agenda

Enactment No: M2013-190

44. Supply Agreement for reformulated gasoline and ultra-low sulfur diesel fuel

Motion approving a supply agreement with Oil Patch Petroleum, Inc., Corpus Christi, Texas for reformulated gasoline and ultra-low sulfur diesel fuel in accordance with Bid Invitation No. BI-0030-14, based on lowest local bid for an estimated twelve month expenditure of \$4,635,554.65 of which \$3,090,369.77 is required for the remainder of FY 2013-2014. The term of the agreement will be for twelve months with options to extend for up to two additional twelve-month periods, subject to the approval of the suppliers and the City Manager, or designee. Funds have been budgeted by Maintenance Services and the Aviation Department in FY 2013-2014.

This Motion was recommended to consent agenda

Enactment No: M2013-191

45. Service agreement for installation, maintenance and repair of roadway illumination and traffic signals

Motion approving a service agreement with Star Operations, Inc., Corpus Christi, Texas for installation, maintenance & repair of roadway

illumination and traffic signals in accordance with Bid Invitation No. BI-0031-14 based on only bid for an estimated twelve-month expenditure of \$529,591.00 of which \$308,928.06 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 in FY 2013-2014.

This Motion was recommended to consent agenda

Enactment No: M2013-192

46. Interlocal agreement for storage of supply trailer to be used in an emergency

Resolution authorizing the City Manager or his designee, the Director of the Corpus Christi-Nueces County Health District ("Health District"), to execute an interlocal agreement between the Health District and Robstown Fire/EMS for the purpose of storing a trailer with supplies at a Robstown facility to be used in case of a natural or man-made emergency.

This Resolution was recommended to consent agenda

Enactment No: 030032

47. Construction contract for Corpus Christi ship channel gas main crossing

Motion authorizing the City Manager, or designee, to execute a construction contract with Alcott, Inc. dba TCH from Friendswood, Texas in the amount of \$548,600, for Corpus Christi Ship Channel Gas Main Crossing for the base bid.

This Motion was recommended to consent agenda

Enactment No: M2013-193

48. Construction contract for Americans with Disabilities Act (ADA) improvements in Community Development Block Grant (CDBG) areas from FY 2012

Motion authorizing the City Manager or designee to execute a Construction Contract with CAS Companies, LP of Corpus Christi, Texas in the amount of \$228,552.06, for ADA Improvements in CDBG Areas for the Base Bid only.

This Motion was recommended to consent agenda

Enactment No: M2013-194

49. Contribution-In-Aid-Of Construction agreement for relocating and raising a transmission line that crosses the sedimentation basin of Mary Rhodes Pipeline Phase 2

Motion approving a Contribution-In-Aid-Of-Construction Agreement with American Electric Power (AEP) Texas Central Company in the amount of \$1,450,000.00 for raising AEP's 69 KV transmission line that crosses the sedimentation basin of Mary Rhodes Pipeline Phase 2

This Motion was recommended to consent agenda

Enactment No: M2013-195

51. Approval of the Street Preventive Maintenance Program Year One - Annual Work Plan

Resolution approving the concepts, direction, and general work plan for the first year of the Street Preventative Maintenance Program (SPMP) -- the 2014 SPMP Work Plan (Year-1).

This Resolution was recommended to regular agenda

Enactment No: 030046

52. Construction contracts for the citywide street and sealcoat indefinite delivery/indefinite quantity program - pilot program; amendment no. 2 to design contract; testing agreement

Motion authorizing the City Manager, or designee, to execute a construction contract with Berry Contracting, LP, dba, Bay LTD. in the amount of \$6,147,094.05 for the Citywide Street Overlay and Sealcoat Indefinite Delivery/Indefinite Quantity (IDIQ) Pilot Program for Total Base Bid #1; and to execute a construction contract with Haas Anderson Construction, Inc. in the amount of \$11,920,961.00 for the Citywide Street Overlay and Sealcoat Indefinite Delivery/Indefinite Quantity (IDIQ) Pilot Program for Total Base Bid #2; and to execute Amendment No. 2 to an engineering design contract with R.H. Shackelford, Inc. in the amount of \$548,513.00 for a re-stated total fee of \$743,360.00 for development of remaining pilot program delivery orders; and to execute a testing agreement with Rock Engineering and Testing Laboratory in the amount \$73,099.00 for the Citywide Street Overlay and Sealcoat Indefinite Delivery/Indefinite Quantity Program-Pilot Program for construction material testing.

This Motion was recommended to regular agenda

Enactment No: M2013-199

53. Interlocal cooperation agreement with University of North Texas

for air quality planning

Resolution authorizing the City Manager or City Manager's designee to execute an Interlocal Cooperation Agreement with University of North Texas in the amount of \$339,400 for an air quality research and planning program, which includes air quality monitoring and modeling projects, and development of an emissions inventory for the Nueces and San Patricio Counties area.

This Resolution was recommended to consent agenda

Enactment No: 030033

54. Interlocal cooperation agreement with Texas A&M University - Corpus Christi for pollution prevention and air quality educational outreach

Resolution authorizing the City Manager or City Manager's designee to execute an Interlocal Cooperation Agreement with Texas A&M University-Corpus Christi in the amount of \$211,530 for the Pollution Prevention Partnership and educational outreach program, which includes small business assistance and public education on pollution prevention and air quality in Nueces and San Patricio Counties.

This Resolution was recommended to consent agenda

Enactment No: 030034

55. Type A grant renewal for Del Mar Procurement Technical Assistance Center

Resolution approving the renewal of the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College Procurement Technical Assistance Center (PTAC) to provide grant up to \$37,500 to assist small businesses.

This Resolution was recommended to consent agenda

Enactment No: 030035

56. Agreement with Texas A&M University recognizing the City as a sub-recipient for a Federal grant for fiber connectivity to permit finalization of grant activities

Motion authorizing the City Manager, or designee, to execute an agreement with Texas A&M University for an expenditure of \$144,000.00 to replace disallowed in-kind funding for a BTOP (Broadband Technology Opportunity Program) federal grant awarded to Texas A&M University in the amount of \$1,000,000.00 and to recognize the City as a sub-recipient for funding from that grant.

This Motion was recommended to consent agenda

Enactment No: M2013-197

57. Extending lease agreement for City Detention and Magistration Center

Motion authorizing the City Manager, or designee, to execute an amendment to extend a lease agreement for two years with an option for three one year extensions, with Wilson Plaza Associates, L.P., for approximately 4,710 square feet at the Wilson Plaza Building, 606 N. Carancahua, Suite 113-A, for \$6,086.97 monthly rental payment, to house the City Detention and Magistration Center.

This Motion was recommended to consent agenda

Enactment No: M2013-200

58. Contract for collection of delinquent special assessments, demolitions, liens, and Risk Management claims

Motion to authorize the City Manager or his designee to execute a contract for the collection of delinquent special assessments levied in connection with paving liens and liens filed under Chapter 342 of the Health and Safety Code (including demolition, clean-up, and mowing) and for the collection of Risk Management claims with Linebarger, Goggan, Blair & Sampson, LLP for a fee of 20% of principal and interest collected on delinquent accounts turned over to the law firm.

This Motion was recommended to consent agenda

Enactment No: M2013-198

Q. BRIEFINGS TO CITY COUNCIL: (ITEM 59)

59. Corpus Christi Convention & Visitors Bureau Semi-Annual Update

Mayor Martinez referred to Item 59. Interim Executive Director of the Corpus Christi Convention and Visitors Bureau Paulette Kluge presented the semi-annual update for the CVB including the audit results for the financial and compliance review; performance on growth of occupancy, new rooms, and average daily rates; performance during peak and off peak season; the marketing calendar; the hospitality impact; and Dr. Lee's study for the CVB. Chairman of the CVB Board Michael Womack spoke regarding the transition plan during the search for a new executive director. Council members spoke regarding the following topics: the recommendations and changes made as a result of the audit; the terms of the CVB contract related to the performance incentive; opportunities for leveraging economic development package advertising and social media as part of televised events including the CC Challenge; the time period reflected in Dr. Lee's study; the year-to-date increase in Hotel Occupancy Tax (HOT) revenue; Schlitterbahn advertising; winter vacation packages; and the method used by organizations to put on an

event for the CVB to showcase.

R. BOARD APPEAL: (ITEM 60)

60. City Council consideration of an appeal by the City of the decision of the 558th Civil Service Board appeal hearing regarding Patrick Gonzales with possible action in the form of a denial of the City's appeal, or an order for further proceedings.

Mayor Martinez referred to Item 60. City Manager Ron Olson stated that the purpose of this item is to request that the City Council consider an appeal of the Civil Service Board decision. Mr. Olson said that if the Council decides to deny the appeal, the proceedings will end. Mr. Olson added that if the Council decides to grant the appeal, the Council will need to set up a hearing next month to consider the facts on the case. City Manager Olson provided information on the background and findings of the case regarding Patrick Gonzales.

Interim City Attorney Lisa Aguilar stated that the Council has the following two motions possible for consideration: 1) to deny the City's appeal (thereby Mr. Gonzales would continue his City employment; or 2) that facts have been presented which might justify reversal of the Civil Service Board decision and ordering further proceedings pursuant to Section 2-25 of the City Code of Ordinances. Ms Aguilar provided additional motion suggestions should the Council consider Option 2 and stated that no evidence will be considered that was not presented to the Civil Service Board.

Mayor Martinez made a motion to find that facts have been presented which might justify reversal of the Civil Service Board decision and ordering further proceedings pursuant to Section 2-25 of the City Code of Ordinances, seconded by Council Member Scott (see motion and vote below).

Aye: 8 - Council Member Allen, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Nay: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-182

In addition, Council Member Allen made a motion providing direction on the following three items related to the appeal, seconded by Council Member Loeb:

1. Motion to order a transcript of the proceedings to be provided to City Council by Monday December 16, 2013.

2. Motion to schedule further proceedings on January 14, 2014 in order to allow council time to review the transcript.

3. Motion to declare that the further proceedings shall be conducted by

consideration of written briefs of the parties, to be submitted to City Council no later than January 6, 2014.

Motions 1-3 were passed and approved with the following vote: Martinez, Allen, Garza, Leal, Loeb, Magill, McIntyre, Riojas, and Scott, voting "Aye".

S. ADJOURNMENT

The meeting was adjourned at 4:37 p.m.