



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, April 12, 2016

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 Spiritual Leader Chere Pinkston, Unity Spiritual Center.

Spiritual Leader Chere Pinkston gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Sylvia Wilson, Human Relations Administrator.

Human Relations Administrator Sylvia Wilson led the Pledge of Allegiance.

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

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

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

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

E. Proclamations / Commendations

1. Proclamation declaring April 12, 2016, "MADD Power of Parents Talk Day".
Proclamation declaring April 2016, "Child Abuse Prevention Month".
Proclamation declaring April 2016, "Corpus Christi Safe Digging Month".

Mayor Martinez presented the proclamations.

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 topics:

a. OTHER

1) The Police Department received its reaccreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). Other departments working towards accreditation are the Fire Department and the Parks and Recreation Department. 2) Buc Days Events is being held between April 14 - May 1, 2016. City Hall will be a "Park-and-Ride" location. Citizens are invited to park at City Hall and take Corpus Christi Regional Transportation Authority's (RTA) buses to the various venues. Information can be found at www.news.cctexas.com 3) The City's Solid Waste garbage trucks are equipped with video cameras. These cameras have proven to be a successful tool for receiving information on accidents and assisting with training. 4) The 4th Annual City Employees Motorcycle Ride will be held Saturday, April 16, 2016. Riders will meet at City Hall at 8:30 a.m. and the ride will begin at 9:00 a.m.

H. MINUTES:**2. Regular Meeting of March 29, 2016**

Mayor Martinez referred to approval of the minutes. A motion was made by Council Member Garza, seconded by Council Member Magill. The Minutes were passed unanimously.

I. BOARD & COMMITTEE APPOINTMENTS:**3. Airport Board
Coastal Bend Council of Governments
North Padre Island Development Corporation
Planning Commission
Reinvestment Zone No. 2 Board**

Mayor Martinez referred to Item 3. The following board and committee appointments were made:

Airport Board

Council Member McIntyre made a motion to reappoint Mary Helen Dunnam, Alex Garcia Jr., and Karl Tomlinson, seconded by Council Member Magill and passed unanimously.

Coastal Bend Council of Governments

Council Member Magill made a motion to appoint Michael T. Hunter, seconded by Council Member Garza and passed unanimously.

North Padre Island Development Corporation

Council Member McIntyre made a motion to appoint Michael T. Hunter, seconded by Council Member Vaughn and passed unanimously.

Planning Commission

Council Member Garza made a motion to appoint Frank Hastings, seconded by Council Member Rosas and passed unanimously.

Reinvestment Zone No. 2 Board

Council Member Garza made a motion to appoint Michael T. Hunter, seconded by Council Member Magill and passed unanimously.

J. EXPLANATION OF COUNCIL ACTION:**K. CONSENT AGENDA: (ITEMS 4 - 16)**

Mayor Martinez referred to the Consent Agenda. A citizen and a council member requested that Item 15 be pulled for individual consideration.

15. Second Reading Ordinance - Appropriating State Hotel Occupancy Tax revenues and establishing fiscal policy for the fund (1st Reading 3/29/16)

Ordinance appropriating \$2.9 million in estimated revenues from the State hotel tax revenue in the No. 1032 State Hotel Occupancy Tax Fund to be used for beach and bayfront maintenance, and safety and protection activities; amending the FY 2015-16 Operating Budget adopted by Ordinance No. 030620 by increasing expenditures by \$2,900,000.

Mayor Martinez referred to Item 15, appropriation of the State Hotel Occupancy Tax revenues. Carrie Robertson Meyer, 4401 Gulfbreeze Boulevard, spoke in support of the \$200,000 budget for North Beach Maintenance and asked that the City consider the following suggestions: replacement of the educational signs at Dolphin Park, removal of the dilapidated shade structures on the beach; refurbishment of the bath houses at Surfside Park and Dolphin Park, and working to address the flooded beach parking lots. Ms. Meyer addressed the need for a Park Enforcement Officer at North Beach, equipped with either an ATV or mountain bike, to patrol the beach.

Interim Director of Parks and Recreation Stacie Talbert Anaya addressed the following council member questions: plans for North Beach Maintenance; the addition of a Park Enforcement Officer for beach patrol; oversee maintenance on North Beach; and the type of vehicle that beach patrol will use on the beach.

Council McIntyre made a motion to approve the ordinance, seconded by Council Member Scott. This Ordinance was passed on second reading and

approved with the following vote:

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

Abstained: 0

Enactment No: 030806

Approval of the Consent Agenda

A motion was made by Council Member Scott, seconded by Council Member Garza, to approve the Consent Agenda. The motion carried by one vote as follows:

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

Abstained: 0

4. Resolution granting City supported event status to the 2016 Beach to Bay Relay Marathon

Resolution granting City supported event status in accordance with City Code of Ordinances Section 53-206 to the 2016 Beach to Bay Relay Marathon.

This Resolution was passed on the Consent Agenda.

Enactment No: 030797

5. Purchase of six Wavetronix Radar Detection Systems for vehicle detection in signalized traffic intersections

Motion approving the purchase of six Wavetronix Radar Detection Systems from Twincrest, Inc. doing business as Twincrest Technologies, Mansfield, Texas in accordance with the State of Texas Cooperative Purchasing Program for the amount of \$113,380.00. The Street Department and Police Department have set aside funds in FY 2015-16 for this procurement.

This Motion was passed on the Consent Agenda.

Enactment No: M2016-032

6. Engineering Construction Contract for new traffic signal located at the intersection of Ocean Drive and Robert Drive under the Signal Improvements and Street Lighting Bond 2012 project

Motion authorizing the City Manager, or designee, to execute a

construction contract with Siemens Industry, Inc. of Corpus Christi, Texas in the amount of \$207,007.95 for the Signal Improvements and Street Lighting project at Ocean Drive and Robert Drive for the Base Bid. BOND 2012

This Motion was passed on the Consent Agenda.

Enactment No: M2016-033

7. Resolution approving the Mary Rhodes Phase II Pipeline Operations and Maintenance Agreement

Resolution authorizing the City Manager or designee to execute an Operations and Maintenance Agreement with Lavaca-Navidad River Authority (LNRA) to maintain the Mary Rhodes Phase II easements, as well as, operate and maintain the pipeline and related facilities for a total initial operating budget of \$345,000 dollars.

This Resolution was passed on the Consent Agenda.

Enactment No: 030798

8. Resolution approving two interlocal agreements under the Environmental Quality Air Quality Planning grant

Resolution authorizing the City Manager or designee to execute an Interlocal Cooperation Agreement with University of North Texas and with Texas A& M University Corpus Christi for air quality research and planning program for Nueces and San Patricio County area in the amount of \$191,685.63 each.

This Resolution was passed on the Consent Agenda.

Enactment No: 030799

9. Second Reading Ordinance - Rezoning property located at 14601 Northwest Boulevard (1st Reading 3/29/16)

Case No. 0216-01 IHS Consultants, LP: A change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District. The property is described as being 6.709 acres out of the East ½ of the East ½ of Lot 3, Block 2, Nueces River Irrigation Park, located near the southwest corner of Northwest Boulevard (FM 624) and River Hill Drive.

Planning Commission and Staff Recommendation (February 24, 2016):

Approval of the change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by IHS Consultants, LP ("Owner"), by changing the UDC Zoning Map in reference to a 6.709-acre tract of land out of the East ½ of the East ½ of Lot 3, Block 2, Nueces River Irrigation Park, from the "FR" Farm Rural 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.

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

Enactment No: 030800

10. Second Reading Ordinance - Accepting and appropriating grant funds for Internet Crimes Against Children (ICAC) Task Force program within the Police Department (1st Reading 3/29/16)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Office of the Attorney General for the Internet Crimes Against Children (ICAC) Task Force program, in the amount of \$5,200 to purchase equipment, supplies, and training travel for the ICAC program within the Police Department; and appropriating the \$5,200 in the No. 1061 Police Grants Fund.

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

Enactment No: 030801

11. Second Reading Ordinance - Accepting and appropriating a grant for the ASPCA (American Society for the Prevention of Cruelty to Animals) and Subaru "Share the Love" Rescue Ride project (1st Reading 3/29/16)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the American Society for the Prevention of Cruelty to Animals (ASPCA), in the amount of \$ 9,000 for the ASPCA and Subaru "Share the Love" Rescue Ride project; and appropriating the \$9,000 in the No. 1061 Police Grants Fund.

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

Enactment No: 030802

12. Second Reading Ordinance - Accepting and appropriating State funds for training and purchase of training equipment at the Police Department (1st Reading 3/29/16)

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 \$27,494.93; and appropriating funds from

the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$27,494.93 in the No. 1061 Police Grants Fund for training of police personnel and purchase of training equipment.

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

Enactment No: 030803

13. Second Reading Ordinance - Appropriating funds for "one-time" expenditures from Crime Control District for the Police Department (1st Reading 3/29/16)

Ordinance appropriating \$492,678 from the Unreserved Fund Balance in the No. 9010 Crime Control District Fund for "one-time" expenditures and amending the FY2015-16 Operating Budget adopted by Ordinance No. 030620 by increasing expenditures by \$492,678.

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

Enactment No: 030804

14. Second Reading Ordinance - Accepting and appropriating Local funds for Emergency Planning (1st Reading 3/29/16)

Ordinance authorizing the City Manager or designee to accept and appropriate a contribution from the Industry Education Awareness Communication Committee in the amount of \$27,011.14 into the LEPC Fund No. 6060 to purchase resources to communicate and educate Shelter-In-Place; and changing the FY 2015-16 Operating Budget adopted by Ordinance No. 030620 by increasing expenditures in the LEPC No. 6060 by \$27,011.14.

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

Enactment No: 030805

16. Second Reading Ordinance - Authorizing the City Manager or his designee to execute a License for Street Right of Way Use to construct a parking lot expansion project (1st Reading 3/29/16)

Ordinance authorizing the City Manager or his designee to execute a License for Street Right of Way Use with the B-Y 4918 Ayers, LTD. ("Licensee") to construct a parking lot expansion project to better serve the needs of Ayers Plaza Shopping Center tenants in full compliance with the City of Corpus Christi and with the approval of the Texas Department of Transportation, subject to the Licensee's compliance with specified conditions.

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

Enactment No: 030807

- 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 choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. 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, 4118 Bray, spoke regarding the palm trees on Airline Road and the City Council's ability to place this item on the agenda to prevent a lawsuit. Gary Adams, 1929 Sandy Way, thanked Council Member McIntyre and Interim Director of Street Operations Andy Leal for their assistance with the street improvements on Sandy Way Street. Mark Di Carlo, 5821 St. Andrews, spoke regarding Agenda Item 28 the sale of parkland, and referring to Ridgewood Park, asked whether deed restrictions can include restricting the property from being anything other than single-family zoning. Michael Kennedy, 202 Reef Avenue, spoke in support of Agenda Item 30, the "Light Up CC" project for North Beach. Carrie Robertson Meyer, 4401 Gulf Breeze Boulevard, spoke in support of Agenda Item 30, the "Light Up CC" project for North Beach and provided information on the City Engineering Department's Open House meeting at the Radisson on North Beach to discuss the Bond 2012 North Beach Improvements. Susie Luna Saldana, 4710 Hakel, spoke regarding the transportation network companies ordinance and thanked council members who continued to support the ordinance as approved. Ms. Saldana asked the Council to consider citizens' safety and what is best for the City. Brad Smith, 5221 Wentworth, spoke regarding Agenda Item 28, the sale of parkland, and provided information on the utilization of Ridgewood Park. Darlene Gregory, 3237 Bimini, spoke in support of Agenda Item 30, the "Light Up CC" project. Kristie Veit, 5933 Julia Circle, spoke regarding the transportation network company ordinance and protecting the public by providing an in-depth safety process. Richard Rock, 1635 S. Water Street, Rockport, Texas, spoke regarding the transportation network company ordinance and in support of fingerprinting background checks. Richard Troop, Governmental Affairs Director of the Corpus Christi Association of Realtors, provided a housing statistics report as of March 2016. Richard Serna, 5329 Fulwell, spoke regarding Item 30, the sale of city parklands. Mr. Serna stated that he made an offer to purchase Ridgewood Park and intends to rezone a portion of the property to single-family to build townhouses and the portion fronting Holly Road to a professional office district. Ralph Pitzer, 6414 Coral Gables, spoke regarding an appeal of the Building Standards Board's decision to demolish the Gordon Street Apartments. Linda Gibeaut, 410 Southern Street, spoke regarding the components needed to make Corpus Christi a "No-Kill" city. Adolfo Garcia, 5338 Bonham, spoke regarding the transportation network company ordinance and asked for consideration for voluntary fingerprinting. Henry Williams, 2422 Sumner, spoke regarding Agenda Item 28, sale of city parklands, and the use of park proceeds to be invested into two cemeteries in the Hillcrest area. Yaneth Morales, 509 Sam Rankin Street, spoke regarding the process for closing an alley near her home to prevent public urination/defecation in that area and provide neighborhood safety.

M. PUBLIC HEARINGS: (ITEM 20)**20. Public Hearing and First Reading Ordinance - Rezoning property located at 2918, 2922, 2926 and 2930 Highland Avenue**

Case No. 0216-02 Julio C. and Minerva E. Reyna and Jose Luis Rodriguez and Maria Juliana Luna: A change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District. The property is described as being Lot Nos. 23-B, 24-B, 25-B and 25, Block 6, Montrose Park, located near the northeast corner of Highland Avenue and Duncan Street.

Planning Commission and Staff Recommendation (March 9, 2016): Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Julio C. and Minerva E. Reyna and Jose Luis Rodriguez and Maria Juliana Luna ("Owners"), by changing the UDC Zoning Map in reference to Lot Nos. 23-B, 24-B, 25-B and 25, Block 6, Montrose Park, from the "CN-1" Neighborhood Commercial 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 deviated from the agenda and referred to Item 20. Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to rezone the subject property to allow the building of existing residential use and to bring the current property to conformity. Mr. Dimas 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.

In response to a council member, Mr. Dimas explained that current residents in the CN-1 District will not have to go through the rezoning process unless there is new construction or an increase in size. A zoning change would not be required for a remodel.

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

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

Absent: 1 - Council Member Scott

Abstained: 0

N. REGULAR AGENDA: (ITEMS 21 - 25)**21. Second Reading Ordinance - Second Amendment to Lease for Atlantic Aviation to extend term for fifteen years (Requires 28 Day Delay) (1st Reading 3/8/16)**

Ordinance authorizing the City Manager, or designee, to execute a second amendment to the lease between Mercury Air Center - Corpus Christi, Inc., dba Atlantic Aviation ("Atlantic"), Atlantic Aviation FBO Holdings, LLC ("Atlantic Holdings"), and the City for completion of \$3,300,000 in capital improvements for an additional 15-year lease term; authorizing the execution of a short-term license agreement as part of the second amendment; and providing for severance, publication, and an effective date.

Mayor Martinez referred to item 21. Director of Aviation Fred Segundo stated that the purpose of this item is to execute a second amendment to the original five-year lease agreement with Atlantic Aviation in exchange for \$3,300,000 in capital improvements. 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 second reading and approved with the following vote:

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

Abstained: 0

Enactment No: 030809

22. Construction Contract for Collier Pool Renovations (Bond 2012) Rebid - Part A (Pool)

Motion authorizing the City Manager, or designee, to execute a construction contract with Atlantis Aquatic Group. of Austin, Texas in the amount of \$1,782,412 for the Collier Pool Renovations Rebid - Part A (Pool) for replacement of the existing swimming pool and pump house. (Bond 2012 Proposition 4 - Aquatic Facilities)

Mayor Martinez referred to Item 22. City Secretary Huerta stated that Council Member Hunter was abstaining from this item. City Manager Olson withdrew this item.

23. Second Reading Ordinance - Amending City Code to allow two-way traffic on Third Street between Elizabeth Street and Morgan Avenue for the expansion of Spohn Hospital (1st Reading 3/29/16)

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-250 Schedule I - One Way Streets and Alleys by changing the portion of Third Street between Elizabeth Street and Morgan Avenue from a one-way traffic pattern to a two-way traffic pattern.

Mayor Martinez referred to item 23. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the Code of Ordinances to remove a portion of the one-way designation along Third Street. There were no comments from the Council or the public.

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

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

Abstained: 0

Enactment No: 030810

24.

Second Reading Ordinance - Advance Funding Agreement and Construction Contract for Packery Pointe Intersection Improvements Park Road 22 at Aquarius (Bond 2014) (1st Reading 3/29/16)

Ordinance authorizing the City Manager, or designee, to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) with a required payment to TXDOT in the amount of \$8,700; and to execute a construction contract with D & G Energy Corporation of McAllen, Texas in the amount of \$773,738.75 for the Packery Pointe Intersection Improvements Park Road 22 at Aquarius Re-Bid #2 for Total Bid Part A and Part B for installation of a new signal and roadway improvements. (Bond 2014)

Mayor Martinez referred to item 24. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute an Advanced Funding Agreement with the Texas Department of Transportation and execute a construction contract for the Packery Pointe Intersection Improvements Park Road 22 at Aquarius. There were no comments from the Council or the public.

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

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

Abstained: 0

Enactment No: 030811

25. Second Reading Ordinance - Authorizing the Issuance of Certificates of Obligation to fund Bond 2012 Projects (1st Reading 3/29/16)

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Taxable Series 2016A" in an amount not to exceed \$18,140,037 for the purpose of financing costs associated with making permanent public improvements within the City; providing for the payment of said Certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said Certificates by a lien on and pledge of the pledged revenues of the Solid Waste System; providing the terms and conditions of said Certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said Certificates, 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 requirements of 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 Certificates; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing an effective date.

Mayor Martinez referred to Item 25. Director of Financial Services Constance Sanchez stated that the purpose of this item is to authorize the issuance of \$18,140,037 of certificates of obligation for the purpose of paying contractual obligations necessary to complete the street projects from Proposition 1 in Bond 2012.

Mayor Martinez called for comments from the public. Abel Alonzo, 1701 Thames, spoke to inform the community of City staff's efforts to run the City in the most effective and efficient matter for the best interest of the taxpayers.

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

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

Abstained: 0

Enactment No: 030812

L. EXECUTIVE SESSION: (ITEMS 17 - 19)

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

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

Mayor Martinez referred to Item 17 and the following resolution was considered:

Resolution affirming the City's Last Best and Final Offer in the 2015 Collective Bargaining Negotiation process between the City of Corpus Christi and the Corpus Christi Professional Firefighters' Association - Local Union 936.

Council Member Scott made a motion to approve the resolution, seconded by Council Member McIntyre. Council Members Rubio and Magill stated they were supporting the resolution because of the letter received by the Fire Union's attorney dated March 31, 2016. This Resolution was passed and approved with the following vote:

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

Abstained: 0

Enactment No: 030808

18. **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to proposed desalination and wastewater reuse projects and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to entities that the City seeks to have locate, stay or expand in or near the City of Corpus Christi (including, but not limited to, Valero Energy and other industrial and commercial entities that could consume treated wastewater and desalinated water) and with which the City is conducting economic development negotiations and to deliberate possible offers of incentives to said business prospect(s).

This E-Session Item was discussed in executive session.

19. **Executive Session pursuant to Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property and matters related to the acquisition of property in the vicinity of Holly Road.

This E-Session Item was discussed in executive session.

P. FUTURE AGENDA ITEMS: (ITEMS 33 - 43)

Mayor Martinez deviated from the agenda and referred to the Future Agenda Items. City Manager Olson stated that staff did not have any planned

presentations. Council members discussed Item 42.

42. Awarding the purchase of property insurance through Carlisle Insurance Agency, Broker of Record

Motion awarding the purchase of property insurance and, authorizing the City Manager to execute all documents necessary to purchase All Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown through Carlisle Insurance Agency, Broker of Record for property insurance, in exchange for premium totaling \$2,001,750 from May 5, 2016 to May 5, 2017 of which \$811,669 is required for the remainder of FY 2015-2016.

City Secretary Huerta announced that Council Member Hunter recused himself from the discussion on this item.

MOTION OF DIRECTION

Council Member Magill made a motion directing the City Manager to appropriate net savings from this item to Residential Streets Reconstruction Fund line 1042 in the Streets Special Revenue Fund, seconded by Council Member Vaughn, and passed unanimously (Council Member Rosas - absent; Council Member Hunter - recused).

O. FIRST READING ORDINANCES: (ITEMS 26 - 32)

26. First reading Ordinance - Appropriating funds from utility customer donations for the Arts & Cultural Commission (ACC)

Ordinance appropriating \$4,290.08 in City utility customer donations in General Fund No. 1020 for use by programs coordinated through the City Arts and Cultural Commission and amending the FY2016 Operating Budget adopted by Ordinance No. 030620 to increase expenditures by \$4,290.08.

Mayor Martinez referred to Item 26. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to appropriate \$4,290.08 in City utility customer donations to be used by programs coordinated through the City Arts and Cultural Alliance. There were no comments from the public.

Council members spoke regarding the following topics: the total amount of funding received from utility customers; how long the program has been in place; the total amount of donations; and the location, on the utility bill, where customers have an opportunity to include their donation.

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

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

Abstained: 0

27. First Reading Ordinance - Approving Annual Ordinance for Select Parks and Recreation Grants

Ordinance authorizing the City Manager or designee to execute documents to apply for and accept grants from the Area Agency on Aging of the Coastal Bend for the Elderly Nutrition Program, Corporation for National and Community Service for the RSVP (Retired and Senior Volunteer Program) and the Senior Companion Program, and grants from the Texas Department of Agriculture for the Summer Food Service Program, Afterschool Snack Program, and Texan's Feeding Texans program and upon receipt, to appropriate funds in the No. 1067 Park Grants Fund for said city programs.

Mayor Martinez referred to Item 27. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to authorize the City Manager to execute documents to apply for and accept grants for Senior Community Services Programs and Summer Grant Programs. There were no comments from the Council or the public.

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

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

Abstained: 0

28. First Reading Ordinance - Approving the sale of park properties

Ordinance approving the sale of properties as follows and authorizing the City Manager to execute documents necessary to complete each real estate sales transaction:

- a) Acushnet Park (6746 Aaron) to MVR Construction Company and/or assigns in amount of \$655,000;
- b) Cabra Park (1323 W. Broadway) to Darla-1, Ltd. and/or assigns in amount of \$24,000;
- c) Durant Park (6113 Durant) to MVR Construction Company and/or assigns in amount of \$130,000;
- d) Parklane Park (4600 Arlene) to Albert Ayala and/or assigns Roberto Cardenas and/or assigns in amount of \$121,000;
- e) Peary Park (1750 Paul Jones Rd) to 4625 No. 3, Ltd., a Texas limited partnership and/or assigns in amount of \$36,000;

f) Ridgewood Park (5730 Malden) to Richard O. Serna and/or assigns and John Tamez and/or assigns in amount of \$400,003; and
g) Willow Park (11418 Willowood) to Martin and Gaby Sada and/or assigns in amount of \$50,000.

Mayor Martinez referred to Item 28. City Secretary Huerta announced that Council Member Magill was abstaining from the discussion and vote on this item. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to approve the sale of the following park land: Acushnet Park, 6746 Aaron; Cabra Park, 1323 W. Broadway; Durant Park, 6113 Durant; Parklane Park, 4600 Arlene; Peary Park, 1750 Paul Jones Road; Ridgewood Park, 5730 Malden; and Willow Park, 11418 Willowood. In November 2014, voters approved the sale of the listed parks. The properties were listed for sale in January 2016 and the Parks and Recreation Department notified adjacent neighbors.

Mayor Martinez called for comments from the public. The following individuals requested reconsideration on the decision to sell Ridgewood Park: Ed Sample, 5321 Crestwick; Cleon Hart, 7034 Powderhorn Ct; Richard Guion, 5709 Malden; Nancy Sibley, 726 Harrison, on behalf of her daughter, Delaine Bacon, 5317 Wentworth. Ms. Sibley presented a petition by residents in opposition to the sale of Ridgewood Park. Abel Alonzo, 1701 Thames, said that if the residents near Ridgewood Park are willing to commit to the maintenance of the park, he would support their proposal. Mr. Alonzo stated that if the residents are not willing, he urged the Council to support staff's recommendation.

Council members spoke regarding the following topics: notification to residents on the sale of the parks; the extensive process in 2012 to identify the parks to be repurposed and/or adopted; the utilization of Ridgewood Park; the neighborhood's willingness to maintain the parks; the criteria used to identify the parks; flooding issues at St. Andrews Park; the volume of users at St. Andrews Park and Gardendale Park in comparison to Ridgewood Park; legal parameters should the Council reconsider the sale of Ridgewood Park; and the ballot language from the November 2014 election.

Mayor Martinez delayed action on this item to allow Senior Assistant City Attorney Lisa Aguilar to review the ballot language from the 2014 November election.

29.

First Reading Ordinance - Amending the Urban Transportation Plan deleting the extension of First National Boulevard between Compton Road and Graham Road

Ordinance amending the Urban Transportation Plan Map, of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by deletion of the extension of First National Boulevard; amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

Mayor Martinez referred to Item 29. Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to amend the City's Urban Transportation Plan. Gulf Coast Marine has requested the deletion of the

extension of First National Boulevard, between Compton Road and Graham Road. First National Boulevard is designated as a proposed C1 Minor Residential Collector. Gulf Coast Marine has done a traffic impact analysis that shows no adverse traffic impact. Mr. Dimas stated that staff recommends approval of the deletion of First National Boulevard. 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 Magill, Council Member McIntyre, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Hunter

Abstained: 0

30. First Reading Ordinance - Appropriating funds and approving the four agreements with American Electric Power (AEP) for the Installation of LED Street Lights on North Beach at City Parks along the Beach Walk

Ordinance appropriating \$99,557 from unreserved fund balance in the No. 1040 Parking Improvement Fund; authorizing the City Manager, or designee, to approve Contribution-In-Aid-Of-Construction Agreements with American Electric Power (AEP) for a total of \$149,958.41, for the installation of the LED lighting improvements on North Beach at City parks along the Beach Walk; and amending the FY 2015-2016 Operating Budget adopted by Ordinance 030620 by increasing expenditures by \$99,557.

Mayor Martinez referred to Item 30. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to appropriate \$99,557 from the unreserved fund balance in the Parking Improvement Fund and approve Contribution-In-Aid-Of-Construction Agreements with American Electric Power (AEP) for the installation of the LED lighting improvements on North Beach at City Parks along the Beach Walk. This project is part of the "Light Up CC" program, using funds from City parking meters and administered by the City's Parking Advisory Committee, to improve lighting in areas to increase public safety. There were no comments from the Council or the public.

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

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

Abstained: 0

28. First Reading Ordinance - Approving the sale of park properties

Ordinance approving the sale of properties as follows and authorizing the City Manager to execute documents necessary to complete each real estate sales transaction:

- a) Acushnet Park (6746 Aaron) to MVR Construction Company and/or assigns in amount of \$655,000;
- b) Cabra Park (1323 W. Broadway) to Darla-1, Ltd. and/or assigns in amount of \$24,000;
- c) Durant Park (6113 Durant) to MVR Construction Company and/or assigns in amount of \$130,000;
- d) Parklane Park (4600 Arlene) to Albert Ayala and/or assigns Roberto Cardenas and/or assigns in amount of \$121,000;
- e) Peary Park (1750 Paul Jones Rd) to 4625 No. 3, Ltd., a Texas limited partnership and/or assigns in amount of \$36,000;
- f) Ridgewood Park (5730 Malden) to Richard O. Serna and/or assigns and John Tamez and/or assigns in amount of \$400,003; and
- g) Willow Park (11418 Willowood) to Martin and Gaby Sada and/or assigns in amount of \$50,000.

Mayor Martinez returned to Item 28, approval of the sale of park properties. Senior Assistant City Attorney Lisa Aguilar stated that the ballot language gives authority to the City Council regarding the parkland.

Council Member Rosas made a motion to approve the ordinance, seconded by Council Member McIntyre. City Secretary Huerta stated that a council member requested to remove Ridgewood Park and vote on it separately.

Council Member Vaughn made a motion to amend the ordinance to remove Ridgewood Park, seconded by Council member Hunter. A brief discussion ensued regarding the neighbors' interest in adopting and maintaining Ridgewood Park. The Council agreed to approve the proposed ordinance on first reading to allow the neighbors an opportunity to adopt Ridgewood Park.

Mayor Martinez allowed for additional public comment. Don Rearick, 4905 Arlene Drive, requested the opportunity to receive information on the criteria to adopt Parklane Park.

Council Member Vaughn rescinded her motion to amend and Council Member Hunter rescinded his second.

This Ordinance was passed on first reading and approved with the following vote:

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

Abstained: 1 - Council Member Magill

31.

First Reading Ordinance - Amending ordinance to Prohibit parking on Leopard Street from Rose Street to Pierpont Street in front of Fire Station No. 5

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-252 Schedule III - Parking prohibited at all times on certain streets by adding Leopard Street, south side, from Rose Street to Pierpont Street.

Mayor Martinez referred to Item 31. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the Code of Ordinances to prohibit parking at all times along the south side of Leopard Street (3100 block) from Rose Street to Pierpont Street. This request was made by the Fire Department to allow safe transit of emergency vehicles exiting and entering Fire Station No. 5. The Transportation Advisory Commission recommended approval at their October 2015 meeting. There were no comments from the public.

A council member requested that staff provide information on whether changes need to be made to the the "No Parking Zone" located at the old Fire Station No. 5 and, if changes are required, the reasons for maintaining/keeping that station.

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

Aye: 7 - Mayor Martinez, Council Member Garza, Council Member Hunter, Council Member Magill, Council Member McIntyre, Council Member Rubio and Council Member Scott

Absent: 2 - Council Member Rosas and Council Member Vaughn

Abstained: 0

32.

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 \$23,610,000, 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, 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 32. Director of Financial Services Constance Sanchez stated that Items 32 and 33 are related to a refunding opportunity for six outstanding series of bonds in an amount up to \$23,610,000. If all eligible outstanding bonds are refunded at today's interest rate, a total net value

savings of approximately \$1,744,000 will be realized. The actual amount to be refunded, however, would be determined at the time of pricing. There were no comments from the Council or the public.

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

Aye: 8 - Mayor Martinez, Council Member Garza, Council Member Hunter, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Rosas and Council Member Scott

Absent: 1 - Council Member Vaughn

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 33 - 43)

Mayor Martinez returned to Future Agenda Items. A council member requested information on Item 36.

33. Appointment of Financial Advisor for Issuance of 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 Refunding Bonds" in an aggregate principal amount not to exceed \$23,610,000.

This Motion was recommended to the regular agenda.

34. Appointing Council Member Michael T. Hunter to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation

Motion appointing City Council Member Michael T. Hunter as board member to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation.

This Motion was recommended to the consent agenda.

35. Appointing Council Member Michael T. Hunter to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation

Motion appointing Council Member Michael T. Hunter as a Board Member to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation.

This Motion was recommended to the consent agenda.

36. Engineering Design Contract for the equipment in the Traffic Management Center under the Signal Improvement and Street Lighting (Bond 2012) Proposition 1 project

Motion authorizing the City Manager, or designee, to execute a contract for professional services with Maldonado-Burkett Intelligent Transportation Systems, LLP (MBITS) of Corpus Christi, Texas in the amount of \$697,785.18 to complete the design and implementation of the Traffic Signal Management Equipment in the new Traffic Management Center (TMC) (Bond 2012 Proposition 1 Signal Improvements & Street Lighting project)

This Motion was recommended to the consent agenda.

37. Engineering Design Contract Amendment No 4 for O.N. Stevens Raw Water Influent Improvements

Motion authorizing the City Manager, or designee, to proceed with design, bid and construction phase services by executing Amendment No. 4 with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$650,729 for a total restated fee not to exceed \$2,639,549 for O.N. Stevens Raw Water Influent Improvements.

This Motion was recommended to the consent agenda.

38. Engineering Design Contract for O.N. Stevens Facilities Feed Optimization Improvements

Motion authorizing the City Manager, or designee, to execute an Engineering Design contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$1,091,812 for O.N. Stevens Facilities Feed Optimization Improvements for design, bid and construction phase services.

This Motion was recommended to the consent agenda.

39. Construction Contract and Construction Materials Testing Agreement for the Elevated Water Storage Tanks (Alternative Capacity Requirement Implementation, Phase 2)

Motion authorizing the City Manager or designee to execute a construction contract with CB&I, Inc. of The Woodlands, Texas in the amount of \$9,245,050 for the Elevated Water Storage Tanks (Alternative Capacity Requirement Implementation, Phase 2) for the Base Bid plus Additive Alternates No. 2 and 4 and to execute a construction materials testing agreement with Rock Engineering and Testing Laboratory, Inc. of Corpus Christi, Texas in the amount of \$63,400 for the Elevated Water Storage Tanks.

This Motion was recommended to the consent agenda.

40. Authorizing a construction contract for Citywide Collection System Pipebursting Indefinite Delivery/Indefinite Quantity (IDIQ) Part B with 4 optional one year extensions to be administratively approved

Motion authorizing the City Manager or designee to execute a multi-year construction IDIQ contract with PM Construction & Rehab, LLC of Pasadena, Texas in the amount of \$1,875,000 for the Citywide Collection System Pipebursting Project. Contract renewals for four (4) optional future years will be administratively approved.

This Motion was recommended to the consent agenda.

41. Resolution authorizing the City Manager or designee to negotiate and execute a service agreement with Concentra Health Services, Inc., to provide management and operation of the City's employer-sponsored Wellness Clinic for a two-year term, with up to three one-year extensions.

This Resolution was recommended to the consent agenda.

43. Resolution approving Second Amended Interlocal Cooperation Agreement for Tax Increment Reinvestment Zone Three

Resolution authorizing the City Manager to execute a Second Amended Interlocal Cooperation Agreement with Del Mar College District, relating to the participation of the City and Del Mar College District in Reinvestment Zone Three, City of Corpus Christi Texas

This Resolution was recommended to the consent agenda.

Q. FUTURE CORPORATION MEETING: (ITEM 44)

44. Annual Board Meeting of the Corpus Christi Housing Finance Corporation

This Corporation Meeting was recommended to be held.

R. BRIEFINGS: (ITEM 45 - 46)

Mayor Martinez called for a 10-minute recess to 5:40 p.m.

45. Parks and Recreation Master Plan and Community Enrichment Funds

Mayor Martinez referred to Item 45. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to provide an overview of the Parks and Recreation Master Plan and Community Enrichment Funds. Ms. Anaya provided the following information: a profile of the park system; background on the master plan, including: the goals of the park

system, establishment of seven (7) park planning areas, categorization and development standards for parks, maintenance strategies, and establishment of priorities; the establishment of the community enrichment fund to hold donations, public open space fees, and proceeds from sales; and the community enrichment funds' past expenditures, current fund balance, and planned expenditures.

Council members spoke regarding the following topics: a framework for Unified Development Code (UDC) amendments in the next five-year period; a policy for the Community Enrichment Funds; discussions to incorporate land use and areas for infill redevelopment in terms of Community Enrichment Funds; more citizen involvement through the Park and Recreation Advisory Committee; a discussion on the creation of revenue generating opportunities for neighborhood parks; the gymnasiums and ballfields located on Greenwood Street; rental of soccer fields at Salinas Park; the process for removing playground equipment; more notification to citizens prior to changes being made to parks; the requirement that all parks, including niche/pocket parks, must be ADA-compliant; revenue generating activities at the Oso Bay Reserve and regional parks; and the process to transition the Park and Recreation Advisory Committee to a Commission.

46. Discovery - Transportation Network Company Ordinance Reconsideration

Mayor Martinez referred to item 46. City Manager Olson stated that at the March 29, 2016 Council Meeting, the City Council directed the City Manager to move forward with a 3D (Discover, Discuss & Decide) process on the transportation network companies (TNC). The purpose of this item is to begin discussions on information regarding transportation network companies. Direction was also given to the City Manager to return by the end of May with an ordinance. Next week, staff will present a briefing on the Vehicle-for-Hire/Taxi Regulations.

Interim Assistant City Manager Jay Ellington stated that at the March 8, 2016 council meeting, an ordinance was passed which defined regulations for transportation network companies to operate in Corpus Christi. Upon consultation, direction was given to not publish that ordinance; as a result the ordinance has not yet become effective. At the March 29, 2016 Council Meeting, the City Council voted to reconsider the ordinance, directing the City Manager to bring back the ordinance, without the inclusion of the biometric fingerprint background checks, along with the City's current vehicle-for-hire ordinance within 30 to 60 days. Assistant City Manager Ellington provided the following information: a timeline for the 3D process; the discovery timeline; and an overview covering the TNC discovery spreadsheet of 16 Texas cities, including Corpus Christi.

Council members spoke regarding the following topics: requesting that staff provide details on the cities of Bryan and Fort Worth's taxi ordinance; the requirements for vehicle inspection; details on the requirements for city audits; the City of San Antonio suspending the finger print check pending a 9-month agreement; the reason the Corpus Christi ordinance did not suspend fingerprinting pending an agreement; the difference between fingerprint background checks and nationwide background checks for drivers; the findings from the City of Amarillo; inclusion of the City of Austin's ballot language; audit information, including trip records and driving records for a

period of 12 months after a driver severs their relationship with a TNC; clarification on permitting fees; and that the City Charter sets out that any ordinance repealed by referendum, cannot be reinstated by the City Council for 4 years from the date of the election.

S. ADJOURNMENT

The meeting was adjourned at 6:40 p.m.