



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, February 11, 2014

11:30 AM

Council Chambers

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

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

Mayor Pro Tem Chad Magill called the meeting to order.

B. Invocation to be given by Ms. Dorothy Dundas, Texas Apostolic Prayer Network

Ms. Dorothy Dundas gave the invocation.

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

Mr. Bill Green, Interim Director of Environmental and Strategic Initiatives gave 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 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 City Secretary Rebecca Huerta.

(Note: Mayor Nelda Martinez arrived at 1:00 p.m.)

Present: 7 - 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

Absent: 2 - Council Member Kelley Allen, and Council Member Priscilla Leal

E. Proclamations / Commendations

1. Proclamation declaring February 14, 2014 as "CHRISTUS Spohn Hospital - South Day"
Proclamation declaring February 16-22, 2014 as "National Engineers' Week"
Proclamation declaring February 16-22, 2014 as "National LULAC Week"

Presentation of Mayor's Clean & Green Awards

Mayor Pro Tem Magill presented the proclamations.

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

Mayor Pro Tem Magill deviated from the agenda and referred to City Manager's Comments. City Manager Ron Olson reported on the following issues: 1) The Finance Department has completed the Comprehensive Annual Financial Report (CAFR) which details the financial impact and condition of the City. The CAFR was presented to the City Council.

a. City Performance Report - Gas Department

City Manager Olson asked Director of Gas Operations Debbie Marroquin to provide a briefing on the operations, missions and goals of the Gas Department. Mayor Pro Tem Magill called for a brief recess to listen to public comment.

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

Mayor Pro Tem Magill deviated from the agenda and called for comments from the audience. Brad Newton spoke regarding his efforts to changes the laws deemed humane by an Ethics Committee for "end of life" and asked what steps could be taken to get access to hand out flyers and use the right-of-way to inform the community. Christina Thompson asked for consideration to eliminate the street maintenance fee for citizens in rural of areas of the City that do not have other utility services. Carolyn Moon spoke regarding the services and policies at Animal Control. Jack Gordy requested an item be placed on the agenda to discuss changing the small animal trap policy. Johnny French spoke regarding accessibility at Packery Channel and asked the City to request assistance from the Corps of Engineers in the cost sharing of accessibility and recreational amenities at Packery Channel. Cliff Schlabach asked for clarification on when to address concerns regarding Item 35, Case No. 1213-05 BL Real Estate Holdings Company, LP. Jeremy Coleman spoke regarding the status for reopening the Brooks Chapel Early Childhood Development Center and issues with the Neighborhood Services Department. Nick Enriquez spoke regarding the motion to excuse the absences for Council Member Priscilla Leal. Savitra Cole spoke in support of Jeremy Coleman's efforts to reopen the Brooks Chapel Early Childhood Development Center.

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

a. City Performance Report - Gas Department

Mayor Pro Tem Magill returned to City Manager's Comments. Director of Gas

Operations Debbie Marroquin completed her presentation of the Gas Department's City Performance Report.

b. Other

1) City Manager Ron Olson summarized an email from a citizen complimenting the services and efforts implemented to improve the Development Services Department and recognized Interim Assistant City Manager Mark Van Vleck for his leadership of the department. Mr. Olson announced that he was relieving Mr. Van Vleck of his services as Interim Assistant City Manager to return to his position as Director of Development Services effective immediately. 2) Mr. Olson announced the appointment of Gus Gonzalez as Assistant City Manager of Public Works and Utilities.

I. MINUTES: (NONE)

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 4 - 11, 13 - 30)

Approval of the Consent Agenda

Mayor Pro Tem Magill deviated from the agenda and referred to the consent agenda. City Secretary Rebecca Huerta announced that Council Member Scott would abstain from the vote on Item 4. There were no comments from the Council or the public. The consent agenda as passed by one vote as follows:

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

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

Abstained: 0

4. Service Agreement for Strategic Planning Services

Motion awarding a service agreement for Strategic Planning Services with Goody Clancy & Associates Inc., Boston, Massachusetts, for an estimated two year expenditure of \$1,536,800 of which \$320,166 is required for fiscal year 2013/2014. The term of the agreement is twenty-four months, with options to extend the agreement for up to two additional twelve month periods, subject to the approval of the consultant and the City Manager or designee. Funding is available in the Comprehensive Planning Operations budget for fiscal year 2013/2014.

This Motion was passed and approved with the following vote:

Aye: 5 - Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

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

Abstained: 1 - Council Member Scott

Enactment No: M2014-009

5. Supply agreement for food items

Motion approving supply agreements with the following companies for the following amounts in accordance with the Coastal Bend Council of Governments Bid Invitation No. CBCOG-14-1 for food items which include canned and frozen fruit and vegetables; meats and condiments, for an estimated six month expenditure of \$174,679.54. The terms of the contracts shall be for six months with options to extend for up to three additional months, subject to the approval of the Coastal Bend Council of Governments, the suppliers, and the City Manager or designee. Funds are available through the Meals on Wheels Grant.

LaBatt Food Service
Corpus Christi, Texas

132 Line Items

\$59,972.75

Performance Food Group
Victoria, Texas

123 Line Items

\$114,706.79

Grand Total: \$174,679.54

This Motion was passed on the Consent Agenda.

Enactment No: M2014-010

6. Lease purchase of two ambulances for Fire Department use

Motion approving the lease purchase of two (2) ambulances from Knapp, Chevrolet, of Houston, Texas based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC), in the amount of \$281,800, of which \$14,899.47 is required in FY 2013-2014. The ambulances will be used by the EMS Division of the Fire Department. Funds for the lease purchase of the ambulances will be provided through the City's lease/financing program.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-011

7. Engineering design contract amendment No. 3 for Whitecap Wastewater Treatment Plant

Motion authorizing the City Manager or designee to execute Amendment No. 3 to the engineering design contract with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$416,540.00, for a total restated fee of \$743,640.00 for the Whitecap Wastewater

Treatment Plant (WWTP) Ultra-Violet (UV) Disinfection System Upgrade.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-012

8. Engineering Design Contract Amendment No. 1 for lifecycle waterline replacement

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to the Engineering Design Contract with Urban Engineering of Corpus Christi, Texas in the amount of \$228,440.00, for a total restated fee not to exceed \$267,540.00 for the Programmed Water Line Service Life Extension for City-Wide Distribution Repair and Replacement - Indefinite Delivery/Indefinite Quantity (IDIQ) Procurement.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-013

9. Engineering design contract for Cefe Valenzuela Landfill Disposal Cell Construction of 1B & 1C

Motion authorizing the City Manager or designee to execute an Engineering Design Contract with C P & Y, Inc. of Dallas, Texas in the amount of \$623,565.00, for Cefe Valenzuela Landfill Disposal Cell Construction of 1B and 1C for the design, bid, and construction phase services.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-014

10. Engineering construction contract for Padre Island water supply project

Motion authorizing the City Manager, or designee, to execute a construction contract with Bridges Specialties, Inc. of Robstown, Texas in the amount of \$7,308,330.80, for the Padre Island Water Supply Project.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-015

11. Second Reading Ordinance - Rezoning from the "FR" Farm Rural District to the "RS-22" Single-Family 22 District, on property located at 8410 South Staples Street (FM 2444) (1st Reading 1/28/14)

Case No. 1213-02 MPM Development, LP: A rezoning from the "FR" Farm Rural District to the "RS-22" Single-Family 22 District, resulting in a change to the Future Land Use Plan from estate residential and park uses to low density residential uses. The property to be rezoned is described as being a 23.206-acre tract out of a portion of the south half of Section 31, Laureles Farm Tracts, located on the south side of South Staples Street (FM 2444), approximately 360 feet east of King Trail.

Planning Commission and Staff Recommendation (December 4, 2013): Approval of the rezoning to the "RS-22" Single-Family 22 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by MPM Development, LP ("Owner"), by changing the UDC Zoning Map in reference to a 23.206-acre tract of land out of a portion of the south half of Section 31, Laureles Farm Tracts, from the "FR" Farm Rural District to the "RS-22" Single-Family 22 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: 030069

13.

Second Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, on property located at 7314 South Padre Island Drive (SH 358) (1st Reading 1/28/14)

Case No. 1213-06 Charles E. Butler: A rezoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan from medium-density residential uses to commercial uses. The property to be rezoned is described as being 2.28-acre tract of land out of a portion of Lot 4-B and Lot 5D-R, Block A, Joslin Tract, located on the north side of South Padre Island Drive (SH 358) and approximately 850 east of Rodd Field Road.

Planning Commission and Staff Recommendation (December 18, 2013): Approval of the rezoning to the "CG-2" General Commercial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Charles E. Butler on behalf of CPAT L.L.C. ("Owner"),

by changing the UDC Zoning Map in reference to a 2.28-acre tract of land out of a portion of Lot 4-B and Lot 5D-R, Block A, Joslin Tract, from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 030071

14.

Second Reading Ordinance - Rezoning from the "RS-TF" Two-Family District to the "RM-1" Multifamily 1 District on Tract A; from the "RS-TF" Two-Family District and the "RM-3" Multifamily 3 District to the "ON" Office District on Tract B; and from the "RM-3" Multifamily 3 District to the "CG-2" General Commercial District on Tract C, for property located at 6801 Saratoga Boulevard (SH 357) (1st Reading 1/28/14)

Case No. 1213-04 D&E Development Corporation: Rezoning from the "RS-TF" Two-Family District to the "RM-1" Multifamily 1 District on Tract A; from the "RS-TF" Two-Family District and the "RM-3" Multifamily 3 District to the "ON" Office District on Tract B; and from the "RM-3" Multifamily 3 District to the "CG-2" General Commercial District on Tract C, resulting in a change to the Future Land Use Plan from commercial uses to medium-density residential uses on Tract A; from commercial uses to professional office uses on Tract B; and no change to the Future Land Use Plan on Tract C. The property to be rezoned is described as being a 9.79-acre tract of land out of Lots 5 and 6, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Saratoga Boulevard (SH 357), approximately 1,300 feet east of Airline Road.

Planning Commission and Staff Recommendation (December 18, 2013): Approval of the rezoning to the "RM-1" Multifamily 1 District on Tract A; to the "ON" Office District on Tract B; and to the "CG-2" General Commercial District on Tract C.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by D&E Development Corporation ("Owner"), by changing the UDC Zoning Map in reference to a 9.79-acre tract of land out of Lots 5 and 6, Section 20, Flour Bluff and Encinal Farm and Garden Tracts from the "RS-TF" Two-Family District to the "RM-1" Multifamily 1 District on Tract A, from the "RS-TF" Two-Family District and the "RM-3" Multifamily 3 District to the "ON" Office District on Tract B, and from the "RM-3" Multifamily 3 District to the "CG-2" General Commercial District on Tract C; 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: 030072

15. Second Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, on property located at 1301 Daly Drive (1st Reading 1/28/14)

Case 0114-01 Hammond Jones Development: A rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being a 0.32-acre tract of land out of Lot 1, Block 2, Woodlawn Estates, located on the southwest corner of McArdle Road and Daly Drive.

Planning Commission and Staff Recommendation (January 15, 2014): Approval of the rezoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Hammond Jones Development on behalf of James F. Abernathy and Cheryl Faye Abernathy ("Owners"), by changing the UDC Zoning Map in reference to a 0.32-acre tract of land out of Lot 1, Block 2, Woodlawn Estates, from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 030073

16. Second Reading Ordinance - Accepting and appropriating a local grant to purchase an explosive/weapon detection canine (1st Reading 1/28/14)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Earl C. Sams Foundation, in the amount of \$12,000 to purchase an explosive/weapon detection canine, training, and associated equipment within the Police Department; and appropriating the \$12,000 in the No. 1061 Police Grants Fund.

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

Enactment No: 030074

17. Second Reading Ordinance - Lease agreement for Grande

Grossman House at 1517 North Chaparral Street to create Tejano Civil Rights Museum (1st Reading 1/28/14)

Ordinance authorizing City Manager or designee to execute a 60 month lease agreement with LULAC Council #1 Foundation, doing business as the Tejano Civil Rights Museum, for Grande Grossman House, located at 1517 North Chaparral Street, in the City, Lessee agrees to pay the City, on a monthly basis, zero dollars per month for the first twelve months, \$200 per month beginning the thirteenth month until the end of the twenty-fourth month, \$400 per month beginning the twenty-fifth month until the end of the thirty-sixth month, \$600 per month beginning the thirty-seventh month until the end of the forty-eighth month and \$800 per month beginning the forty-ninth month until the end of the five year period.

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

Enactment No: 030075

18. Second Reading Ordinance - Appropriation of funds for parking and revenue control systems for the Corpus Christi Airport as per agreement with Republic Parking Systems (1st Reading 1/28/14)

Ordinance appropriating \$480,000 from the Unreserved Fund Balance in the No. 4610 Airport Fund for the purchase of parking and revenue control systems for Corpus Christi International Airport; amending the FY 2013-2014 Operating Budget adopted by Ordinance 029916 by increasing expenditures by \$480,000.

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

Enactment No: 030076

19. Second Reading Ordinance - Amending City code for public access channel rules and procedures as recommended by the Cable Communication Commission (1st Reading 1/28/14)

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55 regarding rules and procedures for public access cablecasting; providing for penalties; providing for severance; and providing for publication.

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

Enactment No: 030077

20. Second Reading Ordinance - Information technology contract Amendment No. 1 and appropriation of funds for the implementation of Project Management Software (1st Reading 1/28/14)

Ordinance appropriating \$213,000 from the Unreserved Fund Balance in No. 5310 Engineering Services Fund; changing the FY 2014 Operating Budget adopted by Ordinance No. 029915 to increase expenditures by \$213,000; and authorizing the City Manager or designee to execute Amendment No. 1 to an Information Technology Contract with LMR Consulting dba EPM Live from Carlsbad, CA in the amount of \$60,125, for a re-stated fee of \$109,125.20 for the implementation of Project Management Software.

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

Enactment No: 030078

21. Second Reading Ordinance - Amending City code for conversion of one-way traffic to two-way traffic on Hudson Street (1st Reading 1/28/14)

Ordinance amending Section 53-250 of the Code of Ordinances to delete "Hudson Street, from Shaw Street to Stafford Street" from Schedule I, One-way streets and alleys; providing for penalties; providing for severance; and providing for publication.

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

Enactment No: 030079

22. Second Reading Ordinance - Amending City code for removal of parking prohibition on Manhattan Drive (1st Reading 1/28/14)

Ordinance amending Section 53-253 of the Code of Ordinances to remove the parking prohibition on Manhattan Drive by deleting the street from "Schedule IV-Stopping, standing or parking prohibited during certain hours on certain streets."

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

Enactment No: 030080

ADVANCE DESIGN IN PREPARATION OF BOND ISSUE 2014: (ITEMS 23 - 30)

23. Second Reading Ordinance - Amending the FY 2014 Capital Improvements Street Program for Bond 2014 Street Projects (1st Reading 1/28/14)

Ordinance amending the FY 2014 Capital Improvement Program Budget adopted by Ordinance No. 029916 to add the City Council approved Bond 2014 street projects as listed in Attachment 1; and increasing revenues and expenditures in the amount of \$8,000,000.

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

Enactment No: 030081

24. Second Reading Ordinance - Amending the FY 2014 Capital Improvements for Alameda Street from Kinney to Lipan (1st Reading 1/28/14)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amount of \$69,565 from Storm Water CIP Fund 4529; \$36,173.80 from Wastewater CIP Fund 4503; \$33,391.20 from Water CIP Fund 4479 to the Bond 2014 Street Project Alameda Street from Kinney to Lipan; increasing expenditures in the amount of \$139,130; and authorizing the City Manager, or designee, to execute an engineering design contract with Lockwood, Andrews, and Newman, Inc. from Corpus Christi, Texas in the amount of \$323,685.00 for Alameda Street from Kinney to Lipan for design, bid, and construction phase services.

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

Enactment No: 030082

25. Second Reading Ordinance - Engineering design contract amending the Capital Improvements Budget for a professional services agreement for Waldron Road from Airdrome to Caribbean (1st Reading 1/28/14)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amount of \$164,675.00 from Storm Water CIP Fund 4528; \$85,631.00 from Wastewater CIP Fund 4510; \$79,044.00 from Water CIP Fund 4088 to the Bond 2014 Street Project Waldron Road from Airdrome to Caribbean; increasing expenditures in the amount of \$329,350.00; and authorizing the City Manager, or designee, to execute an engineering design contract with Urban Engineering from Corpus Christi, Texas in the amount of \$672,200.00 for Waldron Road from Airdome to Caribbean for design, bid, and construction phase services.

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

Enactment No: 030083

26. Second Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvements Street Program for Staples Street from Alameda to Morgan (1st Reading 1/28/14)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the

amount of \$149,917.50 from Storm Water CIP Fund 3494; \$77,957.10 from Wastewater CIP Fund 4510; \$71,960.40 from Water CIP Fund 4088 to the Bond 2014 Street Project Staples Street from Alameda to Morgan; increasing expenditures in the amount of \$299,835.00; and authorizing the City Manager, or designee, to execute an engineering design contract with HDR Engineering, Inc. from Corpus Christi, Texas in the amount of \$604,670.00 for Staples Street from Alameda to Morgan for design, bid, and construction phase services.

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

Enactment No: 030084

27. Second Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Yorktown Boulevard from Lake Travis to Everhart (1st Reading 1/28/14)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$251,492.50 from Storm Water CIP Fund 3494, \$129,876.10 from Wastewater CIP Fund 4510, \$107,516.40 from Water CIP Fund 4479 to the Bond 2014 Street Project Yorktown Boulevard from Lake Travis to Everhart; increasing expenditures in the amount of \$488,885.00; and authorizing the City Manager, or designee, to execute an engineering design contract with LNV, Inc. from Corpus Christi, Texas in the amount of \$994,290 for Yorktown Boulevard. from Lake Travis to Everhart for design, bid, and construction phase services.

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

Enactment No: 030085

28. Second Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Morgan Avenue from Ocean to Staples Street (1st Reading 1/28/14)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amount of \$141,471.25 from Storm Water CIP Fund 3494; \$73,565.05 from Wastewater CIP Fund 4510; \$67,906.20 from Water CIP Fund 4088 to the Bond 2014 Street Project Morgan Avenue from Ocean Drive to Staples Street; increasing expenditures in the amount of \$282,942.50; and authorizing the City Manager, or designee, to execute an engineering design contract with Coym, Rehmet & Gutierrez Engineering, L.P. from Corpus Christi, Texas in the amount of \$568,425.00 for Morgan Avenue from Ocean Drive to Staples Street for design, bid, and construction phase services.

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

Enactment No: 030086

29. Second Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Carroll Lane from Houston to McArdle (1st Reading 1/28/14)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$130,075 from Storm Water CIP Fund 3494; \$67,639 from Wastewater CIP Fund 4510; \$62,436 from Water CIP Fund 4088 to the Bond 2014 Street Project Carroll Lane from Houston to McArdle; increasing expenditures in the amount of \$260,150; and authorizing the City Manager, or designee, to execute an engineering design contract with Martinez, Guy & Maybik, Inc. from Corpus Christi, Texas in the amount of \$534,420.00 for Carroll Lane from Houston to McArdle for design, bid, and construction phase services.

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

Enactment No: 030087

30. Second Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Gollihar Road from Staples Street to Weber Road (1st Reading 1/28/14)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$385,729.61 from Storm Water CIP Fund 3494; \$82,064.93 from Wastewater CIP Fund 4510; \$148,723.56 from Water CIP Fund 4088; \$30,878.76 from Gas CIP Fund 4555 to the Bond 2014 Street Project Gollihar Road from Staples Street to Weber Road; increasing expenditures in the amount of \$647,396.86; and authorizing the City Manager, or designee, to execute an engineering design contract with Naismith Engineering from Corpus Christi, Texas in the amount of \$1,192,395 for Gollihar Road from Staples Street to Weber Road for design, bid, and construction phase services.

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

Enactment No: 030088

H. EXECUTIVE SESSION: (ITEM 2)

Mayor Pro Tem Magill deviated from the agenda and announced that the executive session was withdrawn.

- 2.** Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code for consultation with attorneys about pending or contemplated litigation with possible discussion and action in open session

This E-Session Item was withdrawn

M. PUBLIC HEARINGS: (ITEMS 31 - 32)

31. Public Hearing and Second Reading Ordinance - Continuing juvenile curfew ordinance (1st Reading 1/28/14)

Ordinance continuing the curfew ordinance for minors, the Code of Ordinances, City of Corpus Christi, Sections 33-40, 33-41, 33-42, and 33-43.

Mayor Pro Tem Magill deviated from the agenda and referred to Item 31. Police Chief Floyd Simpson stated that the purpose of this item is to hold the second public hearing and approve continuing the juvenile curfew ordinance. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Garza and passed. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member McIntyre. This Ordinance was passed on second reading and approved with the following vote:

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

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

Abstained: 0

Enactment No: 030089

32. Public Hearing and First Reading Ordinance - Amendment to the Urban Transportation Plan requested by Spear Consolidated, Ltd., to eliminate the future extension of Allencrest Drive south toward Saratoga Boulevard (SH 357).

Planning Commission and Transportation Advisory Committee Recommendation: Approval of the requested Plan amendment

Staff Recommendation: Denial of the requested Plan amendment.

Ordinance

Ordinance amending the Corpus Christi Urban Transportation Plan, an element of the Comprehensive Plan of the City of Corpus Christi, Texas, by eliminating the proposed extension of Allencrest Drive southward to Saratoga Boulevard (SH 357); amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

Mayor Pro Tem Magill referred to Item 32. Executive Director of Public Works Dan Biles stated that the purpose of this item is to consider an amendment to the Urban Transportation Plan requested by Spear Consolidated, Ltd. to eliminate the proposed extension of Allencrest Drive southward of Saratoga

Boulevard. Mr. Biles provided an overview of the extension of Allencrest Drive and stated that staff is recommending denial of the proposed amendment. Mr. Biles added that Planning Commission and the Transportation Advisory Committee were in favor of the amendment due to increased traffic into the Crestmont Subdivision. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Riojas and passed. Mayor Pro Tem Magill called for comments from the public. Morgan Spear, Spear Consolidated, Ltd., requested support to remove the right-of-way as recommended by the Planning Commission and Transportation Advisory Committee. Council Member Garza made a motion to close the public hearing, seconded by Council Member Loeb. The Ordinance failed with the following vote:

Aye: 1 - Council Member Scott

Nay: 5 - Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

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

Abstained: 0

Mayor Pro Tem Magill called for a 15-minute recess.

L. CONSENT AGENDA: (ITEM 12)

12. Second Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, on property located at 2502 Saratoga Boulevard (SH 357) (1st Reading 1/28/14)

Case No. 1213-03 Spear Consolidated, Ltd.: A rezoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being a 4.07-acre tract of land out of a portion of Lot 5, Section 8, Bohemian Colony Lands, located on the north side of Saratoga Boulevard (SH 357) approximately one-half mile east of Ayers Street (SH 286 Business).

Planning Commission and Staff Recommendation: Approval of the rezoning to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Spear Consolidated, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 4.07-acre tract of land out of a portion of Lot 5, Section 8, Bohemian Colony Lands, from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and

providing for a repealer clause and publication.

Mayor Martinez deviated from the agenda and referred to Item 12. City Secretary Rebecca Huerta stated that this consent agenda item requires a super-majority vote. There were no comments from the Council or the public. This Ordinance was passed on second reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 030070

J. BOARDS & COMMITTEE APPOINTMENTS:

3. Advisory Committee on Community Pride
Human Relations Commission
Marina Advisory Committee
Museum of Science and History Advisory Board
Transportation Advisory Committee
Water Resources Advisory Committee
Watershore and Beach Advisory Committee

Mayor Martinez deviated from the agenda and referred to board and committee appointment. The following appointments were made:

**Advisory Committee on Community Pride - Laurie Turner (Appointed)
Human Relations Commission - Merced Pena and Andres Eloy Rodriguez (Appointed); Kathleen (Katy) Cooper was designed Chair for a one-year term.
Marina Advisory Committee - Curt Broomfield (Reappointed); Mona Baen, William R. McDowell, Stephen L. Bratten, and Hal Suter (Appointed)
Museum of Science and History Advisory Board - O.K. Smith (Appointed)
Transportation Advisory Committee - Dennis L. Miller (Appointed)
Water Resources Advisory Committee - Brian Williams (Appointed)
Watershore and Beach Advisory Committee - Cameron Perry, Diana C. Del Angel and Jay Gardner (Reappointed); Cliff Schlabach, Paulette Kluge and Joseph N. DePalma (Appointed)**

M. PUBLIC HEARINGS: (ITEMS 33-37)

33. **Public Hearing and First Reading Ordinance - Amending the Urban Transportation Plan by realigning in a straight path the future extension of Williams Drive from the east side of Lexington Road to the west side of Ennis Joslin Road.**

Planning Commission, Transportation Advisory Committee, and Staff Recommendations:

Approval of the realignment as proposed.

Ordinance

Ordinance amending the Corpus Christi Urban Transportation Plan, an element of the Comprehensive Plan of the City of Corpus Christi, Texas, by realigning Williams Drive between Lexington Road and Ennis Joslin Road; amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

Mayor Martinez referred to Item 33. Executive Director of Public Works Dan Biles stated that the purpose of this item is to amend the Urban Transportation Plan to realign the future section of Williams Drive from Lexington Road to Ennis Joslin Road. Mr. Biles stated that staff, the Transportation Advisory Committee and the Planning Commission are in favor of the amendment. Council Member Garza made a motion to open the public hearing, seconded by Council Member Magill and passed. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member McIntyre and passed. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

34. Public Hearing and First Reading Ordinance - Exempting Wildcat Industrial Park, located south of Leopard Street and west of Southern Minerals Road, from the wastewater lot acreage fees.

Ordinance exempting Wildcat Industrial Park, a subdivision located south of Leopard Street and west of Southern Minerals Road, from 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.

Mayor Martinez referred to Item 34. Miguel Saldana with Development Services stated that the purpose of this item is to exempt wastewater lot/acreage fees for the Wildcat Industrial Park subdivision. Mr. Saldana said that staff doesn't anticipate wastewater facilities will be available within the next 15 years and Planning Commission and staff are in favor of the exemption. Council Member Magill made a motion to open the public hearing, seconded by Council Member Garza and passed. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member McIntyre and passed. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

35. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast, on property located at 117 Martha Drive.

Case No. 1213-05 BL Real Estate Holding Company, LP: A rezoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Lot 5, Laguna Madre Cove, located on the south side of Martha Drive near the end of Laguna Shores Road.

Planning Commission Recommendation (January 15, 2014): Denial of the requested rezoning.

Staff Recommendation: Approval of the rezoning to the "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast home, subject to two conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by BL Real Estate Holding Company, L.P. ("Owner"), by changing the UDC Zoning Map in reference to Lot 5, Laguna Madre Cove, from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast home; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 35 and stated that this item is being pulled from consideration. Mayor Martinez said that the public hearing will be opened to allow for comments from the public. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for a bed and breakfast which would allow overnight accommodations of less than 30 days. Ms. Gunning reported that Bluff's Landing has been renting the subject property and was cited by Code Enforcement. Ms. Gunning stated that staff is in favor of the zoning change with a Special Permit subject to seven (7) conditions. Ms. Gunning added that Planning Commission recommends denial of the rezoning. Ms. Gunning informed the City Council that approval requires a super-majority vote and the applicant is requesting to table this item until June 10, 2014. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Magill. Mayor Martinez called for comments from the audience. Cliff Schlabach, representative of the Laguna Madre Cove Neighborhood Association, spoke in opposition to the rezoning for a bed and breakfast and expressed displeasure with the applicant

for postponing action during this meeting and a previous Planning Commission meeting. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Garza and passed.

Council Member Scott made a motion to table this item until June 10, 2014, seconded by Council Member McIntyre. Council members spoke regarding the following topics: changes to the bed and breakfast provisions; whether the property owners would receive notification of the new public hearing; citizen input; and the property owner not complying with the current zoning. The Ordinance was tabled to specified date with the following vote:

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

Nay: 1 - Council Member Loeb

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

36. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District, on property located at 1009 Homedale Street.

Case 0114-02 Esteban R. Alaniz: A rezoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property is described as being a 9.97-acre tract of land out of Lot 29, Section 49, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Homedale Street, approximately 130 feet east of Retta Drive.

Planning Commission and Staff Recommendation (January 15, 2014): Approval of the rezoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Esteban R. Alaniz ("Owner"), by changing the UDC Zoning Map in reference to a 9.97-acre tract of land out of Lot 29, Section 49, Flour Bluff and Encinal Farm and Garden Tracts, from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 36. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow a single-family subdivision with a minimum lot size of 4,500 square feet. Ms. Gunning stated that Planning Commission and staff were in favor of the zoning change. Council Member Garza made a motion to open the public hearing, seconded by Council Member Magill and passed. There were no comments from the Council or the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Garza and passed. This Ordinance was passed on first reading and approved with the

following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

37.

Public Hearing and First Reading Ordinance - Rezoning from the "RM-1" Multifamily 1 District and "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District, on property located at 2346 Rodd Field Road.

Case 0114-03 The Mostaghasi Investment Trust: A rezoning from the "RM-1" Multifamily 1 District and "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District, resulting in a change to the Future Land Use Plan from commercial and medium-density residential uses to low-density residential uses. The property is described as being a 15.567-acre tract of land, more or less, out of Lot 3, Block 1, The Forum Mall, and out of a portion of Lot 15, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, located on the east side of Rodd Field Road and approximately 600 feet north of Wooldridge Road.

Planning Commission and Staff Recommendation (January 15, 2014): Approval of the rezoning to the "RS-4.5" Single-Family 4.5 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by The Mostaghasi Investment Trust ("Owner"), by changing the UDC Zoning Map in reference to a 15.567-acre tract of land, more or less, out of Lot 3, Block 1, The Forum Mall, and out of a portion of Lot 15, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, from the "CN-1" Neighborhood Commercial District and "RM-1" Multifamily 1 District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 37. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for a single-family residential with 4,500 square feet lot size. Ms. Gunning stated that Planning Commission and staff were in favor of the zoning change. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Garza. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member McIntyre and passed. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

N. REGULAR AGENDA: (ITEMS 38 - 39)

- 38.** Motion to excuse the past absences of Council Member Priscilla Leal, granting her a leave of absence until she returns, and wishing her a speedy and full recovery.

Mayor Martinez referred to Item 38. City Secretary Rebecca Huerta stated that at the January 28th Council meeting, a request was made to address the absences of Council Member Priscilla Leal, who suffered a stroke on January 10, 2014. Ms. Huerta said that since it is unknown when Council Member Leal will return, an option would be to grant Ms. Leal a leave of absence during this time. Council Member Loeb said that he felt that Ms. Leal and her family are going through a difficult time and this item is an appropriate way to show that the Council supports her and her recovery to come back. There were no comments from the public. This Motion was passed and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: M2014-016

- 39. Engineering construction contract for Selena Auditorium air handling unit replacement and chilled water pump addition FY2012 Re-Bid**

Motion authorizing the City Manager, or designee, to execute a construction contract with Miller & Miller Mechanical Contracting Company of Corpus Christi, Texas in the amount of \$457,800 for Selena Auditorium Air Handling Unit Replacement and Chilled Water Pump Addition FY 2012 Re-Bid for the base bid.

Mayor Martinez referred to Item 39. Executive Director of Public Works Dan Biles stated that the purpose of this item is to execute a contract with Miller & Miller Mechanical Contracting Company for the Selena Auditorium Air Handling Unit Replacement and Chilled Water Pump Addition. Mr. Biles informed the Council that this item was on the regular agenda because the award amount is different from the future agenda item submitted at the last meeting. There were no comments from the Council or the public. This Motion was passed and

approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: M2014-017

O. FIRST READING ORDINANCES: (ITEMS 40 - 45)

ADVANCE DESIGN IN PREPARATION OF BOND ISSUE 2014: (ITEMS 40 - 42)

40. First Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Yorktown Boulevard from Everhart to Staples

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer budgeted funds in the amount of \$186,851.50 from Storm Water CIP Fund 3495 Project No. E09025 Williams Drive Outfall; reserves in the amount of \$111,156.78 from Wastewater CIP Fund 4510; reserves in the amount of \$89,688.72 from Water CIP Fund 4088 to the Bond 2014 Street Project: Yorktown Boulevard from Everhart to Staples increasing expenditures in the amount of \$387,697.00; and authorizing the City Manager, or designee, to execute an engineering design contract with Freese and Nichols, Inc. from Corpus Christi, Texas in the amount of \$990,929.00 for Yorktown Boulevard from Everhart to Staples.

Mayor Martinez referred to Item 40. Executive Director of Public Works Dan Biles stated that the purpose of this item is to execute a design contract and amend the Capital Budget for the Yorktown Boulevard from Everhart to Staples project in advance of the 2014 proposed bond election. 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 Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

41. First Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Corona Drive from Flynn to Everhart

Ordinance amending the FY 2014 Capital Improvement Budget

adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$126,662.50 from Storm Water CIP Fund 3494, \$54,632.50 from Wastewater CIP Fund 4510, \$50,430.00 from Water CIP Fund 4088 to the Bond 2014 Street Project Corona Drive from Flynn to Everhart; increasing expenditures in the amount of \$231,725.00; and authorizing the City Manager, or designee, to execute an engineering design contract with Govind Development, LLC from Corpus Christi, Texas in the amount of \$546,986.00 for Corona Drive from Flynn to Everhart.

Mayor Martinez referred to Item 41. Executive Director of Public Works Dan Biles stated that the purpose of this item is to execute an engineering design contract and amend the Capital Budget for Corona Drive from Flynn to Everhart in advance of the 2014 proposed bond election. There were no comments from the public. Council members asked questions regarding the Bond 2004 project for the exit from the shopping center on South Padre Island Drive and Everhart; the Texas Department of Transportation ramp reversal project; and the acquisition of the easements to Corona Drive. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

42. First Reading Ordinance - Engineering design contract amending the FY 2014 Capital Improvement Budget for Santa Fe from Elizabeth to Hancock

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer capital reserves in the amounts of \$69,254.63 from Storm Water CIP Fund 3494, \$36,012.41 from Wastewater CIP Fund 4504, and \$33,242.22 from Water CIP Fund 4479 to the Bond 2014 Street Project Santa Fe from Elizabeth to Hancock; increasing expenditures in the amount of \$138,509.26; and authorizing the City Manager or designee to execute an engineering design contract with Maverick Engineering from Corpus Christi, Texas in the amount of \$342,588.50 for Santa Fe from Elizabeth to Hancock.

Mayor Martinez referred to Item 42. Executive Director of Public Works Dan Biles stated that the purpose of this item is to execute a design contract and amend the Capital Budget for Santa Free Street from Elizabeth to Hancock in advance of the proposed 2014 bond election. In response to a council member, Mr. Biles said staff would look into the traffic issue at Santa Fe and Upper Broadway. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

43. First Reading Ordinance - Appropriating funds for the upgrade and installation of the Multi User Flight Information Display System (MUFIDS) at airport

Ordinance appropriating \$300,000 from the Unreserved Fund Balance in the No. 4610 Airport Fund for upgrade of the Multi User Flight Information Display System (MUFIDS) at Corpus Christi International Airport; changing the FY 2013-2014 Operating Budget adopted by Ordinance 029916 by increasing expenditures by \$300,000.

Mayor Martinez referred to Item 43. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate \$300,000 for the upgrade of the Multi User Flight Information Display System. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 3 - Council Member Allen, Council Member Leal and Council Member Riojas

Abstained: 0

44. First Reading Ordinance - Ratifying acceptance of State grant amendment no. 1 for air quality planning

Ordinance ratifying the acceptance of amendment no. 1 to grant agreement #582-14-40055 with the Texas Commission on Environmental Quality and appropriating \$153,895 in the no. 1071 Community Enrichment Grants Fund for air quality planning purposes

Mayor Martinez referred to Item 44. Interim Director of Environmental and Strategic Initiatives Bill Green stated that the purpose of this item is to ratify acceptance of a grant for air quality planning purposes. Mayor Martinez asked questions regarding addressing mercury reading and a holistic study of the affects of Eagle Ford Shale. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

45. First Reading Ordinance - Litter Ordinance Consolidation

Ordinance establishes Chapter 22, Code of Ordinances titled "Litter"; amending Chapters 10, 14,19, 21 and 23; providing for repeal of

conflicting ordinances; providing for severance; and providing for publication.

Mayor Martinez referred to Item 45. Director of Solid Waste Operations Lawrence Mikolajczyk stated that the purpose of this item is to consolidate the various litter ordinances into a single ordinance. Mr. Mikolajczyk provided an overview of Chapter 22 of the Code of Ordinances and the proposed education element. Mayor Martinez called for comments from the audience. Cliff Schlabach, Chairman of the Surfrider Foundation, thanked staff for their work on the litter ordinance and expressed disappointment that the ordinance did not include a full ban on plastic bags. Council members discussed the following topics: amending the provision of no plastic carryout bags on city property to 12 months to accommodate conventions already booked by the Convention and Visitors Bureau; secure loads; the virtual augmented scavenger hunt education tool; enforcement and fines; development of a matrix for litter assessment; collaboration with business partners; the timeframe to review the data from the educational process; and community services for violators. Council Member McIntyre made a motion to amending the language in Section 22-10 to read "beginning 12 months from the date..", seconded by Council Member Riojas and passed; Allen and Leal absent. Council Member McIntyre made a motion to amend Section 22-12 to mirror state law requirements, seconded by Council Member Magill and passed; Allen and Leal absent. This Ordinance was passed on first reading as amended and approved with the following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 46 - 65)

Mayor Martinez referred to the Future Agenda. City Manager Ron Olson reported that Item 60 was withdraw and stated that staff did not have any planned presentations. Council Members asked questions regarding Items 49 and 50.

46. Purchase of twenty-five (25) police pursuit tahoes

Motion approving the purchase of twenty-five (25) Police Pursuit Tahoes from Caldwell Country Chevrolet, Caldwell, Texas for a total amount of \$724,960.25. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds have been budgeted in FY 2013-2014.

This Motion was recommended to consent agenda

47. Purchase of a Peterbilt transfer truck

Motion approving the purchase of one (1) Peterbilt transfer truck from

Rush Truck Centers of Texas, L.P., Houston, Texas for a total amount of \$164,338. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC).

This Motion was recommended to consent agenda

48. Purchase of a Peterbilt CNG refuse truck

Motion approving the purchase of one (1) Peterbilt CNG refuse truck from Rush Truck Centers of Texas, L.P., Houston, Texas for a total amount of \$306,236. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC).

This Motion was recommended to consent agenda

49. Lease-Purchase of four (4) freightliner trucks and four (4) Peterson lightning loader bodies

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

This Motion was recommended to consent agenda

50. Lease-Purchase of three (3) freightliner trucks and Peterson rear-steer loader bodies

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

This Motion was recommended to consent agenda

51. Lease-Purchase of two (2) freightliner trucks with patcher bodies

Motion approving the lease-purchase of two (2) Freightliner trucks with patcher bodies from Freightliner of Austin, Austin, Texas for a total amount of \$277,074.00. The award is based on the cooperative

purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funding is available from the City's lease-purchase financing contractor.

This Motion was recommended to consent agenda

52. Agreement for Excess Liability and Excess Workers' Compensation Insurance

Motion approving an agreement with McGriff, Seibels & Williams, of Texas, Inc. of Addison, Texas for the purchase of Excess Liability and Excess Workers' Compensation Insurance, in accordance with Request for Proposal Number BI-0084-14, for a total one-year expenditure of \$583,598, based on lowest responsible bid. The term of the agreement will be for one year with an option to extend for up to three additional one-year periods, subject to the approval of the service provider and the City Manager or designee. Funds are budgeted in the Liability/Employee Benefit - Liability and Liability/Employee Benefits - Workers' Compensation Funds.

This Motion was recommended to consent agenda

53. Purchase of radar equipment for Police Department

Motion approving the purchase of ten (10) Prolaser radars and forty (40) dual KA band traffic radars and associated equipment for the Corpus Christi Police Department in the amount of \$114,057.80 from Kustom Signals, Inc. Chanute, KS. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funds are available through the Crime Control and Prevention District.

This Resolution was recommended to consent agenda

54. Lease agreement amendment no. 1 for Police substation located at 2230 Saratoga

Motion amending the lease agreement with Greg Voisin Investment Corporation c/o Corpus Christi Realty Management, Inc. for the Police substation located at 2230 Saratoga to change the lease term expiration date from February 28, 2014 to February 28, 2015.

This Motion was recommended to consent agenda

55. Interlocal agreement for Texas Pollutant Discharge Elimination System Permit (TPDES) responsibilities

Resolution authorizing the City Manager or his designee to execute an Interlocal Cooperation Agreement with Texas A&M University - Corpus

Christi (TAMU-CC) in connection with the City of Corpus Christi Municipal Separate Storm Sewer System (MS4) Texas Pollutant Discharge Elimination System (TPDES) Permit.

This Resolution was recommended to consent agenda

56. Engineering construction contract for three replacement sluice gates for the Wesley E. Seale Dam

Motion authorizing the City Manager, or designee, to execute a construction contract with H&S Constructors, Inc. of Corpus Christi, Texas in the amount of \$349,000, for the Wesley E. Seale Dam Sluice Gate Rehabilitation - Phase 1 Re-Bid for the Base Bid.

This Motion was recommended to consent agenda

57. Resolution approving Federal grant application for Texas State Highway 358 Integrated Corridor Management Project

Resolutuion approving submission of a grant application with the Federal Highway Administration (FHWA) for the Texas State Highway 358 Integrated Corridor Management Project.

This Resolution was recommended to consent agenda

58. Resolution supporting the proposed Lexington Manor Apartments; acknowledging an application for 9% Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs (TDHCA); and acknowledging the local support for the HOME Investment Partnership Program funds from the City of Corpus Christi.

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as the Lexington Manor Apartments to be developed by TG 110, Inc. and to be owned by TG Lexington 110, LP.

This Resolution was recommended to consent agenda

59. Resolution supporting the proposed Riverstone Apartments; acknowledging an application for 9% Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs (TDHCA); and acknowledging the local support for the HOME Investment Partnership Program funds from the City of Corpus Christi.

Resolution of the City Council of the City of Corpus Christi, Texas in

support of the proposed affordable housing project known as the Riverstone Apartments to be developed by GCM Housing CC, Ltd.

This Resolution was recommended to consent agenda

- 60. Resolution supporting the proposed Village at Rodd Field Apartments; acknowledging an application for 9% Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs (TDHCA); and acknowledging the local support for the HOME Investment Partnership Program funds from the City of Corpus Christi.**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as the Village at Rodd Field to be developed by The NRP Group, LLC.

This Resolution was withdrawn

- 61. Resolution supporting the proposed Quail Chase Apartments; acknowledging an application for 9% Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs (TDHCA); and acknowledging the local support for the HOME Investment Partnership Program funds from the City of Corpus Christi.**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as the Quail Chase Apartments to be developed by MBL DerbyCity Development, LLC.

This Resolution was recommended to consent agenda

- 62. Resolution supporting the proposed Residences at Calallen Apartments; acknowledging an application for 9% Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs (TDHCA); and acknowledging the local support from the City of Corpus Christi.**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as the Residences at Calallen to be developed by NuRock Companies.

This Resolution was recommended to consent agenda

- 63. Resolution supporting the proposed Residences at Rodd Field**

Apartments; acknowledging an application for 9% Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs (TDHCA); and acknowledging the local support from the City of Corpus Christi.

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as the Residences at Rodd Field to be developed by NuRock Companies.

This Resolution was recommended to consent agenda

- 64. Resolution supporting the proposed Palacio del Sol at Calallen Apartments; acknowledging an application for 9% Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs (TDHCA); and acknowledging the local support from the City of Corpus Christi.**

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as the Palacio del Sol at Calallen to be developed by TX FM1889 Apartments, Ltd.

This Resolution was recommended to consent agenda

FUTURE CORPORATION MEETING: (ITEM 65)

- 65. Annual board meeting of the Corpus Christi Housing Finance Corporation.**

This Corporation Meeting was recommended to be held

- Q. BRIEFINGS TO CITY COUNCIL: (NONE)**

- R. ADJOURNMENT**

The meeting was adjourned at 3:10 p.m.