



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes City Council

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Tuesday, August 25, 2015

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

**B. Invocation to be given by Reverend John Roberts, Grace Presbyterian Church.**

Reverend John Roberts gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Bill Mahaffey, Assistant Director, Maintenance of Lines - Utilities Treatment.**

Assistant Director of Maintenance of Lines - Utilities Treatment Bill Mahaffey 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.

Charter Officers:

City Manager Ron Olson, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

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

**E. Proclamations / Commendations**

**1. Proclamation declaring August 26, 2015, "Women's Equality Day" in Honor of the League of Women Voters of Corpus Christi and the 95th Anniversary of Women's Right to Vote**

Mayor Martinez presented the proclamation.

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

Mayor Martinez referred to City Manager's Comments. City Manager Ron Olson reported on the following topics:

**a. OTHER**

1) City Manager Olson informed the City Council that the City has refinanced the bonds with the Nueces River Authority (NRA). The refinancing has resulted in a \$940,000 annual saving in the City's debt service. This is an example of how City staff continues to monitor the City's financial situation and provide recommendations to achieve savings. 2) There is an item on today's agenda, Item 6, to purchase eight (8) compressed natural gas (CNG) trucks. The City Council gave a directive last year to increase the CNG fleet. Approval of today's item will result in 67% (23 vehicles) of Solid Waste's vehicles being CNG. City Manager Olson stated that using CNG vehicles is less expensive and friendlier to the environment. 3) There is a new traffic signal located near the new Veterans Memorial High School at Lipes and Cimarron Boulevards. This traffic signal is one of the first to include a flashing yellow turn signal. City Manager Olson referred to a video demonstrating the new flashing yellow turn signal which will be adopted as a new standard in the City. 4) A celebration of the restoration of the Miradores on the seawall will be held on August 31, 2015 at 10:00 a.m. at the southern-most Mirador on McGee Beach. For more information, contact the Communications Department. 5) City Manager Olson announced that Item 27, regarding dangerous dogs and feral cats, is being withdrawn to allow staff to continue to study and be fully vetted.

**FIRST READING ORDINANCES: (ITEM 27)**

**27. First Reading Ordinance - Amending City Code for Animal Care to modify dangerous dog regulations and to adopt tethering standards**

Ordinance amending Chapter 6 of the Corpus Christi Code of Ordinance modifying the collar requirements for dangerous dogs; Requiring security fencing and leashes for dangerous dogs; Establishing tethering standards; Providing for severance; Providing for publication; Providing for penalty; and Providing an effective date.

This Ordinance was withdrawn by staff and will be presented at a later date.

**I. MINUTES:**

**3. Regular Meeting of August 18, 2015**

Mayor Martinez referred to approval of the minutes. Council Member Magill made a motion to approve the minutes, seconded by Council Member McIntyre and passed unanimously.

**J. BOARD & COMMITTEE APPOINTMENTS:**

**4. Corpus Christi Regional Economic Development Corporation Retired & Senior Volunteer Program Advisory Committee**

**Senior Companion Program Advisory Committee**

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

**Corpus Christi Regional Economic Development Corporation**

**Council Member McIntyre nominated Toby Hammett Futrell. Mayor Martinez made a motion to appoint Toby Hammett Futrell, seconded by Council Member Scott and passed unanimously.**

**Retired and Senior Volunteer Program**

**Council Member Magill made a motion to reappoint Dale Berry (At-Large), Sylvia Portales (At-Large) and Abel Sanchez (At-Large) and the new appointment of Rita Sonia Herrera-Padron (RSVP Volunteer), seconded by Council Member Riojas and passed unanimously.**

**Council Member Magill made a motion to realign Anne Bauman to the At-Large category, seconded by Council Member Riojas and passed unanimously.**

**Senior Companion Program**

**Council Member McIntyre made a motion to reappoint Sherry DuBois (At-Large), Tami Longino (At-Large), Veronica Marsello (At-Large), and Shirley Selz (At-Large), seconded by Council Member Magill and passed unanimously.**

**L. EXPLANATION OF COUNCIL ACTION:****M. CONSENT AGENDA: (ITEMS 6 - 18)****Approval of the Consent Agenda**

**Mayor Martinez referred to the Consent Agenda Items. Errol Summerlin requested that Item 10 be pulled for individual consideration. There were no comments from the Council.**

**Council Member Scott announced that he was abstaining on Item 17. A motion was made by Council Member McIntyre, seconded by Council Member Riojas, to approve the Consent Agenda. The consent agenda items were approved by one vote as follows:**

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

**Abstained:** 0

**6. Lease-Purchase of 8 CNG Trucks, 3 Diesel Trucks and 2 Trailers for Solid Waste Operations**

Motion approving the lease-purchase of eight compressed natural gas garbage trucks, one cab and chassis, two retriever side loaders, and

two trailers from the following companies for the amounts below for a total cost of \$3,413,907.30. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Government (H-GAC) and the Texas Local Government Purchasing Cooperative (TLGPC). Funding is available from the city's lease purchase financing contractor.

<u>Rush Truck Center</u>		
<u>of Texas, L.P.</u>	<u>Heil of Texas</u>	<u>Corpus Christi Freightliner</u>
Houston, Texas	Houston, Texas	Corpus Christi, Texas
\$2,737,724.84	\$188,302.00	\$291,975.00
Purchase Price	\$3,218,001.84	
Interest for Lease	<u>\$195,905.46</u>	
Total Cost	\$3,413,907.30	

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-088

**7. Replacement Mobile Computers for Police and Fire Vehicles**

Motion authorizing the City Manager, or designee, to approve a 48-month lease agreement with CSI Leasing, Inc. of Saint Louis, Missouri, DIR-SDD-1880, for two hundred thirty-five (235) Datalux T5 Integrated Mobile Data Computer (MDT) systems from Austin Ribbon & Computer of Austin, Texas, for a total expenditure of \$1,186,571.89. Funds are available in the Municipal Information Systems Department FY2014-2015 budget and will be requested in future budget years.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-089

**8. Engineering Monitoring Contract Amendment No. 2 for Nueces Bay System Salinity and Freshwater Inflow Monitoring 2015-2016**

Motion authorizing the City Manager or designee to execute Amendment No. 2 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$96,428 for a total restated fee not to exceed \$288,720 for the Nueces Bay System Salinity and Freshwater Inflow Monitoring 2015-2016.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-090

**9. Engineering Monitoring Contract Amendment No. 5 for Nueces River Water Quality, Oso Creek Water Level & City of Corpus**

**Christi Meteorological Monitoring 2015-2016**

Motion authorizing the City Manager or designee to execute Amendment No. 5 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$99,593 for a total restated fee not to exceed \$654,674 for the Nueces River Water Quality, Oso Creek Water Level & City of Corpus Christi Meteorological Monitoring 2015-2016.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-091

**11. Resolution to approve the Corpus Christi Crime Control Budget for FY2015/2016 (Public Hearing held on 8/18/15)**

Resolution approving the FY 2015-2016 budget for the Corpus Christi Crime Control and Prevention District.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 030585

**12. Second Reading Ordinance - Appropriating Funds for Increased Wrecker Fees (1st Reading 8/18/15)**

Ordinance appropriating \$110,000 in General Fund No. 1020 from increased towing fees adopted by City Council in January 2015; and changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing revenue and expenditures in the General Fund No. 1020 by \$110,000 each.

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

Enactment No: 030586

**13. Second Reading Ordinance - Accepting and appropriating grant funds for Driving While Intoxicated (DWI) and Speed enforcement overtime (1st Reading 8/18/15)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Transportation (TXDOT) in the amount of \$98,082 for the 2016 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for Driving While Intoxicated (DWI) and Speed enforcement overtime, with a city match of \$43,247.57, for a total project cost of \$141,329.57 and appropriating \$98,082 in the No. 1061 Police Grants Fund.

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

Enactment No: 030587

**14. Second Reading Ordinance - Appropriating grant funds for motor vehicle theft enforcement (1st Reading 8/18/15)**

Ordinance appropriating \$527,853 from the Texas Automobile Burglary Theft Prevention Authority (ABTPA) in the No. 1061 Police Grants Fund; and appropriating \$6,621 in program income match in the No. 1061 Police Grants Fund to continue the motor vehicle theft enforcement grant within the Police Department.

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

Enactment No: 030588

**15. Second Reading Ordinance - Authorizing contracts and appropriating funds for the Community Youth Development Program (1st Reading 8/18/15)**

Ordinance ratifying execution of Community Youth Development program contracts with Texas Department of Family and Protective Services from March 1, 2015 to August 31, 2015 in the amount of \$207,233.47 and September 1, 2015 to August 31, 2016 in the amount of \$396,765.44; authorizing appropriation in the No. 1060 Grants Fund for the Community Youth Development Program; and authorizing extension of subcontracts with Youth Odyssey, SERCO of Texas, Communities in Schools, and Boys & Girls Club of Corpus Christi.

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

Enactment No: 030589

**16. Second Reading Ordinance - Amending City Code regarding Technical Construction Boards (1st Reading 8/18/15)**

Ordinance amending the Corpus Christi Code of Ordinances, Chapter 14 "Development Services," Article II "City of Corpus Christi Technical Construction Codes," Division 1, "Scope and Administration of Technical Construction Codes," Section 14-206, "Technical construction boards," by amending the licensing requirements for members of the Electrical Advisory Board and Mechanical/Plumbing Advisory Board; providing for severance; and providing for effective date.

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

Enactment No: 030590

**17. Second Reading Ordinance - Agreement for Traffic Signal Improvements for Park Road 22 and Aquarius Drive Intersection (1st Reading 8/18/15)**

Ordinance amending the FY 2015 Capital Improvement Budget adopted by Ordinance No. 030303 by appropriating \$420,000 in Developer contributions from TBD-Q Packery Pointe, LP (Developer), increasing expenditures by \$420,000 in the FY 2015 Capital Improvement Budget, and authorizing the City Manager, or designee, to execute a Traffic Signal Improvement Agreement between the City of Corpus Christi and Developer for the Park Road 22 and Aquarius Drive intersection and roadway improvements.

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

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

**Abstained:** 1 - Council Member Scott

Enactment No: 030591

**18. Second Reading Ordinance - Adopting the 2015 Tax Increment Reinvestment Zone #3 Amended Project and Financing Plan (1st Reading 8/18/15)**

Ordinance approving the Project & Financing Plan as proposed by the Board of Directors of Reinvestment Zone Number Three, Corpus Christi, Texas.

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

Enactment No: 030592

**10. Change Order No. 9 for the New Broadway Wastewater Treatment Plant**

Motion authorizing the City Manager or designee to execute Change Order No. 9 with Graham Construction Services, Inc. of Eagan, Minnesota in the amount of \$668,515.36 for a total restated fee of \$51,403,936.57 for the New Broadway Wastewater Treatment Plant.

**Mayor Martinez referred to Item 10. Errol Summerlin, Citizens Alliance for Fairness and Progress, spoke in support of Item 10 in order to avoid any further delays regarding the completion of the New Broadway Wastewater Treatment Plant.**

**Council Member Rubio made a motion to approve the motion, seconded by Council Member McIntyre. This Motion was passed and approved with the following vote:**

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

Abstained: 0

Enactment No: M2015-092

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

Mayor Martinez deviated from the agenda and referred to comments from the public. Jewel Wilson, 6102 Allencrest Circle, introduced Miss Nueces County Rebekah Harris who will be representing Corpus Christi in Houston, Texas on September 4-6, 2015. Rebekah Harris, Miss Nueces County, said she is grateful to share in this experience for Nueces County and with the City of Corpus Christi. The following individuals spoke in support of Item 27, amending the City's Code of Ordinances, Animal Care for dangerous dogs and Trap-Neuter-Return (TNR) animals: Cheryl Martinez, 3938 Surfside; Samantha Person, Director of The Cattery, 6505 Lazy Willow; Bridget Landon, 7517 E. Lake Boulevard; Stacy Palacios, 7313 Candy Ridge; Santos Rodriguez, 4509 Sheffield Lane; Elizabeth Kempinski, 538 Del Mar; and Monica Hugo, 808 Elizabeth Street. Rocco Montesano, 2101 Riata Drive, spoke in support of Item 26, Citizens' Collection Center - Flour Bluff/Padre Island and Item 27, animal care for dangerous dogs, and the TNR ordinance. Janice Sautter, 1938 Woodcrest Drive; Keith Hanson, 331 Graham Road; Clifford Zarbock, 1802 Hosea Court; and Tony Keith, 1233 Seth, spoke in opposition to Item 26, the Citizens' Collection Center - Flour Bluff/Padre Island.

Walter Saganice, 3349 Picadilly, spoke in opposition to the City Council amending the City Charter to initiate a referendum to address road improvements. Maybeth Christensen, 15521 Cuttysark, and Mark Thomas, 1025 Graham, spoke in support of the Citizens' Collection Center - Flour Bluff/Padre Island. Susie Luna Saldana, 4710 Hakel, thanked the five (5) council members that supported taking the street issue to the voters. Rick Milby, 4412 High Ridge Drive, spoke regarding the following topics: fiscal responsibility, addressing the current financial crisis, the Citizens' Collection Center - Flour Bluff/Padre Island; and the budget. Errol Summerlin, Citizens Alliance for Fairness & Progress, spoke regarding a local refinery seeking a permit to increase the use of hydrogen cyanide. Mr. Summerlin said the Alliance plans on looking into the application and filing a compliant opposing issuance of the permit. Mr. Summerlin also address pollution and contamination in the Hillcrest area. Nikki Ikonopoulou spoke regarding her dangerous dog; Animal Care's failure to protect the community from dangerous animals; and in support of the Item 27, TNR ordinance. Rodney Paige, 1519 Leopard Street, spoke regarding the re-routing of the Regional Transportation Authority's (RTA) buses on Mexico and Leopard Streets and the damage to the streets. Mr. Paige also spoke in support of Item 27, the TNR ordinance; and the Corpus Christi Police Department's improved efforts at eliminating synthetic marijuana use in the area. Gloria Scott, 4422 South Alameda, spoke regarding the use of "transition neighborhood" when referring the the Washington Coles/Hillcrest area and the investigation of the late Chief Floyd Simpson's death.



**ONE-READING ACTION ITEMS: (ITEM 26)****26. Proceeding with the Flour Bluff Collection Center**

Resolution authorizing the City Manager or designee to proceed with the design and construction of the Flour Bluff Collection Center in the Flour Bluff/Padre Island area.

Mayor Martinez deviated from the agenda and referred to Item 26.

**MOTION TO TABLE**

Council Member McIntyre made a motion to table Item 26 and bring the item back after 30% design with a more accurate estimate, operational plan and a town hall meeting, along with an ordinance restricting household waste from the site, seconded by Council Member Riojas.

Council members spoke on the following topics related to this motion: the cost to complete 30% of the design; the funding that has been spent on the project already; refining the costs of the project; public dialogue; previous actions on this project; limiting household waste; financing for the project and the impact to ratepayers; whether the certificates of obligation have been issued; the planning process for this project; a brief history of this project; Council Member Scott not having a conflict of interest on this item; the total cost for this project; and the number of town hall meetings held on this item. John Michael stated that the design is ready to bring back to the residents at a town hall meeting to receive input and will not require any additional cost.

The motion failed with the following vote: Martinez, McIntyre, Riojas, and Scott, voting "Aye"; Vaughn, Garza, Magill, Rosas, and Rubio, voting "No".

Executive Director of Public Works Valerie Gray stated that the purpose of this item is to obtain direction from the City Council to proceed with the Flour Bluff/Padre Island Collection Center. Ms. Gray said the collection center will provide for easy drop-off for waste, have covered drop-off areas, concrete all-weather pads and driveways, screened fencing around the property, access from Holly Road, video security and staffing Thursday through Sunday. Ms. Gray provided a location map and conceptual project layouts. Mayor Martinez called for comments from the public. Kyle Pape, 1801 Hosea; Shirley Thornton, 1917 Woodcrest; Lucas Lang, 2209 Oakcrest; and Brant Aggus, 1818 Hosea Court, spoke in opposition to the collection center. Jeff Rank, President of the Flour Bluff Business Association; Flo East, 1605 Yorktown; Abel Alonzo, 1701 Thames; and Eddie Savoy, 8100 S. Padre Island Drive, spoke in support of tabling the item to allow residents time to learn more about the collection center.

Council members spoke regarding the following topics: the layout of the building; building costs; the proximity of the neighborhood to the site; the litter critter program; issues raised by the residents: traffic from Flour Bluff Road, odor control, illegal dumping, hours of operations, aesthetics of the location, and protection of trees; Cash for Trash; citizen involvement on this issue; and future budget costs.

Mayor Martinez called for a motion to approve the Resolution. The Resolution failed for lack of a motion.

**MOTION OF DIRECTION**

Council Member McIntyre made a motion directing staff to initiate a regular litter critter operation in the Flour Bluff community, seconded by Council Member Riojas. The motion was passed and approved with the following vote: Martinez, Vaughn, Garza, Magill, McIntyre, Riojas, Rosas, Rubio, and Scott, voting "Aye".

**H. EXECUTIVE SESSION: (ITEM 2)**

Mayor Martinez deviated from the agenda and referred to the day's executive session and announced that there was nothing to report on this item.

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

This E-Session Item was withdrawn.

Mayor Martinez called for a brief recess.

**N. PUBLIC HEARINGS: (ITEMS 19 - 22)**

- 19. First Public Hearing to consider the proposed Municipal Services Plan for annexing 4.08 acres of land into the territorial limits of the City of Corpus Christi**

Local Government Code, Chapter 43.063(a) requires the City to conduct two public hearings prior to First Reading of an Annexation Ordinance.

Mayor Martinez referred to Item 19. Director of Development Services Dan Grimsbo stated that the purpose of this item is to hold a public hearing to present the proposed Municipal Services Plan for seven tracts of land in Industrial District No. 1 proposed for annexation. Mayor Martinez opened the public hearing. There were no comments from the Council or the public. Mayor Martinez closed the public hearing.

- 20. Public Hearing and First Reading Ordinance - Rezoning property located at 5425 Old Brownsville Road**

Case No. 0715-04 Peterson Properties, Ltd.: A change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District. The property to be rezoned is described as being a 2.65 Acre tract being portions of Lot 10, Section 5, Range VIII, of the Gugenheim & Cohn's Farm Lots, and Tract 1-B and Tract 6, M.M. Gabriel Land, a

9.80 Acre Tract, described as Tract II, conveyed in a warranty deed from Patricia Ray Peterson Nuss to Peterson Properties, LTD., recorded in Document Number 837113, Official Public Records of Nueces County, Texas, a 2.083 Acre Tract conveyed in a warranty deed from Page J. Gabriel and wife, Virginia Mae Gabriel to Gulfway Shopping Center Inc. recorded in Volume 1310, Page 177, Deed Records of Nueces County, Texas, and all of a 0.446 Acre Tract conveyed in a Warranty Deed from J.V. Gabriel and wife, Wanda Gabriel to Ray E. Peterson recorded in Volume 903, Page 352, Deed Records of Nueces County, Texas, located on the southeast corner of Old Brownsville Road and North Padre Island Drive (SH 358).

Planning Commission and Staff Recommendation (July 29, 2015):  
Approval of the change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Peterson Properties, Ltd. ("Owner") by changing the UDC Zoning Map in reference to a 2.65 Acre tract being portions of Lot 10, Section 5, Range VIII, of the Gugenheim & Cohn's Farm Lots, and Tract 1-B and Tract 6, M.M. Gabriel Land, a 9.80 Acre Tract, described as Tract II, conveyed in a warranty deed from Patricia Ray Peterson Nuss to Peterson Properties, LTD., recorded in Document Number 837113, Official Public Records of Nueces County, Texas, a 2.083 Acre Tract conveyed in a warranty deed from Page J. Gabriel and wife, Virginia Mae Gabriel to Gulfway Shopping Center Inc. recorded in Volume 1310, Page 177, Deed Records of Nueces County, Texas, and all of a 0.446 Acre Tract conveyed in a Warranty Deed from J.V. Gabriel and wife, Wanda Gabriel to Ray E. Peterson recorded in Volume 903, Page 352, Deed Records of Nueces County, Texas (the "Property") from the "CG-2" General Commercial District to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item 20. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property for a light industrial use to allow for the development of a convenience store with truck stop and fueling. Mr. Grimsbo stated that the Planning Commission and staff are in favor of the zoning change. Mayor Martinez opened the public hearing. There were no comments from the Council or the public. Mayor Martinez closed the public hearing.**

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

Abstained: 0

**21. Public Hearing and First Reading for property at 1557 Waldron Road**

Case No. 0715-05 John Kendall and The Boston Group: A change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District. The property to be rezoned is described as being a 10.293-acre tract of land out of Lot 13 and 14, Section 55, Flour Bluff Encinal Farm and Garden Tracts, located along the south side of Graham Road approximately 260 feet east of Waldron Road.

Planning Commission and Staff Recommendation (July 29, 2015): Approval of the change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by John Kendall and The Boston Group on behalf of Cloudcroft Land Ventures ("Owner") by changing the UDC Zoning Map in reference a 10.293-acre tract of land out of Lot 13 and 14, Section 55, Flour Bluff Encinal Farm and Garden Tracts from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item 21. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for the development of a boat storage facility. Mr. Grimsbo stated that the Planning Commission and staff are in favor of the zoning change. Mayor Martinez opened the public hearing. Toni McIntyre, 337 Graham Road and Keith Hanson, 331 Graham Road, expressed concern regarding the following topics: the negative impact to the neighborhood; flooding concerns; egress onto Graham Road; and damage to the street. John Kendall, 5866 S. Staples, said that drainage issues will be addressed and spoke regarding access to Graham Road. Mr. Kendall said the main entrance will be on Waldron Road. Mayor Martinez closed the public hearing. A council member asked questions regarding the following topics: primary access only to Waldron Road; access to the gas facility; the outdoor boat storage facility related to Item 22; and the acreage on the smaller lot.**

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

Abstained: 0

**22. Public Hearing and First Reading for property at 401 Graham Road**

Case No. 0715-06 John Kendall and The Boston Group: A change of zoning from the "RM-1" Multifamily 1 District to the "IL" Light Industrial District. The property is described as being 2.257 acres of land being out of Lot 14, Section 55, Flour Bluff Encinal Farm & Garden Tracts, located along the south side of Graham Road between Waldron Road and Humble Road.

Planning Commission and Staff Recommendation (July 29, 2015): Denial of the change of zoning from the "RM-1" Multifamily 1 District to the "IL" Light Industrial District and, in lieu thereof, approval of a change of zoning to the "CC" Commercial Compatible District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by John Kendall and The Boston Group on behalf of Cloudcroft Land Ventures ("Owner"), by changing the UDC Zoning Map in reference to 2.257 acres of land being out of Lot 14, Section 55, Flour Bluff Encinal Farm & Garden Tracts, from the "RM-1" Multifamily 1 District to the "CC" Commercial Compatible District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item 22. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for the development of an outdoor boat storage facility. Mr. Grimsbo stated that the Planning Commission and staff are in favor of the zoning change. Mayor Martinez opened the public hearing. Toni McIntyre, 337 Graham Road expressed concern regarding the following issues: drainage; flooding; the facility blocking her views; a buffer for the gas line; and traffic. Keith Hanson, 331 Graham Road, spoke in opposition and requested plans for the project. John Kendall, 5866 S. Staples, addressed the concerns regarding drainage, buffering, and landscaping. Mayor Martinez closed the public hearing.**

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

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

**Nay:** 1 - Council Member Rubio

**Abstained:** 0

**FIRST READING ORDINANCES: (ITEM 29)****29. First Reading Ordinance - Amending the City Code for "Motion**

**Picture Event" to add Article III, Procedures, Guidelines and Fees for Commercial Filming**

Ordinance repealing Chapter 53, Article VII, Section 53-208 "Motion Picture Event"; Amending the City Code of Ordinances Chapter 36, Parks, Recreation, Cultural and Leisure Time Activities by adding Article III, Procedures, Guidelines and Fees for Commercial Filming; Establishing the Corpus Christi Film Commission; Providing for severance; Providing for penalty; Providing for an effective date; and Providing for publication.

**Mayor Martinez referred to Item 29. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to amend the City's Code of Ordinances to establish the Corpus Christi Film Commission, create procedures, fees and guidelines, and assign to the Corpus Christi Convention and Visitors Bureau (CVB) to administer on the City's behalf. 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 first reading and approved with the following vote:**

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

**Abstained:** 0

**K. BRIEFINGS: (ITEM 5)****5. Discussion regarding a Charter Amendment Election**

Discussion regarding a Charter Amendment Election that includes a charter amendment proposition authorizing the city council to submit an ordinance, resolution, or measure to the popular vote for adoption or repeal and other possible amendments.

**Mayor Martinez deviated from the agenda and referred to Item 5. City Secretary Rebecca Huerta stated that the purpose of this item is to present information on the proposed Charter Amendment Election. At the August 18th City Council meeting, the City Council discussed possibly amending the City's Charter to allow for a City Council-initiated binding referendum. City Secretary Huerta presented the following information: the proposed language for the amendment; election date considerations for a May 7th or November 8th Uniform Election date; and considerations regarding a Charter Revision Commission. There was a general consensus of the Council to support a November Election. City Attorney Miles Risley presented a proposed ordinance with language written by local attorney John Bell.**

**Council members spoke regarding the following topics: the timing of the election; other revisions the Charter Commission would review; limiting the language so as to be specific to streets; previous Charter Commissions; the**

potential of a rollback election; housekeeping measures presented to the Charter Commission by staff; changing the term of office for City Council members; staggering City Council terms; and a timeline on the election process.

**MOTION OF DIRECTION**

Council Member Magill made a motion directing the Charter Revision Commission to review a residential street charter provision; changes to Article II., City Council, which is inclusive of term limits; and housekeeping measures presented by staff, seconded by Council Member Rubio and passed unanimously (Council Member Vaughn - absent).

**O. REGULAR AGENDA: (ITEMS 23 - 24)**

**23. Second Reading Ordinance - Authorizing the Issuance of Certificates of Obligation for Facility Improvements (Senior Centers) (1st Reading 8/18/15)**

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Taxable Series 2015" in an amount not to exceed \$2,000,000 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; 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 23. Director of Financial Services Constance Sanchez stated that the purpose of this item is to authorize the issuance of up to \$2,000,000 of certificates of obligation for the purpose of financing facility improvements, with a priority on the Lindale, Northwest and Greenwood Senior Centers. There were no comments from the public. In response to a council member, Assistant City Manager Gus Gonzalez stated that the facilities assessment will be completed in approximately two weeks and will be provided to the City Council.

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

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

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

Enactment No: 030593

**24. City Council Construction Change Order Policy**

Resolution establishing City Council policy for construction change orders.

**Mayor Martinez referred to Item 24. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to approve the establishment of a City Council Construction Change Order Policy in order for City Council to exercise their oversight responsibilities and allow staff to effectively implement policy. There were no comments from the Council or the public.**

**Council Member Scott made a motion to approve the resolution, seconded by Council Member Garza. This Resolution was passed and approved with the following vote:**

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

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

Enactment No: 030594

**P. ONE-READING ACTION ITEMS: (ITEM 25)**

**25. Authorizing submission of the 2016 Hazardous Materials Emergency Preparedness (HMEP) grant application**

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$70,000 to the Texas Department of Public Safety, Governor's Division of Emergency Management, for FY 2016 Hazardous Materials Emergency Preparedness (HMEP) grant program to conduct an update to the 2010 Commodity Flow Study with a hard match of \$14,000 from the Local Emergency Planning Committee (LEPC) reserve fund; and authorizing the city manager, or designee, to apply for, accept, reject alter or terminate the grant.

**Mayor Martinez referred to Item 25. Fire Chief Robert Rocha stated that the purpose of this item is to authorize the submission of a grant for FY2016 Hazardous Materials Emergency Preparedness (HMEP) grant program to conduct an update to the 2010 Commodity Flow Study. There were no comments from the Council or the public.**



**Council Member McIntyre made a motion to approve the resolution, seconded by Council Member Magill. This Resolution was passed and approved with the following vote:**

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

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

Enactment No: 030595

**Q. FIRST READING ORDINANCES: (ITEMS 27 - 28 and 30 - 34)**

**28. First Reading Ordinance - Lease Agreement for Merriman-Bobys House in Heritage Park**

Ordinance authorizing the City Manager or designee to execute a lease with Lindy Burns dba Youga Yoga Studio for the Merriman-Bobys House in Heritage Park for one year term with an option to renew annually for two years with rent of \$600 per month.

**Mayor Martinez referred to Item 28. Director of Development Services Jay Ellington stated that the purpose of this item is to execute a lease agreement for the Merriman-Bobys House in Heritage Park for yoga and office operations. There were no comments from the Council or the public.**

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

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

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

**30. First Reading Ordinance - Closing an undeveloped and unsurfaced public right-of-way, located west of Airline Road and north of Empire State Drive**

- Ordinance abandoning and vacating an undeveloped and unsurfaced 5,445.00-square foot portion (0.125 acres) of public right-of-way, out of Lots 13, 14, 19 and 20, Section 20, Flour Bluff and Encinal Farm and Garden Tracts and requiring the owner, MPM Development, LP to comply with specified conditions.

**Mayor Martinez referred to Item 30. Director of Development Services Dan**

Grimsbo stated that the purpose of this item is to abandon and vacate a portion of a public right-of-way to align with the public right-of-way in conjunction with the Bordeaux Place Unit 4 plat. There were no comments from the Council or the public.

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

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

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

**31. First Reading Ordinance - Adopting Utility Rates for FY 2015-2016 and FY 2016-2017**

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, Utilities, regarding water, gas, and wastewater rates; providing for publication and effective date of January 1, 2016.

Mayor Martinez referred to Item 31. Executive Director of Utilities Mark Van Vleck stated that the purpose of this item is to amend the Code of Ordinances to revise the water, wastewater, and gas rates. Mr. Van Vleck presented a sample of the water bills and other utilities. The additional changes include: changing the effective date to January 1, 2016; public agency for retail rates will be brought separately; raw water customer adjustments will be calculated every other year except where required by contract; wastewater winter average will be updated every other year; and new residential wastewater accounts will be set at 3,000 gallons per month. There were no comments from the Council or the public.

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

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

**Nay:** 1 - Council Member Rubio

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

**32. First Reading Ordinance - Lease Agreement for Installation of Air Monitoring Station at 4801 Holly Road (Requires 28-day delay between readings)**

Ordinance authorizing the City Manager, or designee, to execute a five year lease agreement (with the option for one five year renewal) with

the Texas A&M University System (TAMUS) for installation and operation of an air quality monitoring station on tracts of land containing 9 square feet and 1,350 square feet, located at Holly Road Pumping Station, 4801 Holly Road, Corpus Christi, Texas; providing for severance; and providing for publication. (Requires 28 day delay between 1st and 2nd readings).

**Mayor Martinez referred to Item 32. Director of Capital Programs Jeff Edmonds stated that the purpose of this item is to execute a five-year lease agreement, with the option for one five-year renewal, with Texas A&M University System for use of the Holly Road Pumping Station for an air quality monitoring station. There were no comments from the Council or the public.**

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

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

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

**33. First Reading Ordinance - Ground Lease for Haas-Anderson Construction, Ltd. vehicle storage**

Ordinance authorizing the City Manager or his designee to execute a five (5) year ground lease with Haas-Anderson Construction, Ltd for 3.89 acres out of a 25.06 acre tract formerly known as the Hala Pit Landfill located next to the City's vehicle impound yard off of Greenwood Drive and approving the cash rental fee of \$9,600 per year from October 1, 2015, to September 30, 2020; providing for an effective date; and providing for severance.

**Mayor Martinez referred to Item 33. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute a five-year ground lease with Haas-Anderson Construction Ltd. for the use of approximately 3.89-acres located next to the City's vehicle impound yard off of Greenwood Drive for a fee of \$9,600 per year until September 30, 2020. 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:** 7 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rosas and Council Member Scott

**Nay:** 1 - Council Member Rubio

**Absent:** 1 - Council Member Vaughn

Abstained: 0

**34. First Reading Ordinance - Revision of Municipal Marina Boundary Contradiction in City Code of Ordinances**

Ordinance amending City Code of Ordinances Section 2-260 regarding Marina Advisory Committee membership and Sections 2-264 and 12-40 regarding Corpus Christi Marina definitions.

**Mayor Martinez referred to Item 34. Assistant City Manager Susan Thorpe stated that the purpose of this item is to amend the City's Code of Ordinances to clarify conflicting definitions of the Corpus Christi Marina Boundaries and to clarify the membership category for a representative on the Marina Advisory Committee. In a response to a council member, Ms. Thorpe stated that the change will not impact the Port of Corpus Christi. There were no comments from 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:** 7 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio and Council Member Rosas

**Absent:** 2 - Council Member Scott and Council Member Vaughn

Abstained: 0

**R. FUTURE AGENDA ITEMS: (ITEMS 35 - 39)**

**Mayor Martinez referred to Future Agenda Items. City Manager Olson said staff did not have any planned presentations. City Secretary Huerta announced that Council Member Magill recused himself from any discussion on Item 38. A council member requested information on Item 38.**

**35. Engineering Construction Contract for the City Hall Fire Detection and Alarm System**

Motion authorizing the City Manager or designee to execute a construction contract with TBC Commercial Construction of Portland, Texas in the amount of \$344,921.45 for the City Hall Fire Detection and Alarm System for the Base Bid with Deductive Alternate No. 1.

**This Motion was recommended to the consent agenda.**

**36. Engineering Construction Contract for the Museum Roof Replacement (Bond 2012)**

Motion authorizing the City Manager or designee to execute a construction contract with Haeber Roofing Company in the amount of

\$1,331,271 for the Museum Roof Replacement (Bond 2012) for the total Base Bid plus Additive Alternate Nos.1 and 2.

**This Motion was recommended to the consent agenda.**

**37. Engineering Construction Contract for JFK Causeway Area Improvements (Bond 2012)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Bridges Specialties, Inc. of Robstown, Texas in the amount of \$1,271,906.13 for the JFK Causeway Area Improvements for the total Base Bid plus alternate 1. (Bond 2012)

**This Motion was recommended to the consent agenda.**

**38. Agreement for temporary tax abatement for the development located in the 6000 Block of Bear Lane**

Resolution authorizing the execution of an agreement with Cameron International Corporation providing for temporary property tax abatement.

**This Resolution was recommended to the consent agenda.**

**39. Approve the FY2015-2016 HOME Program set-aside funds.**

Motion to approve the allocation of FY2015-2016 HOME Program set-aside funds to 911 Glenoak Apartments in the amount of \$300,000.

**This Motion was recommended to the consent agenda.**

**S. FUTURE CORPORATION MEETING: (ITEM 40)**

**40. Annual Board of Directors Meeting of the Corpus Christi Community Improvement Corporation**

Annual Board of Directors Meeting of the Corpus Christi Community Improvement Corporation (CCCIC).

**This Corporation Meeting was recommended to be held.**

**T. LEGISLATIVE UPDATE:**

None.

**U. ADJOURNMENT**

**The meeting was adjourned at 5:11 p.m.**