

## An Ordinance

**Canvassing returns and declaring the results of the General Election held on November 4, 2014, in the City of Corpus Christi for the purpose of electing the Mayor and eight Council members; and of a Special Election on that same date for the adoption of two (2) propositions authorizing bond issuances supported by ad valorem taxes and one (1) proposition concerning the sale of City park land; making appropriate findings; and declaring an emergency.**

**Whereas**, the City Council of the City of Corpus Christi, by Ordinance No. 030251 on August 12, 2014, ordered and called a General Election for the election of Mayor and eight Council Members; and by Ordinance No. 030253 on the same date, ordered and called a Special Election (the General Election and the Special Election are referred to herein as the "Elections") concerning on the adoption of two (2) propositions authorizing bond issuances supported by ad valorem taxes and one (1) proposition on the sale of City park land, as set forth below in Section 2;

**Whereas**, notice of said Elections were given as required by law;

**Whereas**, said Elections were duly held on the 4<sup>th</sup> day of November, 2014, at which said contests and measures were presented to the voters as provided in the respective City ordinance calling the applicable Election and in conformity with the election laws of the State of Texas and the results of said Elections have been certified and returned by the judges and clerks thereof; and

**Whereas**, it is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Texas Open Meetings Act.

**Whereas**, the Council has reviewed and investigated all matters pertaining to these Elections, including the resolving, notices, election officers, holding, and returns thereof; and

**Whereas**, the Council finds that the said Elections were in all respects lawfully held and that the City Secretary's tally and certification of results to the Council are correct.

**Now, Therefore, be it ordained by the City Council of the City of Corpus Christi, Texas that:**

**Section 1.** The tally of votes cast in the Elections held on the 4<sup>th</sup> day of November, 2014 made and certified to by the City Secretary of the City of Corpus Christi, attached hereto as Attachment A incorporated by reference and made a part of this Ordinance as though reproduced herein in its entirety, and the same is hereby adopted as the official tabulations of the votes cast at the Elections, and that said tabulations be filed and recorded in the official records of the City of Corpus Christi as the official canvass of the Elections.

**Section 2.** The Council has diligently inquired into the poll lists and the official Election returns which were duly and lawfully made to the Council by the judges and clerks holding and conducting such Elections; the poll lists and the official election returns showing separately the votes cast in the Elections. From these returns, this Council

hereby finds that the following votes were cast in the Elections by voters who were resident, qualified voters of the City. The results of the General Election canvass are declared to be:

<b>Mayor</b>	Dan McQueen		6,101
	Bob Jones		13,241
	Nelda Martinez		23,113
	Lee McGinnis		2,204
<b>Council Member, At Large</b>	Lillian Riojas		18,763
	Chad Magill		18,954
	Gil Hernandez		11,741
	Reynaldo Ray" Madrigal"		8,098
	Mark Scott		19,284
	Margareta Fratila		4,640
<b>Council Member, District 1</b>	Kelley Allen		1,545
	Tom Watson		665
	Carolyn Vaughn		2,145
	Carrie Robertson Meyer		686
	John Garcia		1,054
	Frank F. Schlegel, Jr.		167
<b>Council Member, District 2</b>	Brian Rosas		2,507
	Joshua Tijerina		2,401
	Jano Andrasik		908
<b>Council Member, District 3</b>	Lucy Rubio		4,480
	Jack Gordy		1,744
<b>Council Member, District 4</b>	Colleen McIntyre		8,081
	Joe Vollmer		3,224
<b>Council Member, District 5</b>	Rudy Garza, Jr.		7,258

The propositions submitted to the City voters in the Special Election are attached hereto as Attachment B incorporated by reference and made a part of this Ordinance as though reproduced herein in their entirety. The results of the Special Election Canvass are declared to be:

29,200	<b>FOR</b>	<p style="text-align: center;"><b>PROPOSITION NO 1</b></p> <p>THE ISSUANCE OF BONDS FOR DESIGNING, CONSTRUCTING, RENOVATING, AND MAKING PERMANENT STREET IMPROVEMENTS IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$55,000,000, AND LEVYING A TAX IN PAYMENT THEREOF, WITH PRIORITY GIVEN TO THE FOLLOWING:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> North Alameda Street, generally from Kinney to Lipan</li> <li><input type="checkbox"/> Gollihar Road, generally from Staples Street to Weber Road</li> <li><input type="checkbox"/> Gollihar Road, generally from Weber Road to Carroll Lane</li> <li><input type="checkbox"/> Gollihar Road, generally from Carroll Lane to Kostoryz Road</li> <li><input type="checkbox"/> Morgan Avenue, generally from Ocean Drive to Staples Street</li> <li><input type="checkbox"/> Corona Drive, generally from Tiger Lane to Everhart Road</li> <li><input type="checkbox"/> Ayers Street, generally from Ocean Drive to Alameda Street</li> <li><input type="checkbox"/> Yorktown Boulevard, generally from Lake Travis Drive to Everhart Road</li> </ul>
17,150	<b>AGAINST</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Staples Street, generally from Alameda Street to Morgan Avenue</li> <li><input type="checkbox"/> Southern Minerals Road, generally from Up River Road to IH-37 Access Road</li> <li><input type="checkbox"/> Yorktown Boulevard, generally from Everhart Road to Staples Street</li> <li><input type="checkbox"/> Carroll Lane, generally from Houston Street to McArdle Road</li> <li><input type="checkbox"/> Old Robstown Road, generally from State Hwy 44 to Leopard Street</li> <li><input type="checkbox"/> Waldron Road, generally from Glenoak Road to Caribbean Road</li> <li><input type="checkbox"/> Santa Fe Street, generally from Elizabeth Street to Hancock Avenue</li> <li><input type="checkbox"/> ADA Master Plan Improvements</li> </ul>

<p>28,016 <b>FOR</b></p> <p>18,170 <b>AGAINST</b></p>	<p style="text-align: center;"><b>PROPOSITION NO. 2</b></p> <p>THE ISSUANCE OF BONDS FOR DESIGNING, CONSTRUCTING, RENOVATING, AND MAKING PERMANENT STREET IMPROVEMENTS IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$44,495,000, AND LEVYING A TAX IN PAYMENT THEREOF, WITH PRIORITY GIVEN TO THE FOLLOWING:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Ayers Street (Pedestrian Improvements and Turn Lane Addition), generally from South Padre Island Drive to Gollihar Road</li> <li><input type="checkbox"/> Chaparral Street (Phase 2 Downtown Development Master Plan), generally from Schatzel Street to Taylor Street</li> <li><input type="checkbox"/> Texas Department of Transportation Participation Projects</li> <li><input type="checkbox"/> City-wide Traffic Signals and Lighting Improvements</li> <li><input type="checkbox"/> Rodd Field Road Expansion, generally from Saratoga Boulevard to Yorktown Boulevard</li> <li><input type="checkbox"/> Downtown Street Traffic Signal and Area Improvements</li> <li><input type="checkbox"/> Ennis Joslin Road Extension, generally from Holly Road to Williams Drive</li> <li><input type="checkbox"/> Flato Road, generally from Agnes Street to Bates Road</li> <li><input type="checkbox"/> Harbor Bridge Replacement Mitigation and Support Projects (Phase 1)</li> <li><input type="checkbox"/> North Padre Island Beach Access Roads (3A and 2)</li> <li><input type="checkbox"/> North Padre Island Beach Facility in the vicinity of Sea Pines Drive/Coral Vine Street/Access Road 6 (off Park Road 22)</li> <li><input type="checkbox"/> Downtown Road and Streetscape Improvements</li> <li><input type="checkbox"/> Creek View Drive Extension</li> </ul>
<p>26,155 <b>FOR</b></p> <p>19,822 <b>AGAINST</b></p>	<p style="text-align: center;"><b>PROPOSITION NO. 3</b></p> <p>SALE OF THE FOLLOWING CITY PARK LAND, THE PROCEEDS FROM WHICH MAY ONLY BE USED TO ACQUIRE AND IMPROVE CITY PARK LAND IN ACCORDANCE WITH § 253.001, TEXAS LOCAL GOVERNMENT CODE:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> San Carlos Park, 12650 Figueroa St. (2.00 ac.)</li> <li><input type="checkbox"/> Violet Park, 4301 Violet (1.55 ac.)</li> <li><input type="checkbox"/> Willow Park, 11418 Willowood Creek (0.93 ac.)</li> <li><input type="checkbox"/> Cabra Park, 1323 W. Broadway (1.36 ac.)</li> <li><input type="checkbox"/> Fountain Park, 4938 Moody (1.62 ac.)</li> <li><input type="checkbox"/> Kosar Park, Kosar @ Staples Street (0.28 ac.)</li> <li><input type="checkbox"/> Breakwater Park, 2800 N. Shoreline (0.15 ac.)</li> <li><input type="checkbox"/> Acushnet Park, 6746 Aaron (9.96 ac.)</li> <li><input type="checkbox"/> Congress Park, 4017 Capitol (1.96 ac.)</li> <li><input type="checkbox"/> Creekway Park, 7306 Prairie (0.89 ac.)</li> <li><input type="checkbox"/> Durant Park, 6113 Durant (2.70 ac.)</li> <li><input type="checkbox"/> Mt. Vernon Park, 5151 McArdle (7.25 ac.)</li> <li><input type="checkbox"/> Parklane Park, 4600 Arlene (1.95 ac.)</li> <li><input type="checkbox"/> Peary Park, 1750 Paul Jones @ Decatur (1.00 ac.)</li> <li><input type="checkbox"/> Penn Place Park, 4302 Aaron (1.67 ac.)</li> <li><input type="checkbox"/> Ridgewood Park, 5730 Malden (5.04 ac.)</li> <li><input type="checkbox"/> Caribbean Park, 601 Mediterranean (1.00 ac.)</li> </ul>

**Section 3.** The Council officially finds, determines, and declares that the Elections were duly and properly ordered, that proper legal notice of the Elections were duly given in the English language and the Spanish language (to the extent

required by law), that proper election officers were duly appointed prior to the Elections, that the Elections were duly and legally held, that all resident, qualified voters of the City were permitted to vote at the Elections, that due returns of the results of the Elections had been made and delivered, and that the Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the separate ordinances calling the Elections.

**Section 4.** The Council accepts and approves the returns for the General Election, as received and canvassed, and declares that the following persons are declared elected and may qualify for the office indicated:

Mayor	Nelda Martinez
Council Member At Large	Lillian Riojas
	Chad Magill
	Mark Scott
Council Member District Three	Lucy Rubio
Council Member District Four	Colleen McIntyre
Council Member District Five	Rudy Garza, Jr.

The Council finds that the candidates who received the highest and second highest numbers of votes are hereby certified for placement in a runoff election as follows:

Council Member District One	Kelley Allen
	Carolyn Vaughn
Council Member District Two	Brian Rosas
	Joshua Tijerina

**Section 5.** A MAJORITY of the resident, qualified voters of the City of Corpus Christi, Texas voting in the Special Election, having voted FOR the authorization and issuance of \$50,000,000 of bonds and the levy and pledge of the tax in payment thereof as provided in Proposition 1, the Council hereby finds and determines that Proposition 1 carried at the Special Election and that the Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition 1 and with law.

**Section 6.** A MAJORITY of the resident, qualified voters of the City of Corpus Christi, Texas voting in the Special Election, having voted FOR the authorization and issuance of \$44,495,000 of bonds and the levy and pledge of the tax in payment thereof as provided in Proposition 2, the Council hereby finds and determines that Proposition 2 carried at the Special Election and that the Council is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in the Proposition 2 and with law.

**Section 7.** A MAJORITY of the resident, qualified voters of the City of Corpus Christi, Texas voting in the Special Election, having voted FOR the sale of City park land and the use of proceeds from such sale to acquire and improve City park land as provided

in Proposition 3, the Council hereby finds and determines that Proposition 3 carried at the Special Election and that the Council is hereby accordingly authorized to sell the City park land and to use the proceeds from such sale to acquire and improve City park land in accordance with the authority granted in the Proposition 3 and with law.

**Section 8.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section 9.** All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

**Section 10.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 11.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section 12.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 13.** This Ordinance shall be in force and effect from and after its final passage and it is so resolved.

**Section 14.** The necessity of making an official canvass of votes and declaring the results thereof immediately in order to meet the requirements of State Law and the City Charter, and the need for efficient and effective administration of the City's affairs, creates a public emergency requiring the suspension of the Charter rule that no ordinance shall be passed finally on the date of its introduction but that such ordinance shall be read at two regular meetings of the City Council, and the Mayor having declared that such emergency exists, having requested the suspension of the Charter rule that this ordinance be passed finally on the date of its introduction and take effect and be in full force and effect from and after its passage, IT IS ACCORDINGLY SO ORDAINED, this the 18<sup>th</sup> day of November, 2014.

18th Day of November, 2014

TO THE MEMBERS OF THE CITY COUNCIL  
Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance an emergency exists requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings: I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced, or at the present meeting of the City Council.

Respectfully,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Respectfully,

\_\_\_\_\_  
Nelda Martinez  
Mayor

Council Members

The above ordinance was passed by the following vote:

Nelda Martinez	_____
Kelley Allen	_____
Rudy Garza	_____
Priscilla Leal	_____
David Loeb	_____
Chad Magill	_____
Colleen McIntyre	_____
Lillian Riojas	_____
Mark Scott	_____

ATTEST:

The City of Corpus Christi

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Rebecca Huerta  
City Secretary

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Nelda Martinez  
Mayor

Approved: 18th day of November, 2014



**CITY OF CORPUS CHRISTI GENERAL  
AND SPECIAL ELECTIONS  
NOVEMBER 4, 2014**

**PRECINCT-BY-PRECINCT  
ELECTION RESULTS**

Dated this the \_\_ day of November, 2014

**CERTIFICATION OF ELECTION  
CORPUS CHRISTI GENERAL AND SPECIAL ELECTIONS  
NOVEMBER \_\_, 2014**

1, the undersigned Elections Administrator for the election held on the 4th day of November, 2014, City of Corpus Christi, Nueces County, do hereby certify to the Canvassing Authority that the attached precinct-by-precinct results is a total of all votes received by each candidate and bond propositions as shown by the precinct returns. I further certify that the following vote totals include early voting totals by precinct received under Section 87.1231 of the Texas Election Code.

These accurately reflect the results on the tabulation tapes released to the Mayor by the election precinct judges.

Dated this the \_\_\_\_ day of November, 2014

\_\_\_\_\_  
Rebecca Huerta  
Elections Administrator

**ATTACHMENT B  
SPECIAL ELECTION PROPOSITIONS**

**PROPOSITION 1**

“Shall the City Council of the City of Corpus Christi, Texas be authorized, in accordance with applicable law, to issue and sell one or more series of general obligation bonds of the City, in the aggregate principal amount of not more than \$55,000,000, with such series or issues of bonds, respectively, to mature serially or otherwise within not to exceed forty years from their date and to be sold at such prices and bear interest at such rates (whether fixed, floating, variable, or otherwise, but in no case at a rate that exceeds the maximum rate per annum authorized by applicable law at the time of any such issuance), as shall all be determined within the discretion of the City Council, for the purpose of making permanent public improvements or for other public purposes, to wit: designing, constructing, renovating, improving, constructing, reconstructing, restructuring and extending streets and thoroughfares and related land and right-of-way sidewalks, streetscapes, collectors, drainage, landscape, signage, acquiring lands and rights-of-way necessary thereto or incidental therewith (but specifically excluding related City utility costs, which are the responsibility of the City’s utility system), with priority given to the following street projects:

- North Alameda Street, generally from Kinney to Lipan
- Gollihar Road, generally from Staples Street to Weber Road
- Gollihar Road, generally from Weber Road to Carroll Lane
- Gollihar Road, generally from Carroll Lane to Kostoryz Road
- Morgan Avenue, generally from Ocean Drive to Staples Street
- Corona Drive, generally from Tiger Lane to Everhart Road
- Ayers Street, generally from Ocean Drive to Alameda Street
- Yorktown Boulevard, generally from Lake Travis Drive to Everhart Road
- Staples Street, generally from Alameda Street to Morgan Avenue
- Southern Minerals Road, generally from Up River Road to IH-37 Access Road
- Yorktown Boulevard, generally from Everhart Road to Staples Street
- Carroll Lane, generally from Houston Street to McArdle Road
- Old Robstown Road, generally from State Hwy 44 to Leopard Street

-Waldron Road, generally from Glenoak Road to Caribbean Road

-Santa Fe Street, generally from Elizabeth Street to Hancock Avenue

-ADA Master Plan Improvements

and in providing for the above public improvements, the City Council shall have the option to (i) utilize other funds available for such purposes and (ii) abandon such indicated public improvements that are reliant, in part, on external sources of funding that (for whatever reason) do not materialize or because unforeseen changes in fact or circumstance make the anticipated expenditure no longer wise or necessary (as determined by the City Council), and after making due provision for the improvements listed above or determining that the public improvement project will not proceed for a reason heretofore described, the City Council may, in its discretion, use any excess funds for constructing, reconstructing, restructuring, and extending other streets and thoroughfares and related land and right-of-way sidewalks, streetscapes, collectors, drainage, landscape, signage, acquiring lands and rights-of-way necessary thereto or incidental therewith (but specifically excluding related City utility costs, which are the responsibility of the City's utility system); and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, within the limitations prescribed by law, annual ad valorem taxes on all taxable property in the City sufficient to pay the annual interest and sinking fund to pay the bonds at maturity and to pay the costs of any credit agreements executed in connection with the bonds?

## **PROPOSITION 2**

“Shall the City Council of the City of Corpus Christi, Texas be authorized, in accordance with applicable law, to issue and sell one or more series of general obligation bonds of the City, in the aggregate principal amount of not more than \$44,495,000, with such series or issues of bonds, respectively, to mature serially or otherwise within not to exceed forty years from their date and to be sold at such prices and bear interest at such rates (whether fixed, floating, variable, or otherwise, but in no case at a rate that exceeds the maximum rate per annum authorized by applicable law at the time of any such issuance), as shall all be determined within the discretion of the City Council, for the purpose of making permanent public improvements or for other public purposes, to wit: designing, constructing, renovating, improving, constructing, reconstructing, restructuring and extending streets and thoroughfares and related land and right-of-way sidewalks, streetscapes, collectors, drainage, landscape, signage, equipment storage facilities, acquiring lands and rights-of-way necessary thereto or incidental therewith (but specifically excluding related City utility costs, which are the responsibility of the City's utility system), with priority given to the following street projects:

-Ayers Street (Pedestrian Improvements and Turn Lane Addition), generally from South Padre Island Drive to Gollihar Road

-Chaparral Street (Phase 2 Downtown Development Master Plan), generally from

Schatzel Street to Taylor Street

- Texas Department of Transportation Participation Projects
- City-wide Traffic Signals and Lighting Improvements
- Rodd Field Road Expansion, generally from Saratoga Boulevard to Yorktown Boulevard
- Downtown Street Traffic Signal and Area Improvements
- Ennis Joslin Road Extension, generally from Holly Road to Williams Drive
- Flato Road, generally from Agnes Street to Bates Road
- Harbor Bridge Replacement Mitigation and Support Projects (Phase 1)
- North Padre Island Beach Access Roads (3A and 2)
- North Padre Island Beach Facility in the vicinity of Sea Pines Drive/Coral Vine Street/Access Road 6 (off Park Road 22)
- Downtown Road and Streetscape Improvements
- Creek View Drive Extension

and in providing for the above public improvements, the City Council shall have the option to (i) utilize other funds available for such purposes and (ii) abandon such indicated public improvements that are reliant, in part, on external sources of funding that (for whatever reason) do not materialize or because unforeseen changes in fact or circumstance make the anticipated expenditure no longer wise or necessary (as determined by the City Council), and after making due provision for the improvements listed above or determining that the public improvement project will not proceed for a reason heretofore described, the City Council may, in its discretion, use any excess funds for constructing, reconstructing, restructuring, and extending other streets and thoroughfares and related land and right-of-way sidewalks, streetscapes, collectors, drainage, landscape, signage, equipment storage facilities, acquiring lands and rights-of-way necessary thereto or incidental therewith, including (and with priority given to) ADA street improvements, residential traffic management program improvements, and street curb and gutter improvements (but specifically excluding related City utility costs, which are the responsibility of the City's utility system); and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, within the limitations prescribed by law, annual ad valorem taxes on all taxable property in the City sufficient to pay the annual interest and sinking fund to pay the bonds at maturity and to pay the costs of any credit agreements executed in connection with the bonds?

### **PROPOSITION 3**

“Shall the City Council of the City of Corpus Christi, Texas be authorized, in accordance with Chapter 253, as amended, Texas Local Government Code, to sell certain City land, heretofore acquired and now owned, held, and claimed as municipal parks, such land being the parcels hereafter identified:

- San Carlos Park, 12650 Figueroa St. (2.00 ac.)
- Violet Park, 4301 Violet (1.55 ac.)
- Willow Park, 11418 Willowood Creek (0.93 ac.)
- Cabra Park, 1323 W. Broadway (1.36 ac.)
- Fountain Park, 4938 Moody (1.62 ac.)
- Kosar Park, Kosar @ Staples Street (0.28 ac.)
- Breakwater Park, 2800 N. Shoreline (0.15 ac.)
- Acushnet Park, 6746 Aaron (9.96 ac.)
- Congress Park, 4017 Capitol (1.96 ac.)
- Creekway Park, 7306 Prairie (0.89 ac.)
- Durant Park, 6113 Durant (2.70 ac.)
- Mt. Vernon Park, 5151 McArdle (7.25 ac.)
- Parklane Park, 4600 Arlene (1.95 ac.)
- Peary Park, 1750 Paul Jones @ Decatur (1.00 ac.)
- Penn Place Park, 4302 Aaron (1.67 ac.)
- Ridgewood Park, 5730 Malden (5.04 ac.)
- Caribbean Park, 601 Mediterranean (1.00 ac.)

The proceeds from the sale of these parks will be used to acquire and improve existing City parks in accordance with the Parks and Recreation Master Plan.