



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, October 13, 2015

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

B. Invocation to be given by Pastor Greg Hackett, First United Methodist Church.

Pastor Greg Hackett gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Jeff Edmonds, Director of Engineering Services.

Director of Engineering Services Jeff Edmonds 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:

Deputy City Manager Margie Rose, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

Present: 8 - 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, and Council Member Carolyn Vaughn

Absent: 1 - Council Member Mark Scott

E. Proclamations / Commendations

1. Proclamation declaring October 23, 2015, "Coastal Bend Day of Pink".
Proclamation declaring the week of October 12-16, 2015, "Court Observance Week".
Proclamation declaring the month of October 2015, "National Code Enforcement Month".
Proclamation declaring the month of October 2015, "National Disability

Employment Awareness Month".

Commendations to Mr. Bobby Craig, Gy Sgt Kosta Maravelias and Ms. Patricia Flores, Teachers at Tuloso-Midway High School.

Mayor Martinez presented Certificates of Commendation and the proclamations. Mayor Martinez announced that Assistant Director of Parks and Recreation, Stacie Talbert Anaya, was recently elected as President Elect for the Texas Recreation and Parks Society.

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 referred to comments from the public. City Attorney Miles K. Risley issued a reminder to the City Council and public on the Rules of Decorum in the Council Chambers. Lamont Taylor, 1701 Stillman, spoke in opposition to Plan CC 2035 referencing the Hillcrest neighborhood as a "transition" neighborhood, and requested that the reference be removed from the draft plan. Errol Summerlin, Citizens Alliance for Fairness and Progress, stated that Plan CC 2035 is estimating a pre-determined outcome and foundation for the future zoning in the Hillcrest area and does not address the neighborhood residents' options to stay or leave the area. Reverend Adam T. Carrington, 2949 Riverbend Court, stated that previous plans regarding the Hillcrest area called for revitalization of the neighborhood and spoke in opposition to Plan CC 2035 referring to Hillcrest as a "transition" neighborhood. Elle Ibanez, 3806 Tiger Lane, requested to be placed on a future agenda to present information on the Reformers Unanimous program to assist individuals with addictions. Trian Serbu, 14310 Playa Del Rey, spoke regarding the state mandate for beach parking and recommended that a study be done to determine where parking lots will be located in the future for inclusion in the Island Plan or the City Master Plan.

Daniel Pena, 2813 Hilbert, asked questions regarding the decisions made to designate the Hillcrest area as a "transition" area and said the residents were not notified. Joan Veith, 5701 Cain Drive, thanked everyone who visited her during her hospitalization. Brian Watson, 5813 Hugo, spoke in opposition to the addition of fluoride to the water system. Fred Braselton, 5337 Yorktown, addressed the following topics regarding Plan CC 2035: the plan inadequately addressed the annexed areas in the City; infill and revitalization not provided insufficient housing in the future; and modifications to the extent of urban villages and mixed neighborhoods being recommended. Carolyn Moon, 4902 Calvin, spoke in favor of the original Plan CC 2035 draft, but said she does not support future growth south of Oso Creek because it will require taxpayers to pay for additional infrastructure and public safety. Reverend Henry Williams, 2422 Summers, stated that the Plan CC 2035, which was written by a Boston firm, characterized the Hillcrest neighborhood as "transitioning" to light industrial zoning. Rev. Williams said the vision for the Hillcrest area must come from the people in the area who will be affected the most. Gloria Randall Scott, 4422 S. Alameda, spoke regarding Code Enforcement being a division of the Police Department; the promise by the city manager to hold public meetings with citizens; and concern for the Washington-Coles neighborhood. Hilda

Ramirez, 6433 Clairfield, spoke in support of Plan 2035 and the urban villages and mixed use centers.

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

Mayor Martinez referred to City Manager's Comments. Deputy City Manager Margie Rose reported on the following topics:

a. OTHER

1) The next "Let's Talk Corpus Christi" will be held on Wednesday, October 21, 2015 from 6:00 p.m. to 7:00 p.m. at the Northwest Senior Center, 9725 Up River Road. This event provides an opportunity for citizen engagement and allows City management to meet with citizens one-on-one. 2) The City's Annual Elementary School Costume Parade will be held on October 30, 2015 at 9:00 a.m. The students of George Evans Elementary School come to visit City Hall and participate in a parade character walk. Employees voluntarily participate by purchasing and passing out candy and treats. 3) Deputy City Manager Rose provided an update on the status of the red tide issue and reported that the city employees across multiple departments continue to work extremely hard to keep up with the impact of the red tide. The most immediate issue fishing dying due to algae bloom and washing up on the City's shoreline. Sealed containers will remain in place on North Beach and Cooper's Alley L-Head. Over the last weekend, over eight tons of dead fish were collected. 4) The Star Wars Reads Day was a huge success. The event was a partnership between the Junior League of Corpus Christi, United Way Success by Six, and the City of Corpus Christi Public Libraries and was held this past Saturday. The event was free to the public and included lots of family-friendly activities in addition to reading. Over 1100 visitors attended the event. 5) Information regarding the "Kites and Bike" Festival will be provided next week.

H. MINUTES:

2. Regular Meeting of September 29, 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.

I. BOARD & COMMITTEE APPOINTMENTS:

**3. Building Code Board of Appeals
Ethics Commission
Mechanical/Plumbing Advisory Board
Nueces County Tax Appraisal District
Parks and Recreation Advisory Committee
Regional Health Awareness Board
Sister City Committee**

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

Building Code Board of Appeals

Council Member Magill made a motion to reappoint Chuck Anastos (Architect) and Randy Farrar (Building Industry), seconded by Council Member McIntyre and passed unanimously.

Council Member McIntyre made a motion to appoint Garry Camp (General Contractor), seconded by Council Member Magill and passed unanimously.

Ethics Commission

Council Member McIntyre made a motion to reappoint Alicia Benavidez and Karon Connelly, seconded by Council Member Magill and passed unanimously.

Council Member Magill made a motion to appoint Richard (Rick) Milby, seconded by Mayor Martinez and passed unanimously.

Mechanical/Plumbing Advisory Board

Council Member McIntyre made a motion to appoint Carl Suding (Landscape Irrigation), seconded by Council Member Magill and passed unanimously (Scott - absent). Council Member Magill made a motion to appoint Kenneth Mikeman, Jr. (Not Connected with Building Industry), seconded by Council Member McIntyre and passed unanimously.

Nueces County Tax Appraisal District

Council Member McIntyre made a motion to reappoint Robert Adler (Place 3) and Gerardo "Jerry" Garcia (Place 4), seconded by Council Member Garza and passed unanimously.

Parks and Recreation Advisory Committee

Council Member McIntyre made a motion to appoint Alissa Mejia, seconded by Council Member Magill and passed unanimously.

Regional Health Awareness Board

Council Member McIntyre made a motion to reappoint Donna Huddleston, seconded by Council Member Riojas and passed unanimously.

City Secretary Huerta announced that the Sister City Committee was withdrawn.

FIRST READING ORDINANCES: (ITEM 28)

28. First Reading Ordinance Amending the Code of Ordinances, City of Corpus Christi, Section 55-3

Ordinance amending the Code of Ordinances, City of Corpus Christi, Section 55-3 regarding gas purchase exemptions for large gas users within the city limits; and providing for publication.

Mayor Martinez deviated from the agenda and referred to Item 28. Iain Vasey, President/CEO of the Corpus Christi Regional Economic Development Corporation stated that the purpose of this item is to request an amendment to the City of Corpus Christi Code of Ordinances, Section 55-3, in order to allow gas purchase exemptions for large natural gas users within the city limits. There were no comments from the Council or the public.

Council Member McIntyre made a motion to approve the ordinance, seconded

by Council Member Rubio. 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 Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

J. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 13)

Approval of the Consent Agenda

Mayor Martinez referred to the Consent Agenda. Council Member Magill requested that Items 4 and 5 be pulled for individual consideration. There were no comments from the public. A motion was made by Council Member Garza, seconded by Council Member Magill, to approve the Consent Agenda. The consent agenda items were approved by one vote as follows:

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

Absent: 1 - Council Member Scott

Abstained: 0

6. Second Reading Ordinance - Street Closure of Starry Road located east of Rodd Field and north of Yorktown Blvd. (1st Reading 9/29/15)

Ordinance abandoning and vacating an undeveloped and unsurfaced 72,222.48-SF (1.658 Acre) portion of Starry Road, Portion of Lots 8 and 9, Section 25 and a portion of Lots 1 and 6, Section 34, all out of Flour Bluff & Encinal Farm & Garden Tracts, a map of which is recorded in Volume A, Pages 41-43, Map Records of Nueces County, Texas, and being a portion of a 19.56 acre tract of land described by deed recorded at Document No. 2006037179 and requiring the owner ATA O. AZALI, INC. to comply with specified conditions.

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

Enactment No: 030635

7. Second Reading Ordinance - Accepting and appropriating the Victims of Crime Act (VOCA) Outreach Program grant for the 3rd project year (1st Reading 9/29/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$84,795.95 for the 3rd project year of the Victims of Crime Act (VOCA) Outreach Program within the Police Department with a City match of \$14,998.99 and an in-kind match of \$6,200.00 from the No. 1020 Police General Fund; appropriating the \$84,795.95 in the No. 1061 Police Grants Fund for the VOCA Outreach grant in the Police Department; and authorizing the transfer of \$14,998.99 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$105,994.94.

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

Enactment No: 030636

8. Second Reading Ordinance - Accepting and appropriating the Victims of Crime Act (VOCA) grant within the Police Department for the 16th and 17th project years (1st Reading 9/29/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$188,264.42 to continue the Victims of Crime Act (VOCA) Grant within the Police Department for the 16th and 17th project years with a City match of \$43,067.05 and an in-kind match of \$4,000 from the No. 1020 Police General Fund; appropriating the \$188,264.42 in the No. 1061 Police Grants Fund to continue the VOCA grant in the Police Department; and authorizing the transfer of \$43,067.05 from the No. 1020 General Fund to the No. 1061 Police Grants Fund and appropriating the same for a total project cost of \$235,331.47.

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

Enactment No: 030637

9. Second Reading Ordinance - Accepting and appropriating State grant for Immunizations to stop vaccine preventable diseases locally (1st Reading 9/29/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the IMM/LOCALS Immunization Branch-Locals grant in the amount of \$241,637 from the Texas Department of State Health Services in the Health Grants Fund No. 1066 to provide for personnel costs and other expenses to fund an immunization program for children, adolescents, and adults, with special emphasis on children three years of age or younger for the contract period September 1, 2015, through August 31, 2016; and ratifying acceptance of the grant

agreement to begin September 1, 2015.

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

Enactment No: 030638

10. Second Reading Ordinance - Accepting and appropriating State grant for the Regional Local Services System/Local Public Health System Grant (1st Reading 9/29/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Regional Local Services System/Local Public Health System (RLSS/LPHS) grant in the amount of \$328,736, from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to provide essential public health services for the contract period September 1, 2015, through August 31, 2017; and ratifying acceptance of the grant agreement to begin September 1, 2015.

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

Enactment No: 030639

11. Second Reading Ordinance - Annexation of Seven Tracts in Industrial District No. 1 (1st Reading 9/29/15)

Ordinance annexing seven tracts of land located in Industrial District No. 1; Namely, Tract 1: owner being ABTEX, 1.09 acres northeast of the Veterans Cemetery; Tract 2: owner being Coastal State Petroleum, 0.96 acres northeast of Up River Road and Navigation Blvd.; Tract 3: owner being Coastal States Petroleum, 0.58 acres northeast of Up River Road and Navigation Blvd.; Tract 4: owner being Coastal Liquids Partners, 0.10 acres northeast of Up River Road and Navigation Blvd.; Tract 5: owner being Coastal Liquids Partners, 0.92 acres northeast of Up River Road and Navigation Blvd.; Tract 6: owner being Exxon Pipeline, 0.18 acres, south of the intersection of Buddy Lawrence and Oak Park Roads; and Tract 7: owner being Koch Gathering Sys Inc., 0.25 acres, south of the intersection of Buddy Lawrence and Oak Park Roads and next to Tract 6; providing for a Municipal Services Plan for the annexed tracts of land; providing that the owners and inhabitants are entitled to all rights, privileges, and burdens of other citizens and property owners of the City of Corpus Christi and are subject to and bound by the City Charter, ordinances, resolutions, and rules; providing for amendment of the official maps of the City of Corpus Christi; designating area to be added to City Council District Number 1; providing for severance; and providing an effective date.

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

Enactment No: 030640

12. Second Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for CAH-DHL Commercial Tracts located east of IH-69 within the Allison Service Area (1st Reading 9/29/15)

Ordinance exempting the CAH-DHL Commercial Tract, Block 1, Lot 1 subdivision located east of highway 37, from the payment of wastewater lot/acreage fees under section 8.5.2.G.1 of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

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

Enactment No: 030641

13. Second Reading Ordinance - Accepting and appropriating a grant for air quality planning activities (1st Reading 9/29/15)

Ordinance appropriating \$405,243.32 in grant funds from the Texas Commission on Environmental Quality (TCEQ) in the Community Enrichment Fund No. 1071; increasing expenditures by \$405,243.32 in the Community Enrichment Fund No. 1071; and authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$405,243.32 from the TCEQ for air quality planning activities.

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

Enactment No: 030642

4. Amendment to Council policies regarding Ad Hoc Committees

Resolution amending Council Policy No. 14 of the Code of Ordinances regarding limitations on committee appointments.

Mayor Martinez referred to Item 4, amending Council Policy No. 14 regarding limitations on committee appointments . Council Member Magill expressed concern with the language proposed in the ordinance and proposed language that would prohibit appointment on more than one ad hoc committee. Council members spoke regarding the following topics: the rare circumstance that two ad hoc committees are operating at the same time; the original intent of the resolution to allow ad hoc committee members exempt entirely; ad hoc committees operating on a temporary basis; the number of current ad hoc committees; and consideration to amend 14.p.to allow individuals elected or appointed to a non-city public office to serve on board, commission or committee.

Council Member Magill made a motion to amend the resolution on the fifth whereas to read, " the Council desires to modify City Council Policy No. 14 so that service on one ad hoc committee does not prohibit appointment to another City board, commission or committee; and in Section 1., 14. Boards, commissions and committee procedures. to read "said committee is one ad hoc committee", seconded by Council Member Rubio.

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

Council Member Garza made a motion to amend Council Policy No. 14, p., to eliminate the language "Upon the election or appointment to a non-city public office or", seconded by Council Member McIntyre.

The motion passed with the following vote: Martinez, Rosas, Rubio, Vaughn, Garza, Magill, McIntyre, Riojas, voting "Aye"; Scott absent.

Council Member Magill made a motion to approve the resolution as amended, seconded by Council Member Garza. This Resolution was approved as amended 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 Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 030633

5. **Second Reading Ordinance - Amendment to City Code regarding Ad Hoc Committees (1st Reading 9/29/15)**

Ordinance amending Section 2-67 of the Code of Ordinances regarding limitations on committee appointments.

Mayor Martinez referred to Item 5. Council Member Magill stated that to be consistent with the amendment made to Council Policy No. 14, he made a motion to amend Section 2-67(a), of the City Code of Ordinances, to read "said committee is one ad hoc committee". Discussion ensued regarding limiting appointments to no more than two committees. The motion was seconded by Council Member Rubio. City Attorney Risley recommended that the ordinance include a sentence clarifying that no person may serve on more than one ad hoc committee. Council Member Magill rescinded the motion and Council Member Rubio rescinded her second.

Council Member Magill made a motion to amend Section 2-67(a) to include the following sentence, "No person may serve on more than one (1) ad hoc committee", seconded by Council Member Rubio.

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

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

Aye: 5 - Council Member Garza, Council Member Magill, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Nay: 3 - Mayor Martinez, Council Member McIntyre and Council Member Riojas

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 030634

L. EXECUTIVE SESSION: (ITEMS 14 - 15)

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

- 14. 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.
This E-Session Item was discussed in executive session.

- 15. Executive session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to Interstate 37, State Highway 286, U.S. Highway 181, and existing and proposed sewer, water, street, bridge, park, and other public infrastructure in or near said highways.
This E-Session Item was discussed in executive session.

M. PUBLIC HEARINGS: (ITEMS 16 - 21)

16. Public Hearing for the Plan CC Comprehensive Plan 2035

Public hearing for the adoption of a new comprehensive plan for the City of Corpus Christi titled "Plan CC Comprehensive Plan 2035".

Mayor Martinez referred to Item 16. Executive Director of Utilities Mark Van Vleck stated that the purpose of this item is to hold the public hearing for the adoption of Plan CC Comprehensive Plan 2035. Mr. Van Vleck presented the revised schedule for final approval. Annika Yankee, Development Services, explained that Plan CC is the City of Corpus Christi's 20-year comprehensive City-wide plan that will replace the current comprehensive plan that was adopted in 1987. Ms. Yankee presented information on the following: the highlights of the plan; the framework for the future; citizens' comments; the vision statements developed from citizen discussions; the goals and policies for economy and workforce, housing and neighborhoods, transportation and mobility, infrastructure and facilities, and land use, zoning and urban development; the difference between the current and future land use map; the annexation map; and the implementation plan.

Mayor Martinez opened the public hearing. John Kelley, 3624 Austin, spoke on behalf of the Santa Cruz Partnership of the Chapman Ranch, stating that the draft plan fails to identify any City plans for the Chapman Ranch Annexation,

leaving it as a rural enterprise/agricultural. Mr. Kelley recommended that the plan be altered to either disannex Chapman Ranch or promote development of Chapman Ranch. Gretchen Arnold, 121 Atlantic, spoke in support of the following: mixed use and urban neighborhoods; supporting areas that are not being serviced, and encouraging ways to reduce the source of pollutants. Judy Telge, 3554 Santa Fe, spoke on behalf of Bay Area Smart Growth, provided recommendations for elements in the plan that addressed the following: accessibility; affordable housing and rental housing; multiple housing options; accessible paths of travel, including water; and annexation. Ms. Telge said the group was concerned about the removal of the strategies and policies presented in the first draft. Gloria Randall Scott, 4422 S. Alameda, spoke regarding the plan addressing the Coles, Washington, and Hillcrest Neighborhoods together and being listed as transition areas. Warren Andrich thanked the City Council for slowing down the process to allow citizens an opportunity to respond to the plan. Mr. Andrich also encouraged the City Council to stop spending money on consultants. Shirley Thornton, 1917 Woodcrest, said she was glad that there is a plan that was developed with public input and would like to see the following: more sidewalks, affordable housing, a pay-as-you-go process, a health general fund, a way to address existing debt; and focusing tax dollars on the needs of the City. Abel Alonzo, 1701 Thames, thanked the staff and consultants for listening to citizen input and for being inclusive. Mr. Alonzo spoke in support of accessible streets, improving economics, focusing on affordable housing, and public transportation. James Skrobarczyk, 714 Oriole, spoke regarding the following topics: the need for additional housing, having a mechanism in place to amend the plan; identifying outside funding sources; the transition areas; and proper identification of land. Mayor Martinez closed the public hearing.

17. **Public Hearing and First Reading Ordinance - Rezoning property located at 3802 Cimarron Boulevard**

Case No. 0815-03 The Clower Company: From the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District. The property to be rezoned is described as being an 8.922-acre tract of land out of Lots 1 and 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Lipes Boulevard and Cimarron Boulevard.

Staff Recommendation:

Tract 1 - Approval of the "CN-1" Neighborhood Commercial District on 4.08 acres.

Tract 2 - Denial of the "CN-1" Neighborhood Commercial District on the remaining 4.842 acres and, in lieu thereof, approval of the "RM-1" Multifamily 1 District.

Planning Commission Recommendation:

Tract 1 - Approval of the "CN-1" Neighborhood Commercial District on 4.08 acres.

Tract 2 - Denial of the "CN-1" Neighborhood Commercial District on the remaining 4.842 acres and, in lieu thereof, approval of the "RM-2" Multifamily 2 District.

Ordinance:

Ordinance amending the Unified Development Code, upon application by The Clower Company on behalf of Cimarron Company, by changing the UDC Zoning Map in reference to an 8.922-acre tract of land out of Lots 1 and 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 17. Director of Development Services stated that the agenda caption reflected the applicant's request instead of the Planning Commission's recommendation and provided a hard copy of the ordinance for consideration. Mr. Grimsbo explained that the purpose of this item is to rezone the subject property to allow for development of retail, office and multifamily uses. Mr. Grimsbo said staff recommended approval of the "CN-1" Neighborhood Commercial District on Tract 1 and denial of the "CN-1" Neighborhood Commercial District and, in lieu thereof, approval of the "RM-1" Multifamily 1 District on Tract 2. Mr. Grimsbo stated that Planning Commission recommended approval of the "CN-1" Neighborhood Commercial District on Tract 1 and denial of the "CN-1" and, in lieu thereof, approval of the "RM-2" Multifamily 2 District on Tract 2. In response to Mayor Martinez, Mr. Grimsbo provided the distinction between the multifamily units allowable in the "RM-1" and "RM-2" districts.

Mayor Martinez opened the public hearing. There were no comments from Council or the public. Mayor Martinez closed the public hearing.

Council Member Garza made a motion to accept the Planning Commission's recommendation for approval of the "CN-1" Neighborhood Commercial District on Tract 1 and denial of the "CN-1" and, in lieu thereof, approval of the "RM-2" Multifamily 2 District on Tract 2, seconded by Council Member McIntyre. 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 Rubio, Council Member Rosas and Council Member Vaughn

Absent: 2 - Council Member Riojas and Council Member Scott

Abstained: 0

18. Public Hearing and First Reading Ordinance - Rezoning property located at 3202 Interstate Highway 69 Access Road

Case No. 0815-02 CAH-DHL Properties, LLC: A change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District. The property to be rezoned is described as being a 15.23 acre tract of land, situated in the Gregorio Farias Grant, Abstract 592, out of the remainder of a 160.62 acre tract as described in a Deed and recorded in Document Number 2002040593, of the Official Public Records of Nueces County, Texas, located along the east side of Interstate Highway 69 about 2,000 feet north of County Road 48.

Planning Commission and Staff Recommendation (August 26, 2015):
Approval of the change of zoning from the "FR" Farm Rural District to "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code, upon application by CAH-DHL Properties, LLC, by changing the UDC Zoning Map in reference to a 15.23 acre tract of land, situated in the Gregorio Farias Grant, Abstract 592, out of the remainder of a 160.62 acre tract as described in a Deed and recorded in Document Number 2002040593, of the Official Public Records of Nueces County, Texas, from the "FR" Farm Rural District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 18. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow development of a vehicle sales and service area. Mr. Grimsbo stated that the Planning Commission and staff were 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 Rosas. 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 Rubio, Council Member Rosas and Council Member Vaughn

Absent: 2 - Council Member Riojas and Council Member Scott

Abstained: 0

19. Public Hearing and First Reading Ordinance - Rezoning property located at 5105 Up River Road

Case No. 0815-05 Vincent Gerard and Associates: A change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for a cell tower of 125 feet in height. The property to be rezoned is described as being Lot 1, Block 3B, Kaler Addition, located along the south side of Up River Road between Savage Lane and North Navigation Boulevard.

Planning Commission and Staff Recommendation (August 26, 2015):
Approval of the change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for a cell tower of 125 feet in height

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Vincent Gerard and Associates on behalf of Darlene Lee ("Owner") by changing the UDC Zoning Map in reference Lot 1, Block 3B, Kaler Addition from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 19. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for the installation of a 125-foot cell tower. Mr. Grimsbo stated that the Planning Commission and staff were in favor of 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 Garza made a motion to approve the ordinance, seconded by Council Member Rubio. 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 Rubio, Council Member Rosas and Council Member Vaughn

Absent: 2 - Council Member Riojas and Council Member Scott

Abstained: 0

20.

Public Hearing and First Reading Ordinance - Rezoning property located at 14721 Running Light Drive

Case No. 0915-04 Padre Coastal Homes, LLC: A change of zoning from the "RS-6/IO" Single-Family 6 District with an Island Overlay to the "RS-TH/PUD/IO" Townhouse District with a Planned Unit Development Overlay and Island Overlay, not resulting in a change to the Future Land Use Map. The property is described as Lots 6 and 7, Block 3, Padre Island-Corpus Christi Section E, located on the south side of Running Light Drive.

Planning Commission and Staff Recommendation (September 9, 2015):

Approval of the change of zoning from the "RS-6/IO" Single-Family 6 District with an Island Overlay to the "RS-TH/PUD/IO" Townhouse District with a Planned Unit Development Overlay and Island Overlay.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Padre Coastal Homes, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lots 6 and 7, Block 3, Padre Island-Corpus Christi Section E, from the "RS-6/IO" Single-Family 6 District with an Island Overlay to the "RS-TH/PUD/IO" Townhouse District with a Planned Unit Development Overlay and Island Overlay;

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 to allow the construction of a 6-unit townhouse development that deviates from the typical townhouse development standards. Mr. Grimsbo stated that the Planning Commission and staff were 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 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 McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 2 - Council Member Magill and Council Member Scott

Abstained: 0

21. Public Hearing and First Reading Ordinance - Realign County Road 50 east of IH 69, 450 feet north of the current alignment designated in the Urban Transportation Plan

Ordinance amending the Corpus Christi Urban Transportation Plan, a part of Mobility CC, an element of the Comprehensive Plan of the City of Corpus Christi, Texas, by realigning County Road 50; amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

Mayor Martinez referred to Item 21. Director of Development Services Dan Grimsbo stated that the purpose of this item is to amend the the Urban Transportation Plan to realign County Road 50 east of IH 69 to provide relief to future development and permit access to IH 69. Mr. Grimsbo provided information on the three options that were considered and stated that the Transportation Advisory Committee and Planning Commission recommend Option B - to realign County Road 50, 450 feet north of the current alignment designated in the plan. Mayor Martinez opened the public hearing. There were no comments from the Council or the public. 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 Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

N. REGULAR AGENDA: (NONE)**O. FIRST READING ORDINANCES: (ITEMS 22 - 27)****22. First Reading Ordinance - Amending the FY2015-2016 Crime Control and Prevention District Budget**

Ordinance approving the FY 2015-2016 amended budget for the Corpus Christi Crime Control and Prevention District (CCCCPD) to include expenditures of \$514,001 for the Police building security project; appropriating \$514,001 from unrestricted fund balance in the No 9010 CCCCCPD Fund for Police building security project; and amending the FY2015-2016 operating budget adopted by Ordinance 030620 to increase expenditures by \$514,001.

Mayor Martinez referred to Item 22. Interim Police Chief Mike Markle stated that the purpose of this item is to amend the FY2015-2016 Crime Control and Prevention District Budget in the amount of \$514,001 to include expenditures for the Police Building Security Project. There were no comments from the public. In response to a council member, Chief Markle said the cost is for the total project and project work is currently underway.

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: 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

Absent: 1 - Council Member Scott

Abstained: 0

23. First Reading Ordinance - Accepting and appropriating Federal grant funds for FY2015 Body-Worn Camera Project within the Police Department

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Department of Justice, Bureau of Justice Assistance in the amount of \$125,000 for the FY2015 Body-Worn Camera Project grant within the Police Department, for purchase of body cameras, with a City in-kind match of \$50,000 and cash match of \$75,000 from the Law Enforcement Trust Fund for a total project cost of \$250,000, and appropriating \$125,000 in the No. 1061 Police Grants Fund.

Mayor Martinez referred to Item 23. Interim Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant from the Department of Justice in the amount of \$125,000 for the purchase of body cameras, with a City in-kind match of \$50,000 and cash match of \$75,000 from

the Law Enforcement Trust Fund. There were no comments from the Council or the public.

Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Riojas. 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 Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

24. First Reading Ordinance - Accepting and appropriating State funds for the Tuberculosis Prevention and Control-State grant

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and amend a grant contract for the Tuberculosis Prevention and Control-State (TB/PC-STATE) grant in the amount of \$61,645, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund with a City match of \$12,329, to provide tuberculosis prevention and control services for the contract period September 1, 2015, through August 31, 2016; authorizing the transfer of \$12,329, from the No. 1020 General Fund to the No. 1066 Health Grants Fund, appropriating the same for a total project cost of \$73,974; and ratifying acceptance of the grant agreement to begin September 1, 2015.

Mayor Martinez referred to Item 24. Assistant Director of Public Health Bill Uhlarik stated that the purpose of this item is to accept and amend a grant contract from the Texas Department of State Health Services in the amount of \$61,645 to provide tuberculosis prevention and control services for the contract period September 1, 2015 through August 31, 2016; and ratifying acceptance of the grant agreement to begin September 1, 2015. There were no comments from the Council or the public.

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: 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

Absent: 1 - Council Member Scott

Abstained: 0

25. First Reading Ordinance - Accepting and appropriating State funds for the Infectious Disease Control Unit/Surveillance and Epidemiology Ebola (IDCU/SUREB) grant

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Infectious Disease Control Unit/Surveillance and Epidemiology Ebola (IDCU/SUREB) grant in the amount of \$165,000, from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to perform surveillance and epidemiology activities for infectious diseases for the contract period September 1, 2015, through August 31, 2017; and ratifying acceptance of the grant agreement to begin September 1, 2015.

Mayor Martinez referred to Item 25. Assistant Director of Public Health Bill Uhlarik stated that the purpose of the item is to accept, amend, and appropriate a grant in the amount of \$165,000 from the Texas Department of State Health Services to perform surveillance and epidemiology activities for infectious diseases for the contract period September 1, 2015 through August 31, 2017; and ratifying acceptance of the grant agreement to begin September 1, 2015. There were no comments from the Council or the public.

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: 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

Absent: 1 - Council Member Scott

Abstained: 0

26. First Reading Ordinance - Authorization for the City Manager to approve and execute Partial Assignment of Water Pipeline Easement agreements with AEP Texas Central Company for Mary Rhodes Pipeline Phase 2

Ordinance authorizing the City Manager or designee to approve and sign multiple Partial Assignment of Water Pipeline Easement agreements with AEP Texas Central Company (AEP) to install buried utility lines used in connection with City's construction, operation and maintenance of the Mary Rhodes Pipeline Phase 2 water pipeline and associated appurtenances.

Mayor Martinez referred to Item 26. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to approve and sign multiple Partial Assignment of Water Pipeline Easement agreements with AEP Texas Central Company as required to complete the Mary Rhodes Pipeline Phase 2 Project. 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 Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

27. First Reading Ordinance - Lease Agreement for portion of City parking lot located at Mann Street and Mesquite Street

Ordinance authorizing the City Manager or designee to execute a lease with the Results Companies for portion of City parking lot located at Mann Street and Mesquite Street for a term of three years, with a two year renewal option.

Mayor Martinez referred to Item 27. Business Liaison Alyssa Barrera stated that the purpose of this item is to execute a lease agreement with Results Company for 85 parking spaces in the City-owned parking lot at Mann and Mesquite Streets. This item was approved by the Parking Advisory Committee on October 5, 2015. 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 Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 30 - 36)

Mayor Martinez referred to Future Agenda Items. Deputy City Manager Rose stated that staff did not have any planned presentations. A council member requested information on Item 30.

29. Approval to submit a grant application to the State of Texas for funding available under the Local Border Security Program Grant

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$270,220 to the Office of the Governor Homeland Security Grants Division for funding eligible under the FY 2016 Local Border Security Program Grant.

This Resolution was recommended to the consent agenda.

30. Legal Services Contract with Tim Brown for general water issues

Motion to authorize the City Manager or designee to execute a legal

services agreement with Timothy L. Brown to advise the City on water rights and general water law issues, at monthly rate of \$7,000 plus expenses.

This Motion was recommended to the regular agenda.

31. Engineering Design for the Ennis Joslin Road Extension (BOND 2014, Proposition 2)

Motion authorizing the City Manager, or designee, to move the Ennis Joslin Road to Holly Road Extension project from preliminary engineering to final design by executing Amendment No. 1 to the contract for professional services with Urban Engineering of Corpus Christi, Texas in the amount of \$360,980.00 for a restated fee of \$408,980.00. (Bond 2014, Proposition 2)

This Motion was recommended to the consent agenda.

32. Type A Grant for Texas A&M University-Corpus Christi (TAMU-CC) Internship Program

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Texas A&M University - Corpus Christi (TAMU-CC) to provide grant up to \$238,635 for their internship program to assist small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Small Business Incentives Agreement.

This Resolution was recommended to the consent agenda.

33. Type A Grant for Del Mar College Internship Program

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide grant up to \$217,223 for their internship program to assist small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Small Business Incentives Agreement.

This Resolution was recommended to the consent agenda.

34. Type A Grant for Del Mar Procurement Technical Assistance Center (PTAC) Program

Resolution to approve the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College (Del Mar) to provide a grant up to

\$37,500 for their Procurement Technical Assistance Center (PTAC) to assist small business and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Small Business Incentives Agreement.

This Resolution was recommended to the consent agenda.

35. Type A Grant for Service Corps of Retired Executives (SCORE) Small Business Assistance Program

Resolution approving the Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Service Corps of Retired Executives (SCORE) Chapter 221 to provide a grant up to \$50,000 for their small business assistance program and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Small Business Incentives Agreement.

This Resolution was recommended to the consent agenda.

36. Type A Grant for LiftFund Loan Buy-Down Program formerly known as Accion

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and LiftFund, Inc. (LiftFund) to provide a grant up to \$250,000 for their loan buy-down program to assist small business and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Small Business Incentives Agreement.

This Resolution was recommended to the consent agenda.

Q. DISCUSSION ITEM FOR AD HOC RESIDENTIAL STREET INFRASTRUCTURE COMMITTEE: (ITEM 37)

37. Discussion and possible action regarding the resolution approving the formation of an Ad Hoc Residential Street Infrastructure Advisory Committee

Mayor Martinez referred to Item 37, discussion and possible action on the formation of an Ad Hoc Residential Street Infrastructure Advisory Committee. Deputy City Manager Rose explained that on September 8th, the City Council directed the City Manager to prepare an agenda item to establish an Ad Hoc Residential Street Infrastructure Advisory Committee and staff is prepared to walk through the resolution.

Mayor Martinez called for a brief recess at 5:18 p.m.

Mayor Martinez reconvened the Council meeting and returned to discussion on Item 37. Deputy City Manager Rose proceeded to go through each of the decision points in the draft and after City Council discussion, the following motions were made:

Council Member McIntyre made a motion directing the City Manager to include in Section 2.B.(1) that the committee shall be composed of 9 members, seconded by Council Member Rubio and passed unanimously.

Council Member Rubio made a motion directing the City Manager to include in Section 2.B.(2) that members will be appointed by individual council members with ratification by the Mayor, seconded by Council Member Riojas and passed unanimously.

Council Member McIntyre made a motion directing the City Manager to include in Section D.(3) that the committee shall be subject to the Texas Open Meetings Act, seconded by Council Member Riojas and passed unanimously.

Council Member Magill made a motion directing the City Manager to include in Section E.(4) that the committee members shall not have a conflict of interest and complete the conflict of interest form prior to appointment, seconded by Council Member Rubio and passed unanimously.

Council Member Riojas made a motion directing the City Manager to include in Section F.(5) that the chairperson of the committee will be appointed by the majority of the committee, seconded by Council Member Rosas and passed unanimously.

Council Member Riojas made a motion directing the City Manager to remove the language in Section 3 to evaluate the "Do Nothing" option, seconded by Council Member Rosas and passed unanimously.

Regarding the committee responsibilities in Section 3, the following motion was made:

Council Member Magill made a motion directing the City Manager to include in next week's packet, the report from Andy Taubman Draft Version 2.2., dated October 12, 2015, seconded by Council Member Garza and passed unanimously. Mayor Martinez asked staff's perspective be incorporated into Taubman's plan.

R. **BRIEFINGS: (NONE)**

S. **LEGISLATIVE UPDATE:**

None.

T. **ADJOURNMENT**

The meeting was adjourned at 6:17 p.m.