



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes City Council

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Tuesday, July 22, 2014

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 Priest Lakshmi Srinivasacharyulu Anikepalle, Sri Venkateswara Temple.**

Priest Lakshmi Srinivasacharyulu Anikepalle gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Esther Velazquez, Assistant to the City Manager .**

Assistant to the City Manager Esther Velazquez 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 stated that a quorum of the Council and the required Charter Officers were present to conduct the meeting. City Secretary Huerta announced that Council Member Leal has been granted a leave of absence.

Charter Officers:

City Manager Ron Olson, Interim City Attorney Barney L. Knight, and City Secretary Rebecca Huerta

**Present:** 8 - Mayor Nelda Martinez, Council Member Kelley Allen, Council Member Rudy Garza, Council Member David Loeb, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Mark Scott

**Absent:** 1 - Council Member Priscilla Leal

**E. Proclamations / Commendations**

1. Proclamation declaring July 26, 2014 as, "Feria De Las Flores Day" Certificate of Commendation Presentation to Judge Rodolfo Tamez Swearing-in Ceremony for Newly Appointed Board, Commission and Committee Members

Mayor Martinez presented the proclamation and the certificate of commendation to Judge Rodolfo Tamez. Mayor Martinez conducted the swearing-in ceremony for newly appointed board and committee members. Council Members, staff and the public sang "Happy Birthday" to Mayor Martinez.

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

Mayor Martinez referred to City Manager's Comments.

**a. City Performance Report - Utilities - Maintenance of Lines**

Assistant Director of Maintenance of Lines Bill Mahaffey provided a briefing on the operations, mission and goals of the Utilities Department, Maintenance of Lines Division.

**b. CIP - Encantada**

City Manager Olson stated that based on the City Council discussion on the Capital Improvement Program, he is recommending for consideration the following alternatives to the Encantada Canal Project: 1) two beach access roads on the CIP for improvement where the pavement index is very low and 2) increase the appropriation for the project located in the area of Park Road 22 and Commodores, which is already included in the CIP, an additional \$1 million to consider other traffic improvements.

**c. Other**

1) An open house and presentation will be held on July 23, 2014 beginning at 5:30 to present information on the improvements to Corona Drive at the YMCA located at 4601 Corona Drive. 2) Mr. Olson reminded the Council and the public that the City is in the moderate drought Stage 2 and enforcement of those provisions will begin on July 28, 2014. 3) The city is providing free water saving supplies to residents including shower heads, shower timers, and conservation kits at the Water Utilities Building located at 2726 Holly Road. The City will have a booth at the Hooks game on Friday, July 25th for as long as supplies last. For more information, citizens can contact the City's Water hot line at the number listed on the City's web page.

**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 called for comments from the public. Carolyn Moon spoke regarding the bollard compromise for the Padre Island seawall and concerns with closing the beach in front of the seawall. Flo East spoke in support of the Parker Pool project. Dorothy Spann spoke regarding the survey to change Third Street from one-way to two-way traffic and asked the Council to consider analyzing the notice requirements in the ordinance and hold a public meeting to receive more participation on this issue. Jerry Hartung spoke to provide

awareness of the problems involving commercial trotlines in the Laguna area and the effect on local citizens and tourist. Dr. Michael McCutchon spoke regarding the seawall beach bollards and compromise for pedestrian safety on the seawall. Dr. McCutchon spoke in support of having areas with full vehicular access to the beach and also letting kids safely play. Cliff Schlabach spoke regarding the following topics: the Padre Island Seawall vehicle restrictions; the problems with commercial fishermen; and praised the City Council for their resolution regarding opposing electric transmission lines in Laguna Madre. Johnny French provided history on the Packery Channel projects which include beach parks for child and pedestrian safety on the beach and recommended putting in bollards as close as possible to the proposed beach parks. Neil McQueen provided history on the Open Beaches Act and public beach access and asked for consideration to implement what the voters approved for the seawall in 2008. Keyanna Ortiz-Cedeno spoke and expressed concern regarding the homeless initiative and proposed ordinances.

**I. MINUTES:**

**5. Regular Meeting of July 15, 2014**

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

**J. BOARDS & COMMITTEE APPOINTMENTS:**

**6. Ethics Commission  
Leadership Committee for Senior Services  
Planning Commission**

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

**Ethics Commission**

Council Member Loeb nominated David Ghably. Mayor Martinez nominated Craig A. Rogers. David Ghably was appointed with the support of the following members: Allen, Garza, Loeb, Magill, McIntyre, Riojas, and Scott.

**Leadership Committee for Senior Services**

City Secretary Huerta requested to postpone the appointments to the Leadership Committee for Senior Services.

**Planning Commission**

Council Member Loeb made a motion to appoint Jonas Chupe, seconded by Council Member McIntyre and passed unanimously.

**K. EXPLANATION OF COUNCIL ACTION:**

**L. CONSENT AGENDA: (NONE)**

**M. PUBLIC HEARINGS: (ITEM 7)****7. Public Hearing and First Reading Ordinance - Rezoning from the "RE" Residential Estate District to the "CG-2" General Commercial District, on property located at 822 Graham Road**

Case No. 0614-03 CCSemloh Partnership, Ltd.: A change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District. The property to be rezoned is described as a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Compton Road between the intersections with First National Boulevard and Waldron Road.

Planning Commission (June 18, 2014):

Approval of the change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by CCSemloh Partnership, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, from the "RE" Residential Estate 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 7. Miguel Saldana with Development Services stated that the purpose of this item is to rezone the subject property to allow development of a boat storage facility. Mr. Saldana presented a location map and proposed site plan. Mr. Saldana stated that the Planning Commission was in favor of the zoning change. Mr. Saldana added that the staff recommend denial of the zoning change and in lieu thereof, approval of a Special Permit for a boat facility that would allow the maximum area for a boat storage unit not to exceed 500 square feet; the "CG-2" would limit the applicant to 400 square feet. Mr. Saldana stated that the applicant is requesting the "CG-2" zoning. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Garza and passed. Mayor Martinez called for comments from the public. John Kendall, representative for the applicant, stated that the applicant would only like to have a couple of buildings at 500 square feet to accommodate larger boats. Mr. Kendall said the applicant understands that the "CG-2" sets out a maximum of 400 square feet, however the whole facility will not consist of 400 square foot units, just a few units will be at 500 square feet.

Council Members asked questions regarding the major differences between the "RE/SP" Residential Estate District with a Special Permit and the General Commercial District "CG-2"; whether the "CG-2" will still require the buffer yard; the reason the applicant does not want the Special Permit; whether there is a zoning designation that allows for large stalls; and allowing a special permit as long as the applicant does not exceed the square footage and correct

number of buildings. Council Member Loeb made a motion to close the public hearing, seconded by Council Member McIntyre and passed.

Council Member Loeb made a motion to approve the first reading of the staff's recommendation and direct staff to work on a Special Permit to allow the applicant flexibility on building location, seconded by Council Member McIntyre. This Ordinance was passed on first reading and approved with the following vote:

Ordinance amending the Unified Development Code ("UDC"), upon application by CCSemloh Partnership, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, from the "RE" Residential Estate District to the "RE/SP" Residential Estate District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

**Absent:** 1 - Council Member Leal

**Abstained:** 0

**N. REGULAR AGENDA: (ITEMS 8 - 9)**

**8. Second Reading Ordinance - Lease agreement with Coastal Bend Friends of Aquatics for Parker pool (1st Reading 6/24/14)**

Ordinance authorizing the City Manager or designee to execute a lease agreement for the Parker Pool with the Coastal Bend Friends of Aquatics for a term of five years.

Mayor Martinez referred to Item 8. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to approve a lease agreement with Coastal Bend Friends of Aquatics for Parker Pool. Mayor Martinez called for comments from the public. Dorrinda Garza thanked the Council and staff for supporting this project. Council members also spoke in support of the project. This Ordinance was passed on second reading and approved with the following vote:

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

**Absent:** 1 - Council Member Leal

**Abstained:** 0

Enactment No: 030231

**9. Second Reading Ordinance - Ratifying lease assignment and approving amendment of lease agreement for additional office space at the airport (1st Reading 6/24/14)**

Ordinance ratifying lease assignment to WDFG North America, LLC ("WDFG"), and authorizing the City Manager to execute a first amendment to the long-term lease agreement with WDFG to provide additional space for the operation of a news and gift concession at the Corpus Christi International Airport; providing for publication; providing for severance.

**Mayor Martinez referred to Item 9. Director of Aviation Fred Segundo stated that the purpose of this item is ratification of an amendment to the current lease agreement with Host International, Inc. by assignment to WDFG North America, LLC for operation of a news and gift shop and inclusion of additional office space at the Corpus Christi International Airport. This Ordinance was passed on second reading and approved with the following vote:**

**Aye:** 6 - Mayor Martinez, Council Member Allen, Council Member Loeb, Council Member Magill, Council Member McIntyre and Council Member Riojas

**Absent:** 3 - Council Member Garza, Council Member Leal and Council Member Scott

**Abstained:** 0

Enactment No: 030232

#### **H. EXECUTIVE SESSION: (ITEMS 2 - 4)**

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

- 2.** Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding fire collective bargaining negotiations with possible discussion and action in open session

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

- 3.** Executive session pursuant to Section 551.071 of the Texas Government Code to consult with attorneys regarding wastewater matters involving U.S. Environmental Protection Agency and Texas Commission on Environmental Quality with possible discussion and action in open session.

**Mayor Martinez referred to Item 3 and stated that the following motion was discussed in executive session for Council consideration:**

**Motion to amend Legal Services agreement with Lloyd Gosselink to authorize services of Barnes and Thornburg law firm and authorize funding of up to \$92,000 for additional technical evaluation of wastewater system, subject to certification of funds.**

**Council Member Loeb made a motion to approve the motion as presented, seconded by Council Member Garza. This Motion was passed and approved with the following vote:**

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

**Absent:** 3 - Council Member Leal, Council Member Riojas and Council Member Scott

**Abstained:** 0

Enactment No: M2014-094

4. Executive session pursuant to Sections 551.071 and 551.072, Texas Government Code, and Rule 1.05 Texas Disciplinary Rules of Professional Conduct, to consult with attorneys regarding possible litigation related to the Mary Rhodes Pipeline Phase II, with possible discussion and action in open session

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

**O. FIRST READING ORDINANCES: (ITEMS 10 - 19)**

**10. First Reading Ordinance - Accepting and appropriating State grant for the 2015 Selective Traffic Enforcement Program (STEP)**

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 \$98,082.00 for the 2015 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for Driving While Intoxicated (DWI) and Speed enforcement overtime, with a city match of \$40,266.75, for a total project cost of \$138,348.75 and appropriating \$98,082.00 in the No. 1061 Police Grants Fund.

**Mayor Martinez referred to Item 10. Police Chief Floyd Simpson stated that the purpose of this item is to accept and appropriate a grant from the Texas Department of Transportation in the amount of \$98,082.00 for the 2015 Comprehensive Selective Traffic Enforcement Project (STEP) for Driving While Intoxicated and speed enforcement overtime. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 3 - Council Member Leal, Council Member Riojas and Council Member Scott

**Abstained:** 0

**11. First Reading Ordinance - Amending City Code to modify the peddler permit and unlawful solicitation sections of the code**

Ordinance amending Chapter 38, Section 22 of the Corpus Christi Code to modify the hours soliciting is allowed and to prohibit soliciting at homes with no soliciting or trespass signs; amending Chapter 38,

Section 6 of the Corpus Christi Code to require proof of identification and background checks for peddler, commercial solicitor and itinerant merchant permittees and deny permits to applicants convicted of any felony or of any offense involving moral turpitude; amending Chapter 38, Section 4 of the Corpus Christi Code to require the displaying of permit; amending Chapter 38, Section 3 and Section 2 of the Corpus Christi Code to exempt local youth organizations from permitting process; amending Chapter 38, ARTICLE II. SOLICITATIONS FOR CHARITABLE PURPOSES of the Corpus Christi Code in its entirety; providing for severance; providing for publication; providing for penalty; and providing an effective date.

**Mayor Martinez referred to Item 11. Police Chief Floyd Simpson stated that the purpose of this item is to amend Chapter 38, Section 22 of the Code of Ordinances to modify the peddler permit and unlawful solicitation sections of the code. Chief Simpson highlighted the changes to the ordinance as follows: changing the hours for solicitation to 9:00 a.m. - 7:00 p.m. daylight saving time or 6:00 p.m. standard time; soliciting not allowed at premises with "No Soliciting" or "No Trespassing" signs; instituting a name search criminal background check; requiring applicants to submit a government ID with photo for a permit; requiring applicants to visibly display their permit; exempting local youth organizations with a physical address in the City from a peddler permit; making it unlawful for anyone under the age of 16 to stand in a roadway to solicit or accept funds; requiring the wearing of a safety vest; and eliminating the charitable solicitor permitting process. There were no comments from the public. In response to a council member, Chief Simpson stated that the background check will require the applicant to provide five-years of residency and no permit will be issued to a felon or someone of moral turpitude. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 0

12.

**First Reading Ordinance - Accepting and appropriating additional funding for the Women, Infants and Children (WIC) grant program**

Ordinance authorizing the City Manager, or his designee, to execute all documents necessary to accept and appropriate a grant amendment in the amount of \$141,003.00 from the Texas Department of State Health Services in the Health Grants Fund No. 1066, to provide funds for the Women, Infants, and Children (WIC) program; and to ratify acceptance of this grant amendment to begin as of June 6, 2014.

**Mayor Martinez referred to Item 12. Director of Public Health Annette Rodriguez stated that the purpose of this item is to accept and appropriate a grant amendment in the amount of \$141,003 from the Texas Department of State**

Health Services for a special supplemental nutrition program for the Women, Infants, and Children (WIC) program. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 0

**13. First Reading Ordinance - Accepting and appropriating funds for park improvements**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate \$658,416.54 in developer contributions and \$220.93 in interest earnings for a sum of \$658,637.47 in the No. 4720 Community Enrichment Fund for park improvements, and other related projects.

**Mayor Martinez referred to Item 13. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to appropriate funds received in the Community Enrichment Funds and allocate the funds for park improvements. There were no comments from the public. A council member asked questions regarding the criteria and requested that staff verify that the funds from Manhattan Estates would be dedicated to Parker Park. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 0

**14. First Reading Ordinance - Closing a portion of a utility easement located west of the South Padre Island Drive (Park Road 22) state right-of-way, and north of the Encantada Avenue public right-of-way**

Ordinance abandoning and vacating a 1,361-square foot portion of an existing utility easement out of a part of Lot 10A and Lot 12, Blk. 16, Padre Island Number 1, located west of the South Padre Island Drive (Park Road 22) state right-of-way, and north of the Encantada Avenue public right-of-way; and requiring the owner, Island Foundation, Inc., to comply with the specified conditions.

**Mayor Martinez referred to Item 14. Interim Director of Development Services Barney Williams stated that the purpose of this item is to abandon and vacate an existing utility easement located west of Park Road 22 and north of the Encantada Avenue public right-of-way, and requiring the owner, Island Foundation, Inc. to comply with the specified conditions. There were no**

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comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 1 - Council Member McIntyre

Enactment No:

**15. First Reading Ordinance - Closing a portion of a utility easement located north of the Encantada Avenue public right-of-way, and east of the Palmira Avenue public right-of-way**

Ordinance abandoning and vacating a 2,130-square foot portion of a 10-foot wide utility easement out of a part of Lots 7B, 8B, 9B, 10A, 10B, and 12, Blk. 16, Padre Island Number 1, located north of the Encantada Avenue public right-of-way, and east of the Palmira Avenue public right-of-way; and requiring the owner, Island Foundation, Inc., to comply with the specified conditions.

**Mayor Martinez referred to Item 15. Interim Director of Development Services Barney Williams stated that the purpose of this item is to abandon and vacate a utility easement located north of the Encantada Avenue public right-of-way and east of the Palmira Avenue public right-of-way, and requiring the owner, Island Foundation, Inc., to comply with the specified conditions. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 1 - Council Member McIntyre

**16. First Reading Ordinance - Engineering construction contract for Navigation Boulevard from Up River Road to Leopard Street; amendment no. 1 to an agreement for construction observation services; construction materials testing contract (BOND 2012)**

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by adding capital reserves in the amounts of \$1,425,000 from Storm Water CIP Fund 3494, \$65,650 from Water CIP Fund 4088, \$60,847 from Gas CIP Fund 4551, \$1,661,514 from Wastewater CIP Fund 4249, transferring \$555,557.73 from Street Project 170371 Holly Road from Greenwood to State Highway 286, \$1,174,386.14 from Street Project E12102 Twigg from Shoreline to Broadway, \$1,575,148.09 from Street Project E12103 Leopard from Crosstown to Palm to the Bond 2012 Street Project Navigation Boulevard from Up River Road to Leopard Street;

increasing expenditures in the amount of \$3,213,011; authorizing the City Manager or designee to execute a construction contract with Reytec Construction Resources, Inc. from Houston, Texas in the amount of \$14,480,215 for Navigation Boulevard from Up River Road to Leopard Street for the Base Bid and Additive Alternate #3, to execute Amendment #1 to an Engineering Agreement with LNV, Inc. of Corpus Christi, Texas in the amount of \$269,818 for a restated fee of \$1,062,168, for Navigation Boulevard from Up River Road to Leopard Street for construction observation services, and to execute a Construction Materials Testing Contract with Rock Engineering of Corpus Christi, Texas in the amount of \$62,044 for Navigation Boulevard from Up River Road to Leopard Street. (Bond 2012)

**Mayor Martinez referred to Item 16. Interim Executive Director of Public Works Valerie Gray stated that the purpose of this item is to approve an engineering construction contract for Navigation Boulevard from Up River Road to Leopard Road with Reytec Construction Resources, Inc.; execute an amendment No. 1 to the agreement with LNV Inc. for construction observation services; and execute a construction materials testing contract with Rock Engineering. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 0

**17. First Reading Ordinance - Amending City Code for Utilities to extend utility rates to coordinate with extended fiscal year**

Ordinance amending the City Code of Ordinances, Chapter 55, Utilities, to continue the current water, gas, and wastewater utility rates adopted by Ordinance 029917 through September 30, 2014, to coordinate with the extended fiscal year for FY 2013-2014, and changing the annual wastewater winter averaging usage to apply to wastewater service after August 31.

**Mayor Martinez referred to Item 17. Executive Director of Utilities Mark Van Vleck stated that the purpose of this item is to amend the Code of Ordinances to extend the current utilities rate through September 30, 2014. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 0

**18. First Reading Ordinance - Amending the City code to convert portions of streets as one way during school hours as indicated by signs to relieve traffic congestion near Oak Park Elementary**

Ordinance amending Section 53-250(b) of the Code of Ordinances to designate all traffic shall move only in the direction indicated during the school hours, indicated by signs, on Elmore Drive and Macleod Drive.

**Mayor Martinez referred to Item 18. Interim Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the Code of Ordinances to convert portions of Elmore Drive and Macleod Drive to one-way during school hours to assist with the congestion at Oak Park Elementary School. Ms. Gray reported that the Transportation Advisory Committee approved this item on July 16, 2014. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 0

**19. First Reading Ordinance - Amending City Code for Self-Insurance; Claims Settlement to reflect current practices and modify authority to settle claims**

Ordinance amending Chapter 17, Section 17-18 Self-Insurance; claims settlement, of the Corpus Christi Code of Ordinances in its entirety; providing for severance; providing for publication; and providing an effective date

**Mayor Martinez referred to Item 19. Risk Manager Donna James-Spruce stated that the purpose of this item is to amend the Code of Ordinances, Chapter 17, Section 17-18 Self-Insurance; claims settlement, to reflect current practices and modify authority to settle claims. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 2 - Council Member Leal and Council Member Riojas

**Abstained:** 0

**P. FUTURE AGENDA ITEMS: (ITEMS 20 - 32)**

**Mayor Martinez referred to Future Agenda Items. Deputy City Manager Margie Rose stated that staff did not have any planned presentation.**

**20. Supply agreement for non-shear flexible couplings**

Motion approving a supply agreement with Ferguson Enterprises, Corpus Christi, Texas for non-shear flexible couplings in accordance with Bid Invitation No. BI-0147-14 based on lowest local bid for an estimated annual expenditure of \$80,291.09, of which \$13,381.85 is required for the remainder of FY 2013-2014. The term of the agreement shall be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City Manager or designee. These items are purchased into the Warehouse Inventory and charged out to the Utilities Department.

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

**21. Supply agreement for meter box lids**

Motion approving a supply agreement with Ferguson Enterprises, Corpus Christi, Texas for meter box lids in accordance with Bid Invitation No. BI-0154-14 based on lowest responsible bid for an estimated annual expenditure of \$52,397.50, of which \$17,465.83 is required for the remainder of FY 2013-2014. The term of the agreement shall be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Utilities Department in FY 2013-2014.

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

**22. Service agreement for custodial services for nine (9) outlying police buildings**

Motion approving a service agreement with Martin's Janitorial Service, Corpus Christi, Texas for Custodial Services for Outlying Police Buildings in accordance with Bid Invitation No. BI-0176-14, based on only bid for an estimated annual expenditure of \$100,644.00, of which \$25,161.00 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the Contractor and the City Manager or designee. Funds have been budgeted by the Police Department in FY 2013-2014.

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

**23. Purchase of spare Patterson pump rotating assembly for the Bloomington Pump Station**

Motion approving the purchase of one (1) spare Patterson pump rotating assembly from The Scruggs Co., Houston, Texas based on sole source for a total amount of \$65,290.00. Funds have been

budgeted by the Utilities Department in FY 2013-2014.

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

**24. Service agreement for preservation of historical documents**

Motion approving the purchase of historical document preservation services from Kofile Preservation, Inc., Dallas, Texas, in accordance with the State of Texas Cooperative Purchasing Program for a total expenditure of \$147,545.73, of which approximately \$41,724.64 is required for the remainder of FY 2013-2014. Funds have been budgeted by the Office of the City Secretary in FY 2014-2015 and will be requested in future fiscal years.

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

**25. Amending interlocal agreement to include Nueces County Emergency District #4 as a participant in the Radio Communications System**

Resolution authorizing the City Manager, or his designee, to execute an amendment to the Radio Communications System Interlocal Agreement between the City of Corpus Christi, the Regional Transportation Authority and Nueces County to include the Nueces County Emergency Services District #4 as a participant.

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

**26. Amending interlocal agreement to include the Nueces Jim Wells County Emergency Services District #5 as a participant in the Radio Communications System**

Resolution authorizing the City Manager, or his designee, to execute an amendment to the Radio Communications System Interlocal Agreement between the City of Corpus Christi, the Regional Transportation Authority and Nueces County to include the Nueces Jim Wells County Emergency Services District #5 as a participant.

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

**27. Change order no. 4 for head works (Phase 1) and grit system (Phase 2) for Allison Wastewater Treatment Plant**

Motion authorizing the City Manager or designee to execute Change Order No. 4 with R.M. Wright Construction Company of El Paso, Texas in the amount of \$348,897.89, for a total restated fee of \$3,281,860.89 for the Allison Wastewater Treatment Plant Head Works (Phase 1) and Grit System (Phase 2).

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

**28. Interlocal agreement for research services for the City's water distribution system**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with the University of Texas at Austin for research services for the City's water distribution system, with City's cost to be \$49,547.

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

**29. Amendment no. 1 to engineering monitoring contract for Periodic Corosion Monitoring Survey 2015 for Mary Rhodes Pipeline**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the engineering contract with Russell Corrosion Consultants, LLC of Simpsonville, Maryland in the amount of \$46,095 for a total restated fee not to exceed \$75,825 for Mary Rhodes Pipeline Periodic Corrosion Monitoring Survey 2015.

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

**30. Amendment no. 1 to engineering contract for the Nueces River Raw Water Pump Station**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the engineering contract with Urban Engineering of Corpus Christi, Texas in the amount of \$1,688,299 for a total restated fee not to exceed \$1,738,035 for Nueces River Raw Water Pump Station for preliminary, design, bid, and construction administration services.

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

**31. Purchase consulting hours from Infor (US), Inc. for duration of Infor Enterprise Resource Planning (ERP) project**

Motion approving the purchase of additional consulting hours from Infor (US), Inc., Alpharetta, GA, for a total expenditure of \$349,400. The acquisition of these consulting hours is available only from Infor (US), Inc. Contingency funds from the Infor ERP Project will be used for this purpose.

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

**32. Renewal of State and Federal external legislative consultant contracts**

Motion authorizing the City Manager to execute 26-month renewal agreements for governmental relation services with Focused Advocacy

for state governmental relations services for \$102,000 per year plus reasonable expenses and with Meyers & Associates for federal governmental relations services for \$78,000 per year plus reasonable expenses.

This Motion was recommended to consent agenda.

**Q. BRIEFINGS TO CITY COUNCIL: (ITEMS 33 - 34)**

**33. Padre Island Seawall Vehicle Restrictions**

Mayor Martinez referred to Item 32. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to provide an update on the Padre Island Seawall Vehicle Restrictions. Mr. Morris provided information including a history on the 2008 ballot language for Proposition #8 - Seawall Beach Access & Safety, and the 2010 ordinance language, bollard plan, and Texas General Land Office (GLO) approval; funding; other considerations; the shoreline position and associated beach widths from February 2014; beach width variability; a photo of the seawall from March 2014; and five options for consideration.

Council members spoke regarding the following topics: the reason that Option A is ADA compliant; Option A not being ADA compliant south of the Windward Parking Lot; the cost to build an ADA ramp down to the beach; accessibility guidelines for on-beach parking areas; a request to receive a ruling from the GLO as to whether the Windward parking lot is close enough or adjacent to that part of the beach with a ramp; a definition of what is considered directly adjacent; whether the City would have to receive GLO approval for phasing in the 2010 ordinance previously approved by the GLO; the major challenges with maintenance and budget costs; placing the bollards parallel to the seawall immediately in the vehicle- restricted area where the width is less than 150'; the next anticipated dredging cycle; placing the ramp further south of the 150' beach width point; a combination of Options A and D; communication to the public and providing a visual; providing a timeline; and safety concerns.

Council Member McIntyre made a motion to direct staff to come back with a complete plan to phase in and full designs for Phase 1 of implementing the 2008 ballot by restricting vehicular access to that part of the beach that is less than 150' feet, including the means to become ADA compliant and a GLO ruling on the adjacency of the parking lot with full diagrams as early as possible, seconded by Council Member Kelly. A brief discussion ensued regarding the the public's concern with restricting vehicle access on the beach and providing one-way traffic. Council Member McIntyre responded that the City tried to incorporate one-way traffic in the original plan, and it was rejected by the GLO.

Council Member McIntyre amended her motion to direct the City Manager, seconded by Council Member Allen and passed unanimously.

**34. Barisi Village Development project overview and timeline**

Mayor Martinez referred to Item 34. Annika Gunning with Development Services stated that the purpose of this item is to introduce the proposed Barisi Village Development project and timeline. Ms. Gunning stated that the

project will redevelop a portion of the Pharaoh Valley Country Club Golf Course, west of Ennis Joslin Road between Pharaoh Drive and Nile Drive. Ms. Gunning said that Blackard Global Inc. is interested in redeveloping 40 acres of the golf course, maintain the rest of the golf course and rebuilding the clubhouse in its former location. Ms. Gunning presented the site layout and explained that the developer's intent for the site is to develop a mixed use, pedestrian-oriented community based on developments researched in Europe. To accomplish this, the developer is in the process of rezoning the property to a Planned Unit Development Overlay (PUD) which will allow for a variety of residential, office, and commercial uses. Ms Gunning also reported that the developer is seeking a Public Improvement District (PID) and provided a timeline. Jeff Blackard and Mike Beaty with Blackard Global, Inc. provided an explanation of the PID and presented information on the design concepts.

Council members spoke regarding the following topics: the distinction between a PUD and a PID; the PID process and eligible costs; revenues and special assessments; the timing for resolving deed restriction issues; parking; and the traffic impact analysis.

## R. ADJOURNMENT

The meeting was adjourned at 4:48 p.m.