



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, September 10, 2013

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.

B. Invocation to be given by Pastor Ed Paul, Metropolitan Community Church of Corpus Christi

The invocation was given by Pastor Paul.

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

The Pledge of Allegiance was given by City Manager Ron Olson.

D. City Secretary Armando Chapa to call the roll of the required Charter Officers.

Assistant City Secretary Rebecca Huerta confirmed that a quorum of the Council and the required Charter Officers were present to conduct the meeting.

Charter Officers: City Manager Ron Olson, First Assistant City Attorney Alison Logan, Assistant City Secretary Rebecca Huerta.

Present: 9 - Council Member Kelley Allen, Council Member Priscilla Leal, Council Member David Loeb, Mayor Nelda Martinez, Council Member Mark Scott, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Rudy Garza

E. Proclamations / Commendations

1. Proclamation declaring September 11, 2013 as "9/11 Day of Service & Remembrance"

Proclamation declaring September 2013 as "National Senior Center Month"

Mayor Martinez presented the the Proclamations.

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

Mayor Martinez deviated from the agenda and called for City Manager comments. City Manager Ron Olson reported on the following issues: 1) Corpus Christi Police Department (CCPD) held the 2nd Annual Patriot Run last weekend, and the funds raised go to the Police Foundation; 2) CCPD also

participated in Operation KEYS; City hosted the 2013 TAAF games, with 8600 participants and 21,000 visitors, and 2-year economic impact is approximately \$16 million; 3) Continuous Improvement Team will be studying the Fire Department, and is interviewing consultants now for an efficiency study. 4) There are five finalists for the ACM for Public Works position. Background checks are being done and interviews will be scheduled in 2-3 weeks; 5) Laura Garcia has been appointed the Director of Libraries; 6) Staff is investigating the pros and cons of changing of the fiscal year to end in September. They will schedule a workshop to discuss. 7) Whataburger Field is ranked No. 6 in the nation among minor league baseball stadiums. 8) the Public Information Department received 2nd place for the City's newsletter in a national competition. 9) Staff is taking a comprehensive look at the City's litter program, including plastic bags. A legal review is taking place now. A team will evaluate enforcement practices and will bring to City Manager on October 1. Staff will vet with stakeholders and then present to Council. 10) Staff is compiling an RFP for privatizing the planning department and will report back to Council. 11) Director of Wastewater Foster Crowell has retired on short notice. Mr. Olson will take this opportunity to look at consolidating all water utilities. He asked Director of Water Gus Gonzalez to cover both water and wastewater for now. 12) City Attorney Carlos Valdez has announced his retirement. Mr. Olson will probably conduct an internal and external search for a replacement. 13) Mr. Olson attended an economic development corporation breakfast. He said great things are happening in City, with more investment and growth in the area.

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 public comment. Carolyn Moon spoke in support of the plastic bag ban and was glad staff was working on improvements to the litter ordinance. Susie Luna Saldana thanked the Council for bringing the Destination Bayfront issue to the voters; and said she was disappointed when elected officials don't respect each other's positions or other viewpoints. Johnny French read language from the municipal code about the Packery Channel project, and said the City was not honoring the commitment regarding parking and bathhouse. Therefore he distrusted staff's commitments regarding Destination Bayfront. Abel Alonzo spoke regarding the Texas Rehab Actio Center's Walk and Roll event on Saturday, September 28 at 8 a.m. Wilson Wakefield spoke regarding traffic concerns associated with Destination Bayfront project. Mary Ann Kelley with Taxpayers Association spoke in opposition to League of Women Voters; supports desalinization instead of water pipeline; and asked for full disclosure regarding Destination Bayfront. Juan Araiza was opposed to Councilmember Loeb's attacks of other councilmembers' positions; asked Mr. Magill for an appointment to discuss Ms. Saldana; and questioned whether Mr. Loeb had an financial interest in marina development.

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

- 1. MAKE A STATEMENT OF FACTUAL INFORMATION.**
- 2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.**
- 3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.**

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

H. EXECUTIVE SESSION: (ITEM 4)

Mayor Martinez deviated from the agenda and called for Item 4. The Council went into executive session.

4. Executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding confidential commercial or financial information received from a business prospect that the City Council seeks to have locate, stay, or expand within the City and with which the City is conducting economic development negotiations and to deliberate possible offers of financial or other incentives to said business prospect, with possible discussion and action in open session

This E-Session Item was discussed in executive session.

FIRST READING ORDINANCES: (ITEM 26)

26. **First Reading Ordinance - Reestablishing Industrial Districts and authorizing City Manager to execute Industrial District Agreements for a ten year period.**

Ordinance authorizing the reestablishment of land areas located within the extraterritorial jurisdiction of the City of Corpus Christi, Texas as Industrial Districts; reserving and preserving all rights, powers and duties of the City Council; authorizing the City Manager, or designee, to execute Industrial District Agreements by and between the City and various property owners located within the extraterritorial jurisdiction of the City.

The Council returned from executive session. Mayor Martinez deviated from the agenda and called for Item 26. Ms. Toby Futrell stated that the purpose of the item was to reestablish the industrial districts within the City's

extraterritorial jurisdiction and renewing agreement with new terms with industrial district partners for a ten year period, beginning January 2015 to December 2024. Ms. Futrell made a presentation in which she defined "industrial district"; discussed the city's history; negotiation goals and strategy; processes and outcomes. She introduced Ms. Deborah Gibson with CITGO, who spoke on behalf of the industrial district partners, supported the proposed industrial agreement presented by staff. Mayor Martinez asked for public comment. Abel Alonzo spoke in support of the item, and asked how the industrial district agreements enhanced economic development. Mayor Martinez called for Council comment. Councilmembers spoke regarding the following issues: in support of staff's recommendation to use a portion of new revenues for street maintenance program; and thanked the group for good teamwork. Assistant City Secretary Rebecca Huerta noted that Councilmember Riojas had submitted a conflict of interest affidavit and was abstaining from the vote. This Ordinance was passed on first reading and approved with the following vote:

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

Abstained: 1 - Council Member Riojas

Enactment No: 029958

EXECUTIVE SESSION: (ITEMS 2, 4 and 5)

Mayor Martinez deviated from the agenda and the Council went back into executive session on Items 2, 3, and 5.

2. Executive Session pursuant to Texas Government Code Section 551.074 Personnel Matters to deliberate the evaluation of the City Secretary with possible discussion and action in open session.
This E-Session Item was discussed in executive session
3. Executive session pursuant to Section 551.072 to deliberate the purchase, exchange, lease, or value of real property where deliberation in an open meeting would have a detrimental effect on the position of the City of Corpus Christi in negotiations with a third person.
This E-Session Item was discussed in executive session
5. Executive Session pursuant to Texas Government Code Section 551.074 Personnel Matters to deliberate the evaluation of the following Municipal Court Judges: Presiding Judge Flores, Judge Alaniz, Judge Baytek, Judge Henderson, Judge Gonzalez, Judge Matt, Judge O'Hare, Judge Rivera, Judge Rogoff-Klein, Judge Robinson, and Judge Tamez, and City Auditor Arlena Sones.
This E-Session Item was discussed in executive session

I. MINUTES:

6. Regular Council Meeting of August 27, 2013

Mayor Martinez called for approval of the minutes. Councilmember Magill made a motion to approve the minutes as presented, seconded by Ms. McIntyre, and passed.

J. **BOARDS & COMMITTEE APPOINTMENTS:**

7. Airport Board
City Council's Youth Advisory Committee
Commission on Children and Youth
Senior Companion Program

Mayor Martinez called for board and committee appointments. The following appointments were made:

Airport Board - Mary Helen Dunnam (Appointed)
City Council's Youth Advisory Committee - Justine Borchard, Kyle Hill, Leslie Rae Salomon, Ernest E. Buitron II, Andrea Hernandez, Benjamin Godinez, Caroline Ellis, Carl Jacob Hartwick, Mary Hubert, Nicholas E. Garza, Olivia Hinojosa, Olivia Rose Noble, Keith Ropers, Kaitilyn Hamling, Krishna Patel, Kyla Vina, Carlos Olvera, Joshua Ferrell, Alisha Beirne, Juan Gilberto Fuentes, Victoria Thomas, Eric Silguero, and Francisca Ricardo (Appointed)
Commission on Children and Youth - David Dow and Brent Norman (Appointed)
Senior Companion Program Advisory Committee - Shirley Seltz, Martha Wild (Reappointed); Tami Longino and Brian Rosas (Appointed).

K. **EXPLANATION OF COUNCIL ACTION:**

L. **CONSENT AGENDA: (ITEMS 8 - 12)**

Mayor Martinez called for the consent agenda. There were no comments from the public. Councilmember(s) requested that Item 8 be pulled for discussion.

Approval of the Consent Agenda

A motion was made to approve the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

9. **Annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Society (USGS)**

Motion authorizing the City Manager or his designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Society (USGS), U.S. Department of

the Interior, for automated river gauging stations to gather and maintain accurate records of all inflows and releases in the City's water reservoir, with the City's cost to be \$158,462.

This Motion was passed on the Consent Agenda.

Enactment No: M2013-137

10. Recommendation of "Red Route" as preferred alternative route for the replacement of the Harbor Bridge

Resolution to recommend a preferred alternative route for the replacement of the Harbor Bridge.

This Resolution was passed on the Consent Agenda.

Enactment No: 029943

11. Amending the FY2013-14 Consolidated Annual Action Plan (CAAP) due to the final allocation of funds being received from the United States Department of Housing and Urban Development

Motion to amend the 2013 Consolidated Annual Action Plan (CAAP) approved by the U.S. Department of Housing and Urban Development (HUD) to increase the Community Development Block Grant Program by \$265,242, increase the HOME Investment Partnerships Program by \$6,880, and reduce the Emergency Solutions Grant Program by \$62,189; and to authorize the City Manager or designee, following the conclusion of the comment period required by HUD, to amend the FY2013 CAAP by accepting the allocation changes and recommendations by staff; and to execute all necessary documents with HUD and the CAAP grantees.

This Motion was passed on the Consent Agenda.

Enactment No: M2013-138

12. Second Reading Ordinance - Rezoning from the "IL" Light Industrial District to the "CG-2" General Commercial District, on property located at 2317 Rodd Field Road (1st Reading 8/27/13)

Case No. 0713-06 Bay Area Self Storage of Corpus Christi Manager, LLC: A rezoning from the "IL" Light Industrial District to the "CG-2" General Commercial District, not resulting in a change to the Future Land Use Plan, on property described as being a 4.29-acre tract of land out of Lot 21A, Block 2, Windbrook Unit 2, located along the west side of Rodd Field Road, approximately 135 feet north of Cano Lane.

Planning Commission and Staff Recommendation (July 31, 2013)

Approval of the change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Ordinance

Ordinance amending the Unified Development Code upon application by Bay Area Self Storage of Corpus Christi Manager, LLC, acting as agent on behalf of Bay Area Self Storage of Corpus Christi, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 4.29-acre tract of land out of Lot 21A, Block 2, Windbrook Unit 2 from the "IL" Light Industrial District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 029944

8. Approval of Nueces River Authority's FY 13-14 work plan

Motion to authorize the City Manager or designee to execute work plan and budget agreement with the Nueces River Authority to provide water planning, protection, development, and data management services to the City for FY 2013-2014.

Mayor Martinez called for Item 8. A councilmember requested a flyover of the water areas in the Nueces River Authority. There were no comments from the public. This Motion was passed and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-136

M. PUBLIC HEARINGS: (ITEMS 13 - 14)**13. Public Hearing and First Reading Ordinance - Rezoning from the "RS-6" Single-Family 6 District to the "IH" Heavy Industrial District, on property located south of La Quinta Road and bayward of the City limit line.**

Case No. 0713-05 Port of Corpus Christi Authority of Nueces County, Texas: A rezoning from the "RS-6" Single-Family 6 District to the "IH" Heavy Industrial District on property described as being a 268.68-acre tract of land out of the Geronimo Valdez Survey, Abstract 269, the John Garreghty Survey, Abstract 139, the T.T. Williamson Surveys, Abstracts Nos. 284, 285, 286, 287, 288, and 289, and the State Mineral Tract Nos. 1, 11, and 12, located south of La Quinta Road and bayward of the City of Corpus Christi city limit line.

Planning Commission and Staff Recommendation (July 31, 2013)

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "IH" Heavy Industrial District

Ordinance

Ordinance amending the Unified Development Code upon application by the Port of Corpus Christi Authority of Nueces County, Texas ("Owner"), by changing the UDC Zoning Map in reference to a 268.68-acre tract of land out of the Geronimo Valdez Survey, Abstract 269, the John Garreghty Survey, Abstract 139, the T.T. Williamson Surveys, Abstracts Nos. 284, 285, 286, 287, 288, and 289, and the State Mineral Tract Nos. 1, 11, and 12, from the "RS-6" Single-Family 6 District to the "IH" Heavy Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez called for Item 13. Annika Gunning with Development Services stated that the purpose of the item was to rezone the property to allow for heavy industrial uses. Councilmember Scott made a motion to open the public hearing, seconded by Mr. Garza, and passed. There were no comments from the public or the Council. Councilmember Scott made a motion to close the public hearing, seconded by Mr. Magill, and passed. This Ordinance was heard on public hearing and passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029948

14. Public Hearing and First Reading Ordinance - Rezoning from the "IL" Light Industrial District to the "CG-2" General Commercial District, on property located at 2301 Agnes Street.

Case No. 0813-01 Stuart Spigel: A rezoning from the "IL" Light Industrial District to the "CG-2" General Commercial District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Lots 1-24, Block 8, Patrick-Webb Addition, located between Agnes and Marguerite Streets and between Twentieth and Twenty-first Streets.

Planning Commission and Staff Recommendation (August 14, 2013): Approval of the change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Stuart Spigel, acting as agent on behalf of SPS Texas Centers, Ltd. ("Owner"), by changing the UDC Zoning Map in

reference to Lots 1-24, Block 8, Patrick-Webb Addition, from the "IL" Light Industrial 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 14. Annika Gunning with Development Services stated that the purpose of the item was to rezone the property to allow commercial and public uses in an existing shopping center. Councilmember Loeb made a motion to open the public hearing, seconded by Mr. Magill and passed. There were no comments from the Council or the public. Councilmember McIntyre made a motion to close the public hearing, seconded by Mr. Scott, and passed. This Ordinance was heard on public hearing and passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029949

N. REGULAR AGENDA: (ITEMS 15 - 17)

15. Second Reading Ordinance - Rezoning from the "IL" Light Industrial District to the "IC" Industrial Compatible District, on properties located on Brezina Road between Weber and Bratton Roads (1st Reading 8/27/13)

Case No. 0713-01 City of Corpus Christi: A rezoning from the "IL" Light Industrial District to the "IC" Industrial Compatible District on property described as being a 1.205-acre tract of land out of Lot 4A, Block 1, and all of Lots 4B and 4C, Block 2, Brezina Farm Tracts, located along Brezina Road, approximately 1,400 feet south of Bratton Road.

Planning Commission and Staff Recommendation (July 31, 2013)
Approval of the change of zoning from the "IL" Light Industrial District to the "IC" Industrial Compatible District.

Ordinance

Ordinance amending the Unified Development Code, upon initiation by the City of Corpus Christi, Texas, by changing the UDC Zoning Map in reference a 1.205-acre tract of land out of Lot 4A, Block 1, and all of Lots 4B and 4C, Block 2, Brezina Farm Tracts, from the "IL" Light Industrial District to the "IC" Industrial Compatible District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 15. There were no comments from the public or the Council. This Ordinance was passed and approved on second reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029945

16. Second Reading Ordinance - Amending City Code, revising the City's Water Resource Management Ordinance (1st Reading 8/27/13)

Ordinance amending City Code of Ordinances, Chapter 55, Article XII Water Resource Management, regarding water resource management including drought restrictions and surcharges, providing an effective date; and providing for penalties.

Mayor Martinez referred to Item 16. Brent Clayton with the Water Department stated that the purpose of the item was to amend the water resource management ordinance. He said that staff was recommending revisions to the ordinance prior to second reading related to the termination of water service, and when the measures went into effect. Councilmember Scott made a motion to amend the ordinance prior to second reading as proposed by staff, seconded by Ms. McIntyre, and passed. There were no comments from the public. This Ordinance was passed on second reading as amended and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029946

17. Emergency Ordinance - Adopting the Fiscal Year 2014 Property Tax Rate

Ordinance setting a property tax rate of \$0.585264 per \$100 valuation which is effectively a 10.63% increase over the effective tax rate; and declaring an emergency.

Mayor Martinez referred to Item 17. Councilmember Scott made a motion that the property tax rate be increased by the adoption of a tax rate of \$0.585264 per \$100 valuation, which is effectively a 10.63 percent increase in the tax rate; seconded by Mr. Loeb, and passed. This Ordinance was passed on emergency and approved with the following vote:

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

Nay: 1 - Council Member Leal

Abstained: 0

Enactment No: 029947

O. FIRST READING ORDINANCES: (ITEMS 18 - 26)

18. First Reading Ordinance - Accepting and appropriating the 2014 Selective Traffic Enforcement Program grant from the Texas Department of Transportation (TXDOT)

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 \$96,397.90 for the 2014 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for Driving While Intoxicated (DWI) and Speed enforcement overtime, with a city match of \$48,041.33, for a total project cost of \$144,439.23 and appropriating \$96,397.90 in the No. 1061 Police Grants Fund.

Mayor Martinez referred to Item 18. Capt. Mark Gutierrez with the Police Department stated that the purpose of the item was to accept a Selective Traffic Enforcement grant to fund overtime for DWI and speed enforcement. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029950

19. First Reading Ordinance - Accepting and appropriating a Regional grant for WebEOC

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Council in the amount of \$30,000 for the benefit of the City's WebEOC operations; and appropriating \$30,000 from the Coastal Bend Regional Advisory Council into the No. 1062 Fire Grant Fund to purchase equipment, services, technical support and training for the Corpus Christi Fire Department's WebEOC.

Mayor Martinez referred to Item 19. Fire Chief Robert Rocha stated that the purpose of the item was to accept a grant to fund WebEOC operations. There were comments from the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029951

20. Second Reading Ordinance - Construction contract for Fire Station No. 5 Relocation Re-Bid (Bond 2008) (1st Reading 9/10/13)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 to transfer \$181,690 in programmed project savings from Project No. 140232 New Fire Station in area of Holly/Saratoga and Ayers to Project No. 140231 Relocation of Fire Station No. 5 Project and authorizing the City Manager, or designee, to execute a Construction Contract with Safenet Services of Corpus Christi, Texas for the Fire Station No. 5 Relocation Re-Bid (Bond 2008) project in the amount of \$1,777,037.00 for the Base Bid plus Additive Alternates C, E, F, I, J and K.

Mayor Martinez referred to Item 20. Fire Chief Rocha stated that the purpose of the item was to award a construction contract for Fire Station No. 5 relocation re-bid project. Councilmembers spoke regarding the following issues: any additional savings from Bond 2008; status of work completed on Holly/Saratoga/Ayers. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029952

21. First Reading Ordinance - Appropriating funds for park improvements and other related projects

Ordinance appropriating \$410,468.46 in developer contributions and \$766.93 in interest earnings for a sum of \$411,235.39 in the No. 4720 Community Enrichment Fund for park improvements, and other related projects.

Mayor Martinez referred to Item 21. Director of Parks and Recreation Michael Morris stated that the purpose of the item was to appropriate funds received from developer fees and interest in the Community Enrichment Fund so that the funds would be available for associated projects. Councilmembers asked for clarification on how the funds were allocated and how they could be used.. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029953

22. First Reading Ordinance - Funding the creation of a strike force

for minor emergency maintenance items

Ordinance appropriating \$296,500 from the Unreserved Fund Balance in the No. 1020 General Fund Reserve to be used for emergency maintenance employees and equipment; changing the FY 2013-2014 Operating Budget adopted by Ordinance No. 029915 to increase appropriations by \$296,500.

Mayor Martinez referred to Item 22. Director of Parks and Recreation Michael Morris stated that the purpose of the item was to fund the creation of a Strike Force to handle minor emergency maintenance items from the City Manager's Office for expedited action. He said the project would include a inspection program, and a four-member team to handle the requests. He said the types of projects could include mowing, high weeds, and litter. He said the program would concentrate on certain areas, and also discussed the process flow and budget. City Manager Olson added that staff would discuss how to define success over the course of the first year, and set goals. They would bring back a plan in six months. Councilmembers spoke regarding the following issues: issues with call center phone service over the weekend for pickup of a dead opossum; adding a feature to the CCMobile App that shows when issues are resolved; staff training. Mayor Martinez asked for public comment. Abel Alonzo expressed concern that the program would only focus on certain parts of town. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029954

23.

First Reading Ordinance - Changing Born Street from one-way traffic to two-way traffic

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

Mayor Martinez referred to Item 23. City Engineer Dan Biles stated that the purpose of the item was to change Born Street between Water Street and Chaparral Street from one-way traffic to two-way traffic. There were no comments from the public or the Council. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029955

24. First Reading Ordinance - Granting a Revocable Easement to allow a pipeline to cross two tracts of City owned land

Ordinance granting a Revocable Easement to TexStar Midstream Utility, LP to construct, operate, maintain, repair and remove one (1) 12-inch pipeline across two tracts of City owned land located southwest of the O.N. Stevens Water Treatment Plant; for the amount of \$70,000 paid to the City; authorizing the City Manager or designee to execute the Revocable Easement instrument and other related documents for the conveyance of the revocable easement.

Mayor Martinez referred to Item 24. City Engineer Dan Biles stated that the purpose of the item was to convey a revocable easement to TexStar Midstream Utility, LP that would enable them to cross the City's two tracts of land with a 12-inch pipeline. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: 029956

25. First Reading Ordinance - Approving agreement and reimbursement for construction of a water arterial transmission and grid main line

Ordinance authorizing execution of a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with Kitty Hawk Development LTD., ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$30,691.40 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Mayor Martinez referred to Item 25. Julio Dimas with Development Services stated that the purpose of the item was to allow Kitty Hawk Development LTD to install a 415 linear feet of a 12-inch water arterial grid main extension to provide adequate water to a proposed residential subdivision. Councilmembers asked about the status to of the trust funds. City Manager Olson said staff would schedule a presentation to discuss status of trust funds, which he understood were solvent. There were no comments from the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Allen

Abstained: 0

Enactment No: 029957

P. FUTURE AGENDA : (ITEMS 27 - 32)

Mayor Martinez referred to the Future Agenda. City Manager Olson stated that staff had presentations on Items 31 and 32.

27. Service Agreement for Pump & Motor Repairs at water treatment plant

Motion approving a service agreement with Smith Pump Company, Inc., Woodway, Texas, based on best value, in accordance with Request for Proposal BI-0120-13, for an estimated annual expenditure of \$664,260 of which \$553,550 is budgeted in FY 2013/2014. The term of the agreement will be for one year and will automatically be extended for up to two additional one-year periods, subject to the approval of the service provider and the City Manager or designee. Funds have been budgeted by the Water Department in FY 2013/2014.

This Motion was recommended to consent agenda

Enactment No: M2013-140

28. Service Agreement for Workers' Compensation Third-Party Administrator Services

Motion approving a service agreement with York Risk Services Group, Inc. of Corpus Christi, Texas for workers' compensation third-party administration services, in accordance with Request for Proposal Number BI-0063-13, based on lowest responsible proposal, for an estimated one-year expenditure of \$329,290, of which \$301,849.17 is required for FY13/14. The term of the service agreement will be for one year with an option to extend for up to three additional one-year periods subject to the approval of the service provider and the City Manager or designee. This service will be used by the Risk Management Division of the Legal Department in administering the City's workers' compensation claims. Funding is available in the Liability and Employee Benefits Workers' Compensation Fund for FY13/14.

This Motion was recommended to consent agenda

Enactment No: M2013-141

29. Use of Permanent Art Trust funds to complete sculpture installation and identification

Motion to approve an \$9,920 expenditure from the Permanent Art Trust Fund for expenses related to fabrication, re-installation, and

identification of Chin art sculpture at the American Bank Center on the Corpus Christi Bay Front.

This Motion was recommended to consent agenda

Enactment No: M2013-142

30. Contract Amendment No. 1 for Water Conservation Outreach

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to the Contract for Professional Services with dlo Three Dimensional Development, LLC of Corpus Christi, Texas in the amount of \$30,000.00, for a total restated fee not to exceed \$78,500.00 for Water Conservation Outreach.

This Motion was recommended to consent agenda

Enactment No: M2013-143

31. Construction Contract - for Corpus Christi International Airport (CCIA) 17-35 Runway Navigational Aids

Motion authorizing the City Manager, or designee, to execute a Construction Contract with Bay, Ltd. of Corpus Christi, Texas for the Corpus Christi International Airport (CCIA) 17-35 Runway NAVAIDs (Navigational Aids) project in the amount of \$857,863.80 for the Base Bid plus Additive 2.

This Motion was recommended to regular agenda

Enactment No: M2013-144

32. Approval of Change Order No. 6 for Corpus Christi International Airport Runway 17-35 Extension/Displacement and Connecting Taxiway Project

Motion authorizing the City Manager, or designee, to execute Change Order No. 6 to the Construction Contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$641,521.50 for a total restated fee not to exceed \$14,370,427.09, for the Corpus Christi International Airport (CCIA) Runway 17-35 Extension/ Displacement and Connecting Taxiway Project.

This Motion was recommended to regular agenda

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

R. ADJOURNMENT

Mayor Martinez adjourned the meeting at 5:32 p.m.