



Corpus Christi

1201 Leopard St
Corpus Christi, TX 78401
CCtexas.com

Meeting Minutes - Final City Council

Tuesday, June 26, 2012

12:00 PM

Council Chambers

A. Call meeting to order.

Mayor Adame called the meeting to order.

B. Invocation.

The invocation was delivered by Ms. Jeanne Gardiner, Unity by the Sea Church.

C. Pledge of Allegiance.

The Pledge of Allegiance was led by Council Member David Loeb.

D. Roll Call.

City Secretary Chapa verified that the necessary quorum of the Council and the required Charter Officers, City Manager Ron Olson, City Attorney Carlos Valdez and City Secretary Armando Chapa were present to conduct the meeting.

Note: Council Member Nelda Martinez arrived at 12:10 pm.

Present: 9 - Mayor Joe Adame, Council Member Chris Adler, Council Member Kelley Allen, Council Member Larry Elizondo, Council Member Priscilla Leal, Council Member David Loeb, Council Member John Marez, Council Member Nelda Martinez, and Council Member Mark Scott

E. Proclamations / Commendations

1. Proclamation declaring July 1 - August 15, 2012 as "Flamingos Rule!"
Proclamation declaring July 4, 2012 as "JULY 4TH BIG BANG CELEBRATION 2012"
Swearing-in Ceremony for newly appointed Board Members
Mayor Adame read and presented the Proclamations.

F. MINUTES:

2. Approval of Meeting Minutes - June 19, 2012.

A motion was made by Council Member Elizondo, seconded by Council Member Martinez to approve the minutes as presented and passed with the following vote: Adame, Adler, Allen, Elizondo, Leal, Loeb, Marez, Martinez and Scott, voting "Aye".

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

G. BOARDS & COMMITTEE APPOINTMENTS: (NONE)

I. CONSENT AGENDA (ITEMS 3 - 10)

Mayor Adame called for consideration of the Consent Agenda, Items 3 through 10. There were no comments and the remaining items were approved by one vote:

Professional services agreement for Local Health Authority services

- 3. Resolution authorizing the City Manager or designee to execute an agreement with Dr. William Burgin, Jr., to serve as the Local Health Authority for Public Health District.

The foregoing resolution was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029536

Professional services agreement for Alternate Local Health Authority services

- 4. Resolution authorizing the City Manager or designee to execute an agreement with Dr. Colette Simon to serve as the Alternate Local Health Authority for the Public Health District.

The foregoing resolution was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029537

Codifier to create a new section number in Code of Ordinances

- 5. Resolution authorizing codifier to create a new section number.

The foregoing resolution was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029538

Renewal of lease agreement with Aeronautical Radio, Inc. for space at airport

6. Ordinance authorizing the City Manager, or designee, to execute an agreement with Aeronautical Radio, Inc. (ARINC) to lease space containing approximately twenty (20) square feet located in the lower level of the Corpus Christi International Airport (Airport) terminal for the maintenance and operation of aeronautical Communication equipment providing air/ground data communications to aircraft on the ground and en route within 200 nautical miles from Corpus Christi in consideration of payment of an annual rate per square foot of \$51.38 for fiscal year 2011-2012, \$52.15 for fiscal year 2012-2013 and \$52.94 for fiscal year 2013-2014, adjusted annually thereafter based on the current Terminal Rental Rate for future fiscal years, payable monthly for a term of five (5) years; and declaring an emergency.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029539

Approval of avigation easement instruments and special warranty deeds related to property acquisition for airport runway project

7. Motion authorizing the City Manager or designee to execute an Avigation Easement referred to as Parcel 3 and Special Warranty Deeds referred to as Parcels 3A and 3B, out of Lots 1 and 2, V.M. Donigan Partition, located north of the Corpus Christi International Airport (CCIA) and State Highway 44; from Mary Frances Wilson Burson and fourteen other undivided fee owners; for a total expenditure of \$54,000 which includes \$52,000 for the avigation easement and land, with additional expense of \$2,000 for title policies, recording fees and incidentals; all necessary for the CCIA Runway 17-35 Relocation/Displacement Project E11046 and for other municipal purposes.

The foregoing motion was passed and approved with the following vote:

Aye: 8 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez and Council Member Martinez

Abstained: 1 - Council Member Scott

Enactment No: M2012-116

Street closure for "Play in the Park" event for proposed Destination

8. Motion approving the application for street closure from Destination Bayfront to temporarily close Northbound Shoreline between Furman Avenue and Coopers Alley beginning at 8:00 a.m. and ending at 2:00 p.m. for the Play In The Park event to take place on Saturday, June 30, 2012.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: M2012-117

Second Reading Ordinance - Utility easement closure for development of property located on the east side of Wishbone Court and north of Durant Drive

9. Second Reading Ordinance - Abandoning and vacating a 318-square-foot portion of a 7.5-foot-wide utility easement out of Wooldridge Creek Unit 12, Block 2, Lot 26, located on the east side of Wishbone Court and north of Durant Drive; and requiring the owners, Raymundo Ramos, Jr., and Rosario G. Ramos, to comply with the specified conditions. (1st reading - 6/19/12)

The foregoing ordinance was passed and approved on second reading with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029540

Second Reading Ordinance adopting Joint Erosion Response Plan

10. Second Reading Ordinance - Adopting The Joint Erosion Response Plan for Nueces County and the City of Corpus Christi 2012; amending

the Code of Ordinances, City of Corpus Christi, Chapter 10, Beachfront Management and Construction, by designating the erosion response building set-back line or erosion set-back line, requiring an erosion response permit for construction seaward of the erosion set-back line, and making other conforming changes to the chapter; adding the City's Erosion Response Plan as an appendix to the City of Corpus Christi, Texas, Dune Protection and Beach Access Regulations; providing for penalties; providing for severance; providing for publication; and providing a delayed effective date. (1st Reading - 6/19/12)

The foregoing ordinance was passed and approved on second reading with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029541

J. EXECUTIVE SESSION: (ITEM 11)

Mayor Adame read Executive Session No. 11. The Council went into executive session.

- 11.** 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.

The council returned from executive session. City Secretary Chapa read a Resolution regarding the negotiation process between the City of Corpus Christi and the Corpus Christi Fire Fighter's Association. Mayor Adame asked for comments from the audience. The following citizens spoke: Abel Alonzo, Mike Staff and Carlos Torres. The foregoing resolution was passed and approved with the following vote:

Resolution regarding the matter of the negotiation process between the City of Corpus Christi and the Corpus Christi Fire Fighter's Association.

Enactment No.: 029542

Aye: 8 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 1 - Council Member Leal

K. PUBLIC HEARINGS: (ITEM 12)

Ordinance to consider adopting Unified Development Code Text Amendments

Mayor Adame referred to Item No. 12. Mark Van Vleck, Interim Director of Development Services stated that this item amends the Unified Development

Code and referred to the text amendments being proposed. A motion was made by Council Member Elizondo, seconded by Council Member Scott to open the public hearing. Jack Gordy spoke but his comments were not relevant to this item. A motion was made by Council Member Martinez, seconded by Council Member Elizondo to close the public hearing.

12. Ordinance to consider adopting Unified Development Code Text Amendments

Second Reading Ordinance - Amending the Corpus Christi Unified Development Code (UDC) by revising Table 4.4.2. relating to permitted uses; revising Table 4.4.3.B. relating to density, yards, and height; revising Table 7.2.2.B. relating to the parking requirement for retail sales and service uses; amending conflicting provisions of the City's Comprehensive Plan; repealing conflicting ordinances; providing for severance, penalties, publication and an effective date. (First Reading - 6/26/12)

The foregoing ordinance was passed and approved on first reading with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029552

L. REGULAR AGENDA (ITEMS 13 - 24)

Award of construction contract for Oso Bay Park Trail Improvements Phase 1

Mayor Adame referred to Item No. 13. Mike Morris, Director of Parks & Recreation stated that this item relates to a construction contract for the Oso Bay Park Trail Improvements, Phase 1. He added that a presentation was provided to the Council at a prior council meeting under the Future Agenda section of the agenda. Mayor Adame asked for comments from the audience. There were no comments.

13. Motion authorizing the City Manager, or designee, to execute a construction contract with H2O Construction, Inc. of Corpus Christi, Texas in the amount of \$638,062.00 for the Oso Bay Park Trail Improvements, Phase 1 Project for the Base Bid.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: M2012-118

Appropriation of funds and award of construction contract for Corpus Christi Beach arch entrance project

Mayor Adame referred to Items 14 and 15. Mike Morris, Director of Parks and Recreation stated that this items relates to a construction contract for Corpus Christi Beach Entry project. Mr. Morris stated that the original scope of the project did not include lighting, but that the Engineering department is research the estimate cost to add lighting to this project. He added that a presentation was provided to the council at a prior council meeting under the Future Agenda section of the agenda. Mayor Adame asked for comments from the audience. Carolyn Moon spoke about the emergency declaration on this item.

14. Ordinance amending the FY 2012 Capital Improvement Budget adopted by Ordinance No. 029135 to transfer a total of \$425,153.51 in budgeted project savings from the Heritage Park Cultural Center Renovation Project to the North Beach (CC Beach) Entry Development Project; increasing expenditures in the amount of \$425,153.51; and declaring an emergency.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029543

15. Motion authorizing the City Manager, or designee, to execute a construction contract with Largin Construction Services, LLC. of Corpus Christi, Texas in the amount of \$404,960.93 for the Bond 2008 Corpus Christi Beach Entry Development Project (Re-Bid) for the Base Bid.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: M2012-119

Consultant agreement for competitive assessment of Solid Waste Services

Mayor Adame referred to Item No. 16. Margie Rose, Assistant City Manager stated that this item relates to a consultant agreement for the Competitive Assessment of Solid Waste Services. Ms. Rose stated that a presentation was provided to the council at a prior council meeting under the Future Agenda section of the agenda. Mayor Adame asked for comments from the audience. There were no comments.

16. Motion authorizing the City Manager or designee to execute a consultant agreement with SAIC Energy, Environmental & Infrastructure, LLC, of Austin, Texas, to provide a competitive assessment/business case analysis of the Solid Waste Services Department, for an amount not to exceed \$93,600. Funding is available in the Solid Waste Services Operations Budget for fiscal year 2011/2012.

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: M2012-120

Approval to amend water permit rights at Choke Canyon and Lake Corpus Christi for mining purposes

Mayor Adame referred to Item No. 17. Gus Gonzalez, Director of Water Operations stated that this item is a Resolution granting authority to the City Manager to amend the Choke Canyon and Lake Corpus Christi water right permits. Mayor Adame asked for comments from the audience. There were no comments.

17. Resolution granting authority to the City Manager or designee to amend the Choke Canyon and Lake Corpus Christi water right permits.

The foregoing resolution was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029544

Refunding of Corpus Christi Business and Job Development Corporation Seawall Bonds

Mayor Adame referred to Item No. 18. Constance Sanchez, Director of Finance stated that this item relates to the refunding of Seawall Sales Tax Bonds. Mayor Adame asked for comments from the audience. There were no comments.

18. Resolution by the City Council of the City of Corpus Christi, Texas relating to "Corpus Christi Business and Job Development Corporation Sales Tax Revenue Refunding Bonds, Series 2012 (Seawall Project)"; approving the resolution of Corpus Christi Business and Job Development Corporation authorizing the issuance of such bonds; and resolving other matters incident and related to the issuance of such

bonds; and providing an effective date.

The foregoing resolution was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029545

Notice of Intention to issue Airport Certificates of Obligation; appointment of financial advisor; and approval of preliminary official statement

Mayor Adame referred to Item Numbers 19, 20 and 21. Constance Sanchez, Director of Finance stated that this item relates to issuing \$6,000,000 in Combination Tax and Surplus Airport Revenue Certificates of Obligation associated with Airport safety improvements on the runway. Mayor Adame asked for comments from the audience. Abel Alonzo spoke in support of this project.

- 19.** Resolution by the City Council of the City of Corpus Christi, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

The foregoing resolution was passed and approved with the following vote:

Aye: 8 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Martinez and Council Member Scott

Absent: 1 - Council Member Marez

Abstained: 0

Enactment No: 029546

- 20.** Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor, for the City of Corpus Christi, Texas Combination Tax and Surplus Airport Revenue Certificates of Obligation, Series 2012 (AMT).

The foregoing motion was passed and approved with the following vote:

Aye: 8 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Martinez and Council Member Scott

Absent: 1 - Council Member Marez

Abstained: 0

Enactment No: M2012-121

- 21.** Resolution by the City Council of the City of Corpus Christi, Texas

approving the City's preliminary official statement pertaining to the sale of obligations designated as "City of Corpus Christi, Texas Combination Tax and Surplus Airport Revenue Certificates of Obligation, Series 2012 (AMT)"; complying with the requirements contained in the United States Securities and Exchange Commission's Rule 15c2-12; and other matters in connection therewith.

The foregoing resolution was passed and approved with the following vote:

Aye: 8 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Martinez and Council Member Scott

Absent: 1 - Council Member Marez

Abstained: 0

Enactment No: 029547

Refunding of Airport Bonds from airport revenue bonds to general improvement bonds

Mayor Adame referred to Item Numbers 22, 23 and 24. Constance Sanchez, Director of Finance stated that this item relates to refunding of Airport Bonds from Airport Revenue Bonds to General Improvement Bonds. Mayor Adame asked for comments from the audience. There were no comments.

- 22.** Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the City of Corpus Christi, Texas General Improvement Refunding Bonds, Series 2012A (Airport Refunding - AMT) and Series 2012B (Airport Refunding - Non-AMT).

The foregoing motion was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: M2012-122

- 23.** Ordinance by the City Council of the City of Corpus Christi, Texas authorizing the issuance of "City of Corpus Christi, Texas General Improvement Refunding Bonds, Series 2012A (Airport Refunding - AMT)", levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the Bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement; a purchase contract, and an escrow deposit letter; complying with the letter of representations on file with the depository trust company; delegating the authority to the

Mayor and certain members of the City staff to execute certain documents relating to the sale of the bonds, and providing an effective date.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029548

24.

Ordinance by the City Council of the City of Corpus Christi, Texas authorizing the issuance of "City of Corpus Christi, Texas General Improvement Refunding Bonds, Series 2012B (Airport Refunding - Non-AMT)", levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the Bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement; a purchase contract, and an escrow deposit letter; complying with the letter of representations on file with the depository trust company; delegating the authority to the Mayor and certain members of the City staff to execute certain documents relating to the sale of the bonds, and providing an effective date.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote:

Aye: 9 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Abstained: 0

Enactment No: 029549

M. FIRST READING ORDINANCES: (NONE)

N. FUTURE AGENDA ITEMS (ITEMS 25 - 36)

Mayor Adame referred to the Future Agenda section, Item 25 through 36. Mayor Adame stated that these items are for informational purposes only and that no action or public comment would be taken at this time. Council Members pulled Item Numbers 26, 27 and 28, and staff provided presentations on Item Numbers 30 through 36.

Service agreement for large diameter sanitary sewer line inspection & cleaning

25. Service agreement for large diameter sanitary sewer line inspection & cleaning

Motion approving a service agreement for large diameter sanitary sewer line inspection and cleaning with Ace Pipe Cleaning, Inc., of Fort Worth, TX, based on lowest responsible proposal, in accordance with Request for Proposal No. BI-0136-12, for a total amount of \$1,990,637.50. The term of the agreement is one year with an option to extend for up to two additional one-year periods subject to the approval of the service provider and the city manager or designee. Funds are available in the Wastewater Fund in FY11/12.

Motion was recommended by staff to Consent Agenda.

Enactment No: M2012-123

Amendments to contracts for air quality monitoring services

26. Amendments to contracts for air quality monitoring services

Resolution authorizing the City Manager, or designee, to execute Amendment No. 2 to Interlocal Cooperation Agreement with Texas A & M University Corpus Christi for the Pollution Partnership Alliance Clean Fleet Program by adding \$140,750.00 for cost reimbursements and extending the term through August 31, 2013; authorizing the City Manager, or designee, to execute Amendment No. 2 to Interlocal Cooperation Agreement with the University of North Texas University for Air Quality Monitoring and Modeling by adding \$184,750.00 for costs reimbursements and extending the term through August 31, 2013.

Resolution was recommended by staff to Consent Agenda.

Enactment No: 029550

Agreement to install parking lot and access road lighting for the Packery Channel Boat Ramp project

27. Agreement to install parking lot and access road lighting for the Packery Channel Boat Ramp project

Motion approving a Contribution-In-Aid-Of-Construction Agreement with American Electric Power (AEP) in the amount of \$129,813.44, for installation of the Packery Channel Boat Ramp Parking Lot and Access Road Lighting. (BOND 2008)

Motion was recommended by staff to Consent Agenda.

Enactment No: M2012-124

Participation agreement to cover the City's cost for street construction related to the future development of subdivision

28. Participation agreement to cover the City's cost for street construction related to the future development of subdivision (Related Items 5 & 6)
- Ordinance amending the FY 2012 Capital Improvement Budget adopted by Ordinance No. 029135 for ST28-Developer Participation Line Item; increasing expenditures in the amount of \$53,431.46; and declaring an emergency.
- Emergency Ordinance was recommended by staff to Consent Agenda.**
- Enactment No: 029551
29. Motion authorizing the City Manager, or his designee, to execute a Participation Agreement with Mostaghasi Investment Trust, Developer of King's Point Unit 9, in the amount of \$53,431.46 for the City's portion of the cost of Maximus Drive and Queen Bess Drive abutting the linear park, in accordance with the Unified Development Code. (BOND 2008)
- Motion was recommended by staff to Consent Agenda.**
- Enactment No: M2012-125

Consultant agreement to assist with replacing the City's financial and human resources management software

30. Consultant agreement to assist with replacing the City's financial and human resources management software
- Motion authorizing the City Manager or his designee to execute a consultant agreement with Plante & Moran, PLLC of Southfield Michigan, for \$198,340, to provide Enterprise Resource Planning (ERP) System Consultant services.
- Motion was recommended by staff to Regular Agenda.**
- Enactment No: M2012-126

Appropriation of funds and approval of Type A grant for expansion of boat manufacturing facility

31. Appropriation of funds and approval of Type A grant for expansion of boat manufacturing facility (Related Items 15 & 16)
- Ordinance appropriating \$360,000 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for a business incentive grant from the Corpus Christi Business and Job Development

Corporation ("Type A Corporation") to Majek Boatworks, Inc. and Turner-Majek Real Estate, LLC ("Majek") for building improvements and new equipment for an expansion of their boat manufacturing facility in Corpus Christi and the creation and retention of jobs; Changing the FY 2011-2012 operating budget, adopted by Ordinance No. 029155, by increasing proposed expenditures by \$360,000; and declaring an emergency.

Emergency Ordinance was recommended by staff to Regular Agenda.

Enactment No: 029556

32. Resolution approving a Business Incentive Agreement for the creation and retention of jobs between the Corpus Christi Business and Job Development Corporation and Majek Boatworks, Inc. ("Majek") and Turner-Majek Real Estate, LLC ("Turner-Majek LLC"), which provides a grant of up to \$150,000, for expansion of their existing manufacturing facilities within the city of Corpus Christi, in which Majek and Turner-Majek LLC will invest at least \$1,050,000 in building improvements, furniture, fixtures, and equipment and will retain at least 24 current full-time jobs with an average annual salary of at least \$24,300 over a five year period and the creation and maintenance of additional full-time jobs with an average annual salary of at least \$24,300 over a five year period; approving a grant to Majek and Turner-Majek LLC of up to \$210,000 for the improvement of Saluki Street reserve to a dedicated city street constructed to the Rodd Field Public Improvement District street standards, and authorizing the City Manager, or designee, to execute a Business Incentive Project Support Agreement with the Corpus Christi Business and Job Development Corporation regarding implementation and administration of the Majek and Turner-Majek LLC Business Incentive Agreement for the creation and retention of jobs.

Resolution was recommended by staff to Regular Agenda.

Enactment No: 029557

Issuance of new money and refunding of utility system secondary revenue bonds

33. Issuance of new money and refunding of utility system secondary revenue bonds

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the City of Corpus Christi, Texas Utility System Junior Lien Revenue and Refunding Bonds, Series 2012" in an amount not to exceed \$170,000,000.

Motion was recommended by staff to Regular Agenda.

Enactment No: M2012-127

34. Ordinance authorizing the issuance of "City of Corpus Christi, Texas Utility System Junior Lien Revenue and Refunding Bonds, Series 2012" in an amount not to exceed \$170,000,000; making provisions for the payment and security thereof by a junior and inferior lien on and pledge of the net revenues of the City's Utility System; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the bonds; including the approval and distribution of an Official Statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement, an escrow agreement, and a purchase contract; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; delegating the authority to the Mayor and certain members of the City staff to execute certain documents relating to the sale of the bonds; and providing an effective date.

Emergency Ordinance was recommended by staff to Regular Agenda.

Enactment No: 029558

FUTURE PUBLIC HEARINGS

Change of zoning from residential to residential on property located at 5409 Lipes Blvd.

35. Change of zoning on a portion of property located at 5409 Lipes Blvd. from residential to multi-family residential

Case No. 0312-02: Convent Academy of the Incarnate Word: A change of zoning from the "RS-4.5" Single-Family 4.5 District, "RS-6" Single-Family 6 District, and "RM-1" Multifamily 1 District to the "RM-1" Multifamily 1 District. The property to be rezoned is described as being 41.32 acres out of Lots 5, 6, and 7, Section 6, Flour Bluff and Encinal Farm and Garden Tracts.

Planning Commission and Staff Recommendation: Denial of the change of zoning to the "RM-1" Multifamily 1 District on the entire 41.32-acre tract and, in lieu thereof, approval of the "RM-1" Multifamily 1 District on the western fifteen (15) acres and "RS-6" Single-Family 6 District on the remaining eastern 26.32 acres.

ORDINANCE

Ordinance amending the Unified Development Code (UDC), upon application by Convent Academy of the Incarnate Word, by changing the UDC Zoning Map in reference to the 41.32 acres out of Lots 5, 6, and 7,

Section 6, Flour Bluff and Encinal Farm and Garden Tracts from the "RS-4.5" Single-Family 4.5 District, "RS-6" Single-Family 6 District, and "RM-1" Multifamily 1 District to the "RM-1" Multifamily 1 District; amending the Comprehensive Plan to account for any deviations from the existing Comprehensive Plan; providing a repealer clause; providing a penalty; providing for publication; and declaring an emergency.

Emergency Ordinance was recommended by staff to Public Hearings.

Enactment No: 029553

Change of zoning from commercial to commercial on property located at 2921 Airline Road

36. Change of zoning from general commercial to neighborhood commercial on property located at 2921 Airline Road

Case No. 0512-01: Saratoga Airline, LLC: A change of zoning from the "CG-1" General Commercial District to the "CN-1" Neighborhood Commercial District. The property to be rezoned is described as being 2.00 acres of land, more or less, out of Lot 3, Block 14, Brighton Village Unit 2.

Planning Commission & Staff Recommendation (May 23, 2012): Approval of the change of zoning from the "CG-1" General Commercial District to the "CN-1" Neighborhood Commercial District.

ORDINANCE

Ordinance amending the Unified Development Code (UDC), upon application by Saratoga Airline, LLC, by changing the UDC Zoning Map in reference to 2.00 acres of land, more or less, out of Brighton Village Unit 2, Block 14, Lot 3 from the "CG-1" General Commercial District to the "CN-1" Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations from the existing Comprehensive Plan; providing a repealer clause; providing a penalty; providing for publication; and declaring an emergency.

Emergency Ordinance was recommended by staff to Public Hearings.

Enactment No: 029554

O. UPDATES TO CITY COUNCIL (ITEMS 37 - 39)

37. Emergency Operations Center (EOC) Preparedness Efforts

Mayor Adame referred to Item No. 37, Emergency Operations Preparedness Efforts. Robert Rocha, Fire Chief provided a summary of the preparation for this year's hurricane season. Mr. Rocha referred to the three levels of

activation - Level 1 (Monitor), Level 2 (Partial), and Level 3 (Full); and described the emergency readiness levels - Level 4 (Normal Conditions), Level 3 (Increased Readiness), Level 2 (High Readiness), and Level 1 (Maximum Readiness); referred to a chart depicting the major hurricane strikes by month; the evacuation areas; and the 2012 Hurricane Outlook.

38. Packery Channel Six Pack Project Update

Mayor Adame referred to Item No. 38, Update on Packery Channel Six Pack. Mr. Dan Biles, Director of Engineering provided a brief update on the project list and budget. He discussed each of the following phases and provided a status report: Phase 1 - Restroom Facilities at Seawall Parking Lot; Phase 2 - Packery Channel Improvements; Phase 3 - Restroom Facilities at Packery Channel; Phase 4 - ADA Ramps to Jetties; Phase 5 - Northside Pavilion; Phase 6 - Administration and Maintenance Building, and Phase 7 - Parking Lot Improvements at Jerry Ramp. He displayed an aerial map depicting the parking lot improvements in the Packery Channel area.

39. FY 2012-2013 Proposed Capital Budget and Capital Improvement Planning Guide

Mayor Adame referred to Item No. 39, FY 2012-2013 Proposed Capital Budget and Capital Improvement Planning Guide. Mr. Oscar Martinez, Assistant City Manager stated that the Planning Commission adopted the Proposed Capital Budget on June 20, 2012, a City Council Public Hearing is scheduled for July 10, 2012, first reading and second reading of the ordinance are scheduled for July 17th and July 24, respectively. Mr. Martinez provided a presentation and referred to Capital Budget Highlights and Approach; 2013 Funding Sources by Type; 2013 Funding Uses by Program; Revenues by Type for FY 2013, FY 2014 and FY 2015; Program Expenditures for FY2013 - 2015. He then discussed annual CIP Highlights for the following departments: Airport, Parks & Recreation, Public Facilities, Public Health & Safety, Streets, Gas, Storm Water, Wastewater, and Water. Mr. Martinez also referred to charts showing the 10 Year Utility Rates by Utility and 10 Year Water Rates by Class.

P. SPECIAL BUDGET PRESENTATION (ITEM 40)

40. Proposed FY 2012-2013 Operating Budget for Enterprise Funds and Debt Service Funds.

Mayor Adame referred to Item No. 40, Proposed FY 2012-2013 Operating Budget for Enterprise Funds and Debt Service Funds. Mr. Oscar Martinez, Assistant City Manager first provided a presentation on the Enterprise Fund and discussed the pinnacle issues for FY2013, major accomplishments for FY 2012, employees in the enterprise fund, utility rate impact, revenue, total expenditures, summary of fund balances, projected change in fund balance, and decision packages for FY2013. Mr. Martinez then provided a presentation on the Debt Service Funds and discussed the major revenues, balances, fund categories, and utility debt service funds.

Q. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 4:00 P.M., OR AT THE END OF THE COUNCIL MEETING, WHICHEVER IS EARLIER. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES.

Mayor Adame referred to Public Comment. Jack Gordy spoke about permits required for political signs; Carolyn Moon also spoke about permits required for political signs; Jim Klein spoke about the political process and a Resolution to overturn the Citizens United group; John Odom spoke about the number of traffic citations issues on Melisa Lane and that the Police department enforce the speed limit on this street; and Abel Alonzo spoke about the reduction of legal fees in the Legal department.

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:

R. CITY MANAGER'S COMMENTS:

There were no City Manager comments.

* Update on City Operations

S. ADJOURNMENT

There being no further business to come before the Council, Mayor Adame adjourned the council meeting at 4:25 pm on June 26, 2012.