



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes - Final City Council

Tuesday, April 30, 2013

11:30 AM

Council Chambers

A. CALL MEETING TO ORDER.

Mayor Martinez called the meeting to order at 11:30 am.

B. INVOCATION.

The invocation was delivered by Chaplain Lynne Blackler, CHRISTUS Spohn Hospital CC - Memorial.

C. PLEDGE OF ALLEGIANCE.

The Pledge of Allegiance was led by Susan Thorpe, Assistant City Manager.

D. ROLL CALL.

City Secretary Chapa verified that the necessary quorum of the Council and the required Charter Officers were present to conduct the meeting.

Charter Officers: City Manager Ron Olson, City Attorney Carlos Valdez, and City Secretary Armando Chapa

Present: 8 - Council Member Kelley Allen, 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

Absent: 1 - Council Member Priscilla Leal

E. Proclamations / Commendations

- 1 Proclamation declaring April 2013 as "Jazz Appreciation Month" and April 30, 2013 as "International Jazz Day"
Proclamation declaring May 2013 as "Older Americans Month"
Proclamation declaring May 4-12, 2013 as "National Tourism Week"
Proclamation declaring May 5-11, 2013 as "National Children's Mental Health Awareness Week"
Proclamation declaring May 6-12, 2013 as "National Nurses Week at TAMU-CC"
Proclamation declaring May 13, 2013 as "National Peace Officer's Memorial Day" and May 12-18, 2013 as "National Police Week"

The Proclamations were read and presented.

F. PUBLIC COMMENT.

Mayor Martinez referred to the Public Comment section. The following citizens spoke: Jerry Garcia spoke about funding for Southside Pony League Complex; Lee Brandon commented on the Citizens United issue and stated that it is not a local matter; Mr. Dalton stated that the City of Corpus Christi is non partisan and should focus on water, streets, and budget; Dee Stokes is against the City taking action on the Citizens United matter; Ramiro Gamboa asked the Council to consider the CDBG grant application for Fair Housing; Tom Knight spoke in opposition to the Citizens United matter and also commented on the street maintenance fee and suggested a \$50 surcharge for traffic citations and supports no exemptions on the street maintenance fee; Mary Lou Huffman commented on the Columbus Fleet at the Museum of Science and History; Wilson Wakefield opposed the street maintenance fee, and commented on the Citizens United matter; Colin Sykes stated that the Citizens United matter is a constitutional matter; Ernest Rivas spoke about a future agenda addressing restrictions for water slides and the impact it would have to his business; Mary Ann Kelley spoke about the street maintenance fee, elimination of fluoride from water, and the Citizens United matter.

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

Mayor Martinez referred to City Manager comments. City Manager Olson stated that Mr. Mark Van Vleck, Director of Development Services would provide the update regarding the Development Services Department.

a. Status of the Development Services Department

Mr. Mark Van Vleck, Director of Development Services reported on the progress and discussed reorganization, department improvements, commercial plan review, residential plan review and the customer service survey.

b. Human Resources Department Accomplishments

City Manager Olson announced that the Human Resources department has played a key role in cost savings to the City through the following employee benefit strategies: 1) retirees were shifted into a Medicare Advantage Plan thereby reducing liability by \$14 million; 2) consolidating group life and disability insurance under one vendor resulting in a savings of \$867,000; 3) Human Resources recently conducted a dependent audit of the city's health plans resulting in a cost avoidance of \$1.1 million; 4) the City Employee Wellness Onsite Clinic has resulted in an estimated cost savings of \$1.84 million since opening in March 2011, and plans to add a second clinic at another City office; and 5) discuss future initiatives - create Fitness Center, and a smoking cessation program.

c. EMS Heart Monitors

City Manager Olson announced that in partnership with CHRISTUS Spohn Health System the City now has 9 heart monitors functioning in City ambulances.

d. Engineering Department Peer Review

City Manager Olson stated Mr. Dan Biles, Director of Engineering requested and just completed a Peer Review of his department as continuous improvement.

e. Buc Days Coordination

City Manager Olson stated that the Buc Days operation coordination efforts included coordinating permits, parade routes, solid waste, police service, parking, street closures, etc. has been handled more effectively, and that a report would be provided to Council after the event.

f. Operational Strategic Plan; Customer Service

City Manager Olson discussed the City's operational strategic plan on how to improve City operations and displayed a chart depicting the business plans, city's performance plan, and key strategic plan. Mr. Olson stated he has designated Susan Thorpe, Assistant City Manager as the Champion of Customer Service to develop a Plan by July 2013, which may take a couple of years to implement. The goal is to become the best in "Corpus Christi".

g. Resolving complaints and requests for service

City Manager Olson distributed business cards with Annie Leal, Call Center which included contact information and asked the Council that as they interact with their constituents regarding weeds, potholes, etc. to send information to Ms. Leal through the email system. He stated that the City's chain of command should be with the City Manager and Assistant City Managers.

h. Council Worksessions

City Manager Olson asked the Council to consider holding Workshop Meetings on the first Tuesday of every month.

i. City Manager Performance Review

City Manager Olson stated that since his employment two years ago he has not had a performance review and would begin to outline a process.

j. Other

City Manager Olson announced that the Police Department was recently recognized by MPH Program, Association of Graduate Programs which looked at how municipalities used social media, specifically Police departments, and stated that Corpus Christi ranked No. 27. Mr. Olson thanked the police department for a job well done.

Mr. Olson announced that Firefighter John Keller was recently recognized by a Firehouse Magazine for the Heroism Award for performing two water rescues.

Mr. Olson referred to Mr. Carlos Valdez, City Attorney. Mr. Valdez read a letter received from the Attorney General Office regarding a recent opinion relating

to attorney client privilege in favor of the City.

H. EXECUTIVE SESSION: (ITEM 2)

Mayor Martinez read Executive Session Item No. 2. The council went into executive session.

- 2.** Executive Session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment and duties of the City Auditor with possible discussion and action in open session.

The council returned from executive session. Council Member Scott made a motion to appoint Arlena Sones as City Auditor with compensation as follows: annual salary of \$100,000, monthly car allowance of \$400, standard City benefits, relocation bonus of \$2,000 payable after 30 days of employment, and effective May 20, 2013, all contingent upon completion of employment requirements of the City of Corpus Christi.

The foregoing motion was passed 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-074

I. MINUTES:

- 3.** Approval of Meeting Minutes - Special Meeting of April 22, 2013.

Mayor Martinez referred to approval of the Special Council Meeting minutes of April 22, 2013. Council Member Loeb made a motion to correct the minutes to reflect that he was not Present at the Special Council Meeting of April 22, 2013 meeting, seconded by Council Member and passed (Leal absent) as amended.

J. BOARDS & COMMITTEE APPOINTMENTS:

L. CONSENT AGENDA: (ITEMS 4 - 30)

Mayor Martinez referred to the Consent Agenda, Items 4 - 30. Mayor Martinez asked for comments from the council and the audience. The items were approved by one vote:

- 4.** **Supply agreement for fire hydrants for new and replacement installations**

Motion approving a Supply Agreement with HD Supply Waterworks, Corpus Christi, Texas for fire hydrants in accordance with Bid Invitation

No. BI-0104-13 based on lowest responsible bid for an estimated annual expenditure of \$114,139.70, of which \$28,534.93 is required for FY 2013. The term of the contract will be for twelve months with an option to extend for up to two additional twelve month periods subject to the approval of the supplier and the City Manager or designee. Funds are available from Warehouse Stores for FY 2012-2013.

The foregoing motion was passed 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-075

5. Service agreement for lead-based paint hazard consultant

Motion approving a service agreement with Jeff Zunker Specialty Products, Inc. dba Astex Environmental Services, San Antonio, Texas for lead-based paint hazard consultant services in accordance with Request for Proposal (RFP) No. BI-0089-13, based on lowest responsible proposer for an estimated annual expenditure of \$57,202. The term of the service agreement will be for twelve months with and an option to extend the agreement for up to two additional twelve month periods, subject to the approval of the contractor and the City Manager or designee. Funds have been budgeted by the Neighborhood Services Department in FY 2012- 2013.

The foregoing motion was passed 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-076

6. Purchase of Motor Starters for pumping system at Lake Texana pump station

Motion approving the purchase of six (6) MX3 motor starters from Curtiss Wright/Benshaw Flow Control Company of Pittsburgh, PA based on sole source, for a total amount of \$95,892.00. Funds are budgeted in FY 12-13 Water Fund.

The foregoing motion was passed 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-077

7. Purchase of Security Access System for O.N. Stevens Water Treatment Plant

Motion approving the purchase of a security access system for the O.N. Stevens Water Treatment Plant from Total Protection Systems, Inc., Corpus Christi, TX, based on sole source, for the amount of \$297,178.68. Funds are available from the Water Dept. CIP Fund No.4088.

The foregoing motion was passed 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-078

8. Authorization to submit a grant application to State for motor vehicle theft enforcement grant

Resolution authorizing the City Manager or designee to submit a grant application in the amount of \$640,040 to the Automobile Burglary Theft Prevention Authority (ABTPA) to continue the motor vehicle theft enforcement grant within the Police Department for Year 13 with a City cash match of \$468,495, in-kind match of \$52,045, and program income match of \$7,359 for a total project cost of \$1,167,939 and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

The foregoing motion was passed 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029804

9. Engineering design contract for Corpus Christi Ship Channel Gas Main Crossing

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with HDR Engineering of Corpus Christi, Texas in the amount of \$68,300, for Corpus Christi Ship Channel Gas Main Crossing for design, bid, and construction phase services.

The foregoing motion was passed 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-079

10. Engineering design contract for J.C. Elliott gas collection and control system repairs

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 with SCS Field Services, a Virginia corporation, in the amount of \$77,000.00, for a re-stated fee not to exceed \$177,400.00 for J. C. Elliott Landfill Gas Collection And Control System Repairs.

The foregoing motion was passed 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2013-080

11. Second Reading Ordinance - Rezoning from Residential to Office for Minerva V. Muro for property located at 2529 Nemece Street (1st Reading 4/23/13)

Case No. 1212-01 Minerva V. Muro: A change of zoning from the "RS-6" Single-Family 6 District to the "ON" Office District, resulting in a change of future land use from medium density residential to professional office. The property to be rezoned is described as Lot 5, Block 2, Nemece Addition, located on the southwest corner of Nemece Street and Dodd Drive.

Planning Commission and Staff Recommendation (March 27, 2013):
Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "ON" Office District and, in lieu thereof, approval of the "RS-6/SP" Single-Family 6 District with a Special Permit subject to a site plan and conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Minerva V. Muro ("Owner"), by changing the UDC Zoning Map in reference to Lot 5, Block 2, Nemec Addition, from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029805

12.

Second Reading Ordinance - Rezoning from Residential to Commercial for Hernando Ariza Soto for property located at 12337 Leopard Street (1st Reading 4/23/13)

Case No. 0313-03 Hernando Ariza Soto: A change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Map from low density residential to commercial. The property to be rezoned is described as being a 0.482-acre tract of land out of a 1.804-acre tract of land out of Tract 12, Fallin's Riverside Subdivision, located on the south side of Leopard Street, approximately 300 feet west of Rehfeld Road.

Planning Commission and Staff Recommendation (March 27, 2013):
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Hernando Ariza Soto, acting as agent on behalf of 9292 Enterprises, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 0.482-acre tract of land out of a 1.804-acre tract of land

out of Tract 12, Fallin's Riverside Subdivision, from the "RS-6" Single-Family 6 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.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029806

13. Second Reading Ordinance - Rezoning from Commercial to Residential for George Shaheen for property located at 7953 South Staples Street (1st Reading 4/23/13)

Case No. 0313-04 George Shaheen: A change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District, resulting in a change of future land use from commercial to low density residential. The property to be rezoned is described as being a 3.136-acre tract of land out of Lot 1B, Block 1, King's Crossing West Unit 1, located along the north side of Oso Parkway, approximately 220 feet west of South Staples Street (FM 2444).

Planning Commission and Staff Recommendation (March 27, 2013): Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by George Shaheen, acting as agent on behalf of FM 2444 & Oso, LP ("Owner"), by changing the UDC Zoning Map in reference to a 3.136-acre tract of land out of Lot 1B, Block 1, Replat No. 1, King's Crossing West Unit 1, from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029807

14. Second Reading Ordinance - Rezoning from Manufactured Home to Residential for The Lakes at King Estates, Inc. for property located at 1937 Division Road (1st Reading 4/23/13)

Case No. 0313-05 The Lakes at King Estates, Inc.: A change of zoning from the "RMH" Manufactured Home District to the "RS-4.5" Single-Family 4.5 District, not resulting in a change to the Future Land Use Map. The property to be rezoned is described as being a 24.93-acre tract of land out of Lots 8 and 9, Section 40, Flour Bluff and Encinal Farm and Garden Tracts, located west of Flour Bluff Drive at the west end of Antoinette Drive and south of the Holly Road extension.

Planning Commission and Staff Recommendation (March 27, 2013): Approval of the change of zoning from the "RMH" Manufactured Home District to the "RS-4.5" Single-Family 4.5 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by The Lakes at King Estates, Inc. ("Owner"), by changing the UDC Zoning Map in reference to a 24.93-acre tract of land out of Lots 8 and 9, Section 40, Flour Bluff and Encinal Farm and Garden Tracts, from the "RMH" Manufactured Home District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029808

15. Second Reading Ordinance - Accepting and appropriating State grant funds for Click It or Ticket program (1st Reading 4/23/13)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$23,992.90 from the State of Texas, Department of Transportation for the FY2013 Click It Or Ticket program grant; and appropriating the \$23,992.90 in

the No. 1061 Police Grants Fund

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029809

16. Second Reading Ordinance - Waiving permit requirements, fees, and inspections for "Lemonade Day Corpus Christi" scheduled events (1st Reading 4/23/13)

Ordinance authorizing the Corpus Christi-Nueces County Public Health District to waive all permit requirements, including fees and required inspections for participating children and youth for "Lemonade Day Corpus Christi" scheduled events.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029810

17. Second Reading Ordinance - Approving Grant Amendment to extend contract period and increase funding for Women, Infants and Children (WIC) program (1st Reading 4/23/13)

Ordinance authorizing the City Manager, or his designee, to execute all documents necessary to accept and appropriate a six month grant extension amendment in the amount of \$464,069 from the Texas Department of State Health Services in the Health Grant Fund No. 1066, to provide funds for the Women, Infants, and Children (WIC) program for the extended contract period of April 1, 2013 thru September 30, 2013; and to ratify acceptance of the grant extension amendment to begin as of February 26, 2013.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029811

18. Second Reading Ordinance - Increasing Beach Parking Permit budget to expand beach parking permit sales (1st Reading 4/23/13)

Ordinance appropriating \$50,000 in additional revenues from sales of Beach Parking Permits in the No. 1020 General Fund to be used for Beach Parking Permit Program; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase revenues and expenditures by \$50,000 each.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029812

19. Second Reading Ordinance - Amending City code for Commission on Children and Youth membership (1st Reading 4/23/13)

Ordinance amending the Code of Ordinances regarding membership of Corpus Christi Commission on Children and Youth.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029813

20. Second Reading Ordinance - Amending City code to correct existing speed limit boundaries on McArdle Road (1st Reading

4/23/13)

Ordinance amending Section 53-254 of the code of ordinances to rectify the existing speed limit boundaries on McArdle Road.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029814

21. Second Reading Ordinance - Amending City code to set speed limits on Hazel Bazemore Road (CR 69) (1st Reading 4/23/13)

Ordinance amending Section 53-254 of the Code of Ordinances to set the speed limit to 55 mph on Hazel Bazemore Road (County Road 69) between FM 624 and County Road 52; providing for penalties; providing for severance; and providing for publication.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029815

22. Second Reading Ordinance - Amending City code to establish speed limit designation on Interstate Highway 69 (US 77) and Interstate Highway 37 frontage roads (1st Reading 4/23/13)

Ordinance amending Section 53-254 of the Code of Ordinances to establish the following speed limits: (a) 55 MPH on the Northbound IH 37 Frontage Road between Sharpsburg Road and the north city limit line; (b) 55 MPH on the Southbound IH 37 Frontage Road between the north city limit line and Redbird Lane; (c) 45 MPH on the Southbound IH 69 (US 77) Frontage Road between Redbird lane and the south city limit line; and (d) 45 MPH on the Northbound IH 69 (US 77) Frontage Road between the south city limit line and the crossover to North IH 37 Frontage Road; providing for penalties; providing for severance; and providing for publication.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029816

23. Second Reading Ordinance - Appropriate funds for Capital equipment purchase at Corpus Christi International Airport (1st Reading 4/23/13)

Ordinance appropriating \$125,000 from the Unreserved Fund Balance in Airport Fund No. 4610 for purchase of airport capital equipment; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase appropriations by \$125,000.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029817

24. Second Reading Ordinance - Appropriating funds from Passenger Facility Charge fund for payment of debt service associated with airport improvements (1st Reading 4/23/13)

Ordinance appropriating \$850,981 from the unreserved fund balance in Passenger Facility Charge Fund No. 4621 and transferring and appropriating \$664,118 into Airport 2012A Debt Service Fund No. 4640 and \$186,863 into Airport 2012A Debt Service Fund 4641 for debt service on airport improvements; amending the FY 2012-2013 Capital Budget adopted by Ordinance No. 029565 to increase appropriations by \$850,981.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029818

25. Second Reading Ordinance - Approving two farm lease agreements at the Corpus Christi International Airport (4/23/13)

Ordinance authorizing the City Manager, or designee, to execute 1) a Farm Lease Agreement with Matt Danysh Farms, Inc. to lease and farm approximately 870.703 acres of farm land located at the Corpus Christi International Airport and 2) a Farm Lease Agreement with S & S Farms Partnership to lease and farm approximately 591.374 acres of farm land located at the Airport, both in consideration of an annual payment to the City of \$55 per leased acre, both for a term of five (5) years.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029819

26. Second Reading Ordinance - Reimburse Jimmie and Barbara Moretich for the wastewater development fees paid in 1993 (1st Reading 4/23/13)

Ordinance appropriating \$3,143.60 from the No. 4220 Wastewater Trunk System Trust Fund to refund Jimmie J. Moretich and Barbara A. Moretich wastewater lot/acreage fees previously paid for Lot 7, Block 3, Farias Grant Subdivision and authorizing the City Manager or designee to issue payment.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029820

27. Second Reading Ordinance - Reimburse developer for the construction of a water line in Royal Creek Estates Unit 4 subdivision (1st Reading 4/23/13)

Ordinance appropriating \$18,171.34 from the No. 4030 Water Distribution Main Trust Fund to reimburse MPM Development, L.P. ("Developer"), for the construction of a 12-inch water line in accordance with the approved water arterial transmission and grid main reimbursement agreement executed between the City and the Developer.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029821

28. Second Reading Ordinance - Appropriating funds to reimburse developer for the construction of Tortuga Dunes/Zahn Road/Packery Channel wastewater lift station and force main improvements (1st Reading 4/23/13)

Ordinance appropriating \$450,000 from the No. 4220 Sanitary Sewer Trunk System Trust Fund to reimburse Forestar (USA) Real Estate Group, Inc. ("Developer") for the construction of the Tortuga Dunes/Zahn Road/Packery Channel wastewater lift station and force main improvements in accordance with the approved reimbursement agreement executed with the Developer.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029822

29. Second Reading Ordinance - Appropriating funds related to the American Bank Center (1st Reading 4/23/13)

Ordinance appropriating \$250,000 received from SMG (under contractual obligation to contribute capital for the American Bank Center) in the No. 4710 Visitors Facility Fund for improvements to the American Bank Center; Appropriating \$277,247.91 from reserved fund balance in the No. 4710 Visitors Facility Fund for American Bank

Center capital improvement expenditures; Appropriating \$50,000 from reserved fund balance in the No. 4710 Visitors Facility Fund for capital and repair maintenance needs relating to the food and beverage concessions at the American Bank Center; Appropriating \$119,364.25 from unreserved fund balance in the No. 1130 Arena Facility Fund for repair maintenance needs at the Arena; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase revenues by \$250,000 and by increasing expenditures by a total of \$696,612.16.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029823

30. Second Reading Ordinance - Appropriating funds in cable franchise revenue for capital expenditures (1st Reading 4/23/13)

Ordinance appropriating \$165,491.99 from the State Cable Franchises issued by the Public Utility Commission of Texas in the No. 1031 Public, Education and Government Cable Fund for capital expenditures related to the Public, Education and Government Access Channels; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase appropriations by \$165,491.99.

The foregoing ordinance was passed and approved on second reading 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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029824

M. PUBLIC HEARINGS: (NONE)

N. REGULAR AGENDA: (ITEM 31)

31. Second Reading Ordinance - Adopting the Consolidated Annual Action Plan for housing and homeless needs (1st Reading 4/23/13)

Ordinance to adopt the fiscal year (FY) 2013-2014 Consolidated Annual Action Plan (CAAP), for the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs; to authorize the City Manager or designee to submit the FY2013-FY2014 CAAP to the U.S. Department of Housing and Urban Development (HUD), and to amend if required by HUD; to authorize the City Manager or designee to execute all documents necessary to accept and appropriate upon receipt the grants from HUD into the Grant Fund No. 1059 for the approved FY2013-2014 CAAP projects and further to execute funding agreements and all other documents necessary to implement the FY2013-2014 CAAP with organizations for approved projects; and to ratify the ESG funding agreements and other applicable implementation documents to be effective as of August 1, 2013.

City Manager Olson announced that this item was being tabled.

Enactment No: 029831

O. FIRST READING ORDINANCES: (ITEMS 32 - 34)

32. First Reading Ordinance - Designating voestalpine Reinvestment Zone

Ordinance designating the "voestalpine Reinvestment Zone" within the extra territorial jurisdiction of the City of Corpus Christi, Texas ("City") and within the City limits under the Property Redevelopment and Tax Abatement Act (Chapter 312 of the Texas Tax Code).

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

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

Absent: 1 - Council Member Leal

Abstained: 1 - Council Member Magill

Enactment No: 029828

33. First Reading Ordinance - Amending City Code regarding farmer's markets and the accompanying vendor fee

Ordinance amending Chapter 19, Code of Ordinances, City of Corpus Christi, regarding farmer's markets and the accompanying vendor fee; providing for penalties; providing for severance; and providing for publication.

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

following vote:

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 0

Enactment No: 029829

34. First Reading Ordinance - Approval for the sale of foreclosed property at annual tax resale auction to recoup City's share of property taxes

Ordinance authorizing the sale of no greater than one hundred and three (103) properties shown on the attached and incorporated "Re-Sale Property List" at a tax resale auction with opening bids of 20% of the most recent tax appraisal value, and reducing the opening bid for unsold properties by half.

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

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

Absent: 2 - Council Member Allen and Council Member Leal

Abstained: 1 - Council Member Garza

Enactment No: 029827

P. FUTURE AGENDA ITEMS: (ITEMS 35 - 40)

Mayor Martinez referred to the Future Agenda, Items 35 through 40 and stated that these items are for informational purposes only and that no action or public comment would be taken. Staff provided a presentation on Items 35, 36, 37, and 38.

35. Purchase of Enterprise Resource Planning System and component software (Related Items 5 - 8)

Motion approving license, service, hosting, maintenance and professional services agreements with Infor (US), Inc., Alpharetta, GA, for an enterprise resource planning system for \$5,922,196.16, of which \$1,383,138.16 is required for the remainder of FY 2012-2013; an additional project contingency of \$749,718.87; and ongoing service, hosting and maintenance. The initial term of the service agreement is three years and the initial term of the hosting and maintenance agreements is one year; each will automatically renew annually thereafter upon payment of annual service, hosting and maintenance fees, respectively. The term of the professional services agreement

will extend through project completion. Funds have been budgeted by the Municipal Information Systems Department in FY 2012-2013.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-081

- 36.** Motion approving software license, service and maintenance agreements with Emphasys Software, Emeryville, CA for treasury management software for \$105,600.00, of which \$36,500.00 is required for the remainder of FY 2012-2013; and ongoing service and maintenance. The initial term of the service and maintenance agreements is one year and each will automatically renew annually thereafter upon payment of annual service and maintenance fees. Funds have been budgeted by the Municipal Information Systems Department in FY 2012-2013.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-082

- 37.** Motion approving a software license and maintenance agreement with MHC Software, Inc., Burnsville, MN, for document generating software for \$136,584.80, of which \$68,292.40 is required for the remainder of FY 2012-2013; and ongoing maintenance. The initial term of the maintenance agreement is two years and will automatically renew annually thereafter upon payment of annual maintenance fees. Funds have been budgeted by the Municipal Information Systems Department in FY 2012-2013.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-083

- 38.** Motion approving a software license and maintenance agreement with PCI, LLC, Tampa, FL, for cash management software for \$117,810.00, of which \$117,810.00 is required for the remainder of FY 2012-2013; and ongoing maintenance. The initial term of the maintenance agreement is one year and will automatically renew annually thereafter upon payment of annual maintenance fees. Funds have been budgeted by the Municipal Information Systems Department in FY 2012-2013.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-084

- 39. Landscape maintenance agreement for improvements on State Highway 358(South Padre Island Drive)/Flour Bluff Drive intersection and State Highway 358(South Padre Island Drive)/State Highway 44 Interchange**

Resolution authorizing the City Manager, or designee, to execute a Landscape Maintenance Agreement with the Texas Department of Transportation (TXDOT) for landscape improvements within the project's scope of SH 358 (South Padre Island Drive)/Flour Bluff Drive Intersection and SH 358 (South Padre Island Drive)/SH 44 Interchange.

This Resolution was recommended by Staff to the Consent Agenda.

Enactment No: 029825

40. Amendment to Financial Policy

Resolution amending financial policies adopted by Resolution 029521 and providing financial policy direction on preparation of the Annual Budgets.

This Resolution was recommended by Staff to the Consent Agenda.

Enactment No: 029826

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

R. LEGISLATIVE UPDATE: (ITEM 41)

41. Status Report on Legislative Issues

Mayor Martinez referred to Item No. 41. Tom Tagliabue, Director of Intergovernmental Relations provided an update and reported on the 2013 Legislative Priorities. Mr. Tagliabue further discussed transportation funding and other Bills dealing with transportation funding; the council resolution seeking location funding; windstorm bill; HB 624 regarding sanitary sewer overflows, and water funding. Council discussed the status of HB 605.

S. ADJOURNMENT

There being no further business to come before the Council, Mayor Martinez declared the meeting adjourned at 3:05 pm.