



Corpus Christi

1201 Leopard St
Corpus Christi, TX 78401
CCtexas.com

Meeting Minutes - Final City Council

Tuesday, September 25, 2012

12:00 PM

Council Chambers

10:30 A.M. - 11:30 A.M. LEGISLATIVE PRIORITIES WORKSHOP

1 City Council Legislative Priorities Workshop

Mayor Pro Tem Allen verified that a quorum of the Council was present for the Workshop Meeting - State Legislative Priorities. Ron Olson, City Manager stated that the purpose of the workshop is to advise the Council on legislative priorities that have been identified by staff and coordinated with other jurisdictions and entities, and to receive input from the Council on the City's legislative program. Mr. Olson stated that they plan to bring a Resolution to formalize the City's Legislative Goals in October 2012. Mr. Tom Taglibue, Director of Intergovernmental Relations provided the Council an update and discussed the timeline; and the following levels of importance of legislative issues: Priority, Actively Support/Oppose, and Endorse. Mr. Taglibue then presented the Proposed City Legislation for Priority Level, Actively Support, Actively Oppose, and Endorse. He then discussed legislation for the following entities: Nueces County, Del Mar College, Texas A&M University-CC, and Metro 8 Chambers of Commerce.

A. Call meeting to order.

Mayor Pro Tem Allen called the meeting to order.

B. Invocation.

The invocation was delivered by Mayor Pro Tem Kelley Allen.

C. Pledge of Allegiance.

The Pledge of Allegiance was led by Council Member John Marez.

D. Roll Call.

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

Present: 7 - Council Member Chris Adler, Council Member Kelley Allen, Council Member Priscilla Leal, Council Member David Loeb, Council Member John Marez, Council Member Nelda Martinez, and Council Member Mark Scott

Absent: 2 - Mayor Joe Adame, and Council Member Larry Elizondo

E. Proclamations / Commendations

- 2 Proclamation declaring October 2012 as "Domestic Violence Awareness Month"
Proclamation declaring October 1 - 7, 2012 as "Ideas Week Corpus Christi"
Proclamation declaring October 2, 2012 as "National Night Out"
Mayor Pro Tem Allen read and presented the Proclamation(s).

F. MINUTES:

- 3 Approval of Meeting Minutes - September 18, 2012.

A motion was made by Council Member Scott, seconded by Council Member Martinez to approve the minutes as presented and passed.

G. BOARDS & COMMITTEE APPOINTMENTS:

- 4 Arts and Cultural Commission
Committee for Persons with Disabilities
Island Strategic Action Committee

The following new appointments and reappointments were made to the City's boards, commissions and committees:

Arts and Cultural Commission: New Appointments - Joseph Schenk (Visual Arts), Cathy Harrison (Economic Development/Tourism), and Stephen Rybak (Marketing)
Committee for Persons with Disabilities: New Appointments - David Ramos and Anthony Mulheron
Island Strategic Action Committee: New Appointments - Stan Hulse (Padre Isles), Jodi Steen and Ralph Tapscott

Enactment No:

I. CONSENT AGENDA: (ITEMS 5 - 10)

- Mayor Pro Tem Allen called for consideration of the Consent Agenda, Items 5 - 10. Mayor Pro Tem Allen asked for comments from the audience. There were no comments. The items were approved by one vote:
- 5 Deferment agreement with Calallen Retail Partners, L.P., for public improvements located at the Southeast corner of Farm to Market Rd. 624 (Northwest Blvd.) and Farm to Market Rd. 1889.

Motion finding reasonable cause exists to delay completion of public improvements in accordance with Section 8.1.10.B of the Unified Development Code and authorizing the City Manager, or designee, to execute a deferment agreement with Calallen Retail Partners, L.P.

("Developer"), in the amount of \$228,800.00 for public improvements to property located at the southeast corner of Farm to Market Rd. 624 (Northwest Blvd.) and Farm to Market Rd. 1889, contingent upon receipt of a letter of credit approved by the City prior to the filing of the final plat by the Developer.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: M2012-172

6 Employee Transition Plan for the Professional Service Management Agreement for the Corpus Christi Museum of Science and History

Motion authorizing the City Manager or his designee to execute the Employee Transition Plan with Corpus Christi Museum Joint Venture (CCMJV), amending the Professional Service Management Agreement to operate and manage the Corpus Christi Museum of Science and History.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: M2012-173

7 Professional services contract amendment for the extension of a runway and taxiway threshold and two new taxiways

Motion authorizing the City Manager, or designee, to execute Amendment No. 9 to the Professional Services contract with KSA Engineers, Inc. of Longview, Texas, in the amount of \$1,000,000.00 for a total restated fee not to exceed \$3,403,226.95 for the Corpus Christi International Airport Runway 17/35 Extension/Displacement and Connecting Taxiway Project.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: M2012-174

8 Second Reading Ordinance - Appropriating and transferring funds to be used for capital expenditures (First Reading 9/18/12)

Ordinance appropriating \$65,417 from the No. 4611 Airport Capital Reserve Fund and transferring \$65,417 to the No. 4610 Airport Operating Fund as a result of the July 10, 2012 refunding of the Series 2000 A & B Bonds that eliminated the reserve fund requirement; amending the FY 2012-13 Operating Budget adopted by Ordinance No. 029577 to increase revenue and expenditures by \$65,417.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029635

9 Second Reading Ordinance - Accepting and appropriating a State grant; transferring and appropriating City/InKind match to fund victims of crime (First Reading 9/18/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$79,188.69 to continue the Victims of Crime Act (VOCA) grant within the Police Department for Year 13, with a City match of \$16,731.84, in-kind match of \$4,000 in the No. 1020 Police General Fund; and appropriating the \$79,188.69 in the No. 1061 Police Grants Fund to continue the VOCA grant in the Police Department and authorizing the transfer of \$16,731.84 from the No. 1020 Cash Contribution to and appropriating in the No. 1061 Police Grants Fund as grant matching funds for a total project cost of \$99,920.53.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029636

10

Second Reading Ordinance - Appropriating funds for purchase of 164 In-Car Video Recording Systems and completion of fiber network for police substations (First Reading 9/18/12)

Ordinance appropriating \$1,216,225 in the General Fund No. 1020 for the purchase of 164 vehicle video recording systems for the Police Department's patrol fleet; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 by increasing appropriations by \$1,216,225; transferring an amount of \$80,000 from the General Fund No. 1020 to and appropriating in the MIS Fund No. 5210 to facilitate completion of the fiber network for use by the Tuloso and Waldron Police Department Substations; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 by increasing revenues and appropriations by \$80,000 each; awarding and authorizing the purchase of 164 vehicle video recording systems from Coban Technologies, Inc. for \$1,426,611.30 based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC).

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029637

J. EXECUTIVE SESSION: (NONE)

K. PUBLIC HEARINGS: (ITEM 11)

Mayor Pro Tem Allen referred to Item No. 11. Michael Morris, Director of Parks and Recreation stated that this is a Public Hearing and First Reading Ordinance adopting the Corpus Christi Parks & Recreation Master Plan. Mr. Morris added that the primary function of the plan is to assess the current park system, identify needs and deficiencies in the system and establish goals and priorities for maintaining, improving and developing a park system that meets the recreation needs of the community. He added that the Planning Commission approved the Master Plan.

A motion was made by Council Member Scott, seconded by Council Member Loeb to open the public hearing and passed. There were no comments. A motion was made by Council Member Scott, seconded by Council Member

Loeb to close the public hearing and passed.

11

Second Reading Ordinance - Amending the Comprehensive Plan of the City of Corpus Christi and adopting the Corpus Christi Parks and Recreation Master Plan (1st reading 9/25/12)

Ordinance amending the Comprehensive Plan of the City of Corpus Christi by adoption of the Corpus Christi Parks and Recreation Master Plan; providing for repeal of conflicting ordinances; and providing for severance.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029640

L. REGULAR AGENDA: (ITEM 12)

12

Agreement for temporary tax abatement for future mixed use development located at 908 and 916-928 Staples Street

Resolution authorizing the execution of an agreement with Mr. Owen A. Norton providing for temporary property tax abatement.

Mayor Pro Tem Allen referred to Item No. 12. Emily Martinez, Economic Development stated that the request is for a temporary tax abatement agreement in the Norton Street area. The improvement are to a 8,950 square foot building for restaurant and retail office space. The estimated improvements are approximately \$425,000 and will create 10 permanent jobs. Mayor Pro Tem Allen called for comments from the audience. There were no comments.

Ms. Martinez stated that an amendment to the agreement is necessary to clarify that this agreement is a "small business agreement" and not a Manufacturing Facility on Page 4 of the agreement. A motion was made by Council Member Scott, seconded by Council Member Martinez to amend the agreement and passed.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029638

M. FIRST READING ORDINANCES: (ITEMS 13 - 18)

- 13** Second Reading Ordinance - Accepting and appropriating a State grant; transferring and appropriating City/InKind match to fund advocacy for victims of domestic violence (1st reading 9/25/12) (Requires 2/3 vote)

Authorizing the City Manager or designee to execute all documents necessary to accept a grant from the State of Texas, Criminal Justice Division in the amount of \$94,705.39 to continue the Violence Against Women Formula Grant (VAWA) grant within the Police Department for Year 13, with a City match of \$47,165.68, in-kind match of \$7,200 in the No. 1020 Police General Fund; and appropriating the \$94,705.39 in the No. 1061 Police Grants Fund to continue the VAWA grant in the Police Department and authorizing the transfer of \$47,165.68 from the No. 1020 Cash Contribution to and appropriating in the No. 1061 Police Grants Fund as grant matching funds for a total project cost of \$149,071.07

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029641

- 14** Second Reading Ordinance - Repealing/reenacting ordinance creating the Corpus Christi Museum Advisory Board (1st reading 9/25/12)

Ordinance repealing and reenacting section 2-90 "created; membership; terms; filling vacancies" of the code of ordinances, dissolving the Corpus Christi Museum of Science and History Advisory Board and creating a new Corpus Christi Museum of Science and History Advisory Board; amending section 2-92 "Meetings; function" of the code of ordinances by modifying the meeting from monthly to quarterly; providing an effective date; 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 Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029642

15

Second Reading Ordinance - Appropriating funds for marketing and co-promotion expenditures at the American Bank Center (1st reading 9/25/12) (Requires 2/3 vote)

Ordinance appropriating \$600,000 from the unreserved fund balance in the No. 1130 Arena Facility Fund and transferring to and appropriating in the No. 4710 Visitors Facilities Fund for American Bank Center Marketing and Co-Promotion Expenditures; appropriating \$115,999.96 from the reserved fund balance in the No. 4710 Visitors Facilities Fund for American Bank Center Marketing and Co-Promotion Expenditures; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase revenues by \$600,000 and expenditures by \$ 1,315,999.96.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029643

16

Second Reading Ordinance - State lease agreement to store materials for offshore artificial reef construction (1st reading 9/25/12) (Requires 2/3 vote)

Ordinance authorizing the City Manager or designee to execute a Coastal Surface Lease with the State of Texas to lease approximately 3.0 acres of filled submerged land for the storage of reefing material for use in constructing an offshore artificial reef, for a term of four years, for \$500 per month for the first two years, and \$833.33 per month for the last two years.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029644

17

Second Reading Ordinance - Professional service contract to improve operations of the J. C. Elliott landfill gas collection system (1st reading 9/25/12) (Requires 2/3 vote)

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to add Project No. E12108 J.C. Elliott Landfill Gas Collection and Control System Repairs; transferring budgeted funds in the amount of \$108,432 from the Citizens Collection Center Flour Bluff / Padre Island Area Project to the J.C. Elliott Landfill Gas Collection and Control System Repairs Project; and authorizing the City Manger or designee to execute a contract for professional services with SCS Field Services of Bedford, Texas in the amount of \$100,400 for the J.C. Elliott Landfill Gas Collection and Control System Repairs Project.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029645

18

Second Reading Ordinance - Amending the Capital Improvement Budget to transfer funds and execute a construction contract for street improvements including utilities from Leopard Street to Maple Leaf Drive and offsite Storm Water improvements from Lois Drive to Turkey Creek along Leopard Street (BOND 2008) (1st reading 9/25/12) (Requires 2/3 vote)

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to transfer \$41,928 in budgeted wastewater project savings and \$16,450 in budgeted water project savings from the TXDOT Participation Project and \$267,499 in budgeted storm water project savings from the Staples Street Outfall Project to the Charles Drive from Leopard to Maple Leaf Project; increasing expenditures in the amount of \$325,877; authorizing the City Manager or designee execute a construction contract with Jhabores Construction Company of Corpus Christi, Texas in the amount of \$1,735,439.03 for the Charles Drive from Leopard Street to

Maple Leaf Drive Project for the base bid.

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

Aye: 7 - Council Member Adler, Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

Absent: 2 - Mayor Adame and Council Member Elizondo

Abstained: 0

Enactment No: 029646

N. FUTURE AGENDA ITEMS: (NONE)

RECESS THE CITY COUNCIL MEETING

19 Board of Director's Meeting of the Corpus Christi Community Improvement Corporation (CCCIC)

- 1. Call meeting to order
- 2. Secretary Armando Chapa calls roll.
- 3. Approve minutes from Board meeting of September 11, 2012.
- 4. Appointments to the Loan Review Committee
- 5. Public Comment
- 6. Adjournment

This Corporation Meeting was held.

RECONVENE THE CITY COUNCIL MEETING

O. UPDATES TO CITY COUNCIL:

P. Public Comment.

Mayor Pro Tem Allen called for public comment. Jerry Garcia spoke in support of the renaming of the Greenwood Library to the Ben McDonald Library, and stated that he supports additional projects in the westside area; Abel Alonzo spoke in support of increases for City employees.

Q. CITY MANAGER'S COMMENTS:

- * Update on City Operations

Ron Olson, City Manager referred to Item No. 10 on today's consent agenda, In-Car Video Recording System. Mr. Olson spoke in support of this item and stated that it deals with safety and the ability to perform and use in the court system as evidence, when necessary. Mr. Olson announced that Assistant City Manager Troy Rigg's last day is Friday, September 28 and that he has begun the process to move forward with a Search Firm to replace Mr. Riggs.

R. ADJOURNMENT

There being no further business to come before the meeting, Mayor Pro Tem Allen adjourned the meeting at 1:15 p.m.