



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes - Final City Council

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Tuesday, May 14, 2013

11:30 AM

Council Chambers

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**A. CALL MEETING TO ORDER.**

Mayor Martinez called the meeting to order.

**B. INVOCATION.**

The invocation was provided by Pastor Greg Hackett, First United Methodist Church.

**C. PLEDGE OF ALLEGIANCE.**

The Pledge of Allegiance was delivered by Charlie Goodman, Mayor's Office.

**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.

(Note: Council Member Riojas arrived at 12:20 pm)

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

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

**E. Proclamations / Commendations**

**1. Proclamation declaring May 2013 as "Motorcycle Safety and Awareness Month"**

The Proclamation was read and presented.

**F. PUBLIC COMMENT.**

Mayor Martinez called for Public Comment. Sally Gill commented on limited water resources and thanked City staff for educating the community; Diana Broyles spoke about upcoming Library events and commented on a membership drive; Dan Vera spoke of various globalization issues and economic strategies; Judy Telge commented on Agenda Item No. 18 and stated that the Coastal Bend Independent Living was not awarded any CDBG funding; Jerry Garcia spoke of various City matters; Sally Gill, informed the Council of

the actions taken by the Water Resources Advisory Committee at their last meeting; Jim Kline asked the Council to reconsider the Resolution regarding Citizens United group; and Mary Ann Kelley commented on the Street Maintenance Fee, elimination of fluoride from water, sign violations, and enforcement of the illegal dumping ordinance.

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

There were no City Manager comments.

**H. EXECUTIVE SESSION: (ITEM 2)**

Mayor Martinez referred to Item No. 2. The Council went into executive session.

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

The Council returned from executive session. Mayor Martinez announced that no action would be taken.

**I. MINUTES:**

3. Approval of Meeting Minutes - Regular Meetings of April 23, 2013 and April 30, 2013.

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

**J. BOARDS & COMMITTEE APPOINTMENTS:**

4. Advisory Committee on Community Pride  
Airport Board  
Animal Control Advisory Committee  
Building Code Board of Appeals  
Commission on Children and Youth  
Committee for Persons with Disabilities  
Marina Advisory Committee  
Mayor's Fitness Council  
Parking Advisory Committee  
Planning Commission

Mayor Martinez referred to Item No. 4 and the following appointments/reappointments were made to the City's boards, commissions and committees:

**Advisory Committee on Community Pride: New Appointments - Belinda Rocha and Betsy Herring**

**Airport Board: New Appointments - Alex Garcia, Jr. and Shawn Morgan; Reappointment - Jeffrey Kane; Advisory Member - Jay Wise**

**Animal Control Advisory Committee: New Appointments - Janet Strawn (At Large) and Megan Winn (At Large); Reappointment - Laina Schonefeld (At Large) and Dr. Barbara Whitlock (Veterinarian)**

**Building Code Board of Appeals: New Appointment - Chuck Anastos (Architect); Reappointment - Debie Schibi (General Contractor) and Randy Farrar (Building Industry)**

**Commission on Children and Youth: These appointments were deferred until later in the meeting to allow for review of the Resume for Heather Butscher.**

**Committee for Persons with Disabilities: New Appointment - Marshall Burns**

**Marina Advisory Committee: New Appointments - Clara lee (Scientist), Sharon Emerson (At Large), and Robert Paulison (At Large); Reappointment - Monte Reitz (Restaurant Representative)**

**Mayor's Fitness Council: New Appointments - Dr. Chad Peters (Health Care/Medical) and Dr. Roland Hernandez (Youth Initiatives); Reappointments - Kimberly Cook (Disability Network), Rodney Brown (At Large), Wade Spenst (At Large), and Megan Allen (Worksite Wellness)**

**Planning Commission: Reinstated - Gabriel Guerra and Mike Lippincott**

**Parking Advisory Committee: New Appointments - Jennifer Perales (DMD), Linda Sutton (DMD), Lawrence Virts (Building Owners & Management Assn., Darlene Gregory (Uptown Neighborhood Initiative), Richard Durham (At Large), Lynn Frazier (CC Beach Task Force), Fay Crider (Resident), and Ginny Price (Council Member District 2 Nominee), Ellen Blasingame (BOMA - Declined Appointment)**

Enactment No:

**L. CONSENT AGENDA: (ITEMS 5 - 11)**

**Mayor Martinez referred to Consent Agenda, Items 5 - 11. Mayor Martinez asked for council and public comment. There were no comments from the public. Council Members pulled Item Nos. 10 and 11 for individual consideration. The items were approved by one vote:**

**5. 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.

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

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

**Absent:** 1 - Council Member Riojas

**Abstained:** 0

Enactment No: M2013-081

6. 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.

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

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

**Absent:** 1 - Council Member Riojas

**Abstained:** 0

Enactment No: M2013-082

7. 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.

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

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

**Absent:** 1 - Council Member Riojas

**Abstained:** 0

Enactment No: M2013-083

8. 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.

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

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

**Absent:** 1 - Council Member Riojas

**Abstained:** 0

Enactment No: M2013-084

**9. 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.

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

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

**Absent:** 1 - Council Member Riojas

**Abstained:** 0

Enactment No: 029825

**10. Amendment to Financial Policy**

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

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

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

**Absent:** 1 - Council Member Riojas

**Abstained:** 0

Enactment No: 029826

**11. Second Reading Ordinance - Approval for the sale of foreclosed property at annual tax resale auction to recoup City's share of property taxes (1st Reading 4/30/13)**

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 second reading with the following vote:**

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

**Absent:** 1 - Council Member Riojas

**Abstained:** 1 - Council Member Garza

Enactment No: 029827

**M. PUBLIC HEARINGS: (ITEMS 12 - 15)**

**12. Public Hearing/First Reading Ordinance - Unified Development Code Text Amendment exempting Regional Transit Authority signs that contain commercial advertising**

Ordinance amending the Corpus Christi Unified Development Code by revising subsection 7.5.7.A.7 relating to signs partially exempt from the UDC; providing for severance, penalties, and publication.

**Mayor Martinez referred to Item No. 12. Mr. Mark Van Vleck, Director of Development Services stated that this item is amending the Unified Development Code, specifically signs installed by a transit company with a franchise or other right to operate in the City such as the Regional Transportation Authority (RTA). A motion was made by Council Member Scott, seconded by Council Member Magill to open the public hearing and passed. Jack Gordy spoke in opposition.**

**Mr. Ron Olson, City Manager clarified the opinion issued by the Attorney General Office. A motion was made by Council Member Magill, seconded by Council Member McIntyre to close the public hearing and passed.**

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

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

**Abstained:** 0

Enactment No: 029840

**13. Public Hearing and First Reading Ordinance - Rezoning from Residential to Industrial for Elizabeth Anne Meaney on property located at 8801 State Highway 44 (Tabled on 4/23/13)**

Case No. 0313-01 Elizabeth Anne Meaney: A change of zoning from the "RS-6" Single-Family 6 District to the "IL/SP" Light Industrial District with a Special Permit for the wholesale storage and distribution of fuels and lubricants, not resulting in a change to the Future Land Use Map. The property being rezoned is described as being an 18.25-acre tract of land out of the G. H. McLeroy 40-acre tract and being out of Survey 402, Thomas Gallagher Abstract 988 and the James W. Ward Abstract 1031, located on the south side of State Highway 44, approximately 110 feet east of South Clarkwood Road.

Staff Recommendation:

Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "IL/SP" Light Industrial District with a Special Permit, and in lieu thereof, approval of the "IL" Light Industrial District.

Planning Commission Recommendation (March 27, 2013):

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "IL/SP" Light Industrial District with a Special Permit subject to a site plan and conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Elizabeth Anne Meaney ("Owner"), by changing the UDC Zoning Map in reference to an 18.25-acre tract of land out of the G. H. McLeroy 40-acre tract and being out of Survey 402, Thomas Gallagher Abstract 988 and the James W. Ward Abstract 1031, from the "RS-6" Single-Family 6 District to the "IL/SP" Light Industrial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item No. 13. Mr. Mark Van Vleck, Director of Development Services stated that this request is to rezone the property to allow light industrial uses plus the aboveground wholesale storage of fuels and lubricants located at 8801 State Highway 44. He stated that this item was tabled at the April 23, 2013 council meeting to give the applicant time to evaluate an alternate request to the "IC" Industrial Compatible District on the west portion of the property and the "IL/SP" Light Industrial District with a**

Special Permit on the east portion of the property. He stated that the applicant has accepted the alternate request.

A motion was made by Council Member Scott, seconded by Council Member Magill to open the public hearing. The following citizens spoke in opposition to this item: Alexandra Camacho, Ms. Camacho, Ernest Sims, Ruby Garcia, and Abel Alonzo. A motion was made by Council Member Scott, seconded by Council Member Loeb to close the public hearing and passed.

A motion was made by Council Member Loeb to amend the ordinance to approve the alternate request to the "IC" Industrial Compatible District on the west portion of the property and the "IL/SP" Light Industrial District with a Special Permit on the east portion of the property, seconded by Council Member Allen and passed.

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

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

**Nay:** 1 - Council Member Leal

**Abstained:** 0

Enactment No: 029841

14.

#### **Public Hearing and First Reading Ordinance - Amending the South Central Area Development Plan, an Element of the Corpus Christi Comprehensive Plan**

Ordinance amending the South Central Area Development Plan, an element of the Comprehensive Plan of the City of Corpus Christi by renaming the Plan; updating goals and policies; providing new measurable strategies and a new multi-modal transportation plan, urban design plan, and urban living options plan; updating the future land use map; providing for severance; and providing for publication

Mayor Martinez referred to Item No. 14. Mr. Pete Anaya, Director of Planning and Environmental Services stated that this item is to amend the South Central Area Development Plan. Ms. Lisa Wargo, Planning Department, provided an overview of the proposed amendments and stated that the plan will incorporate new measurable strategies, a new multi-modal transportation map, urban design and urban living plans within the area development plan, update goals and policies, and update the future land use map.

A motion was made by Council Member McIntyre, seconded by Council Member Scott to open the public hearing and passed. Abel Alonzo stated that the Planning Committee should have included a disabled representative. A motion was made by Council Member McIntyre, seconded by Council Member Scott to close the public hearing and passed.

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



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

**Absent:** 2 - Council Member Allen and Council Member McIntyre

**Abstained:** 0

Enactment No: 029842

**15. Public Hearing and Second Reading Ordinance - Designating voestalpine Reinvestment Zone (1st Reading 4/30/13)**

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).

**Mayor Martinez referred to Item No. 15. Mike Culbertson, Regional Economic Development Corporation stated that this is the second reading of an ordinance designating the voestalpine Reinvestment Zone. A motion was made by Council Member Scott, seconded by Council Member Riojas to open the public hearing and passed. There were no comments. A motion was made by Council Member Scott, seconded by Council Member Leal to close the public hearing and passed.**

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

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

**Absent:** 1 - Council Member Allen

**Abstained:** 1 - Council Member Magill

Enactment No: 029828

**N. REGULAR AGENDA: (ITEMS 16 - 18)**

**16. Second Reading Ordinance - Amending City Code regarding farmer's markets and the accompanying vendor fee (1st Reading 4/30/13)**

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

**Mayor Martinez referred to Item No. 16. Aurora Parlamas, Public Health Department stated that this is the second reading of an ordinance proposing the adoption of new Section 19-17, for the purpose of regulating certain goods and products, specifically eggs at Farmer's Markets. She stated that staff is**

recommending an amendment prior to the final reading of the ordinance.

Mayor Martinez asked for comments from the audience. There were no comments. A motion was made by Council Member Loeb to accept the amendments recommended by staff, seconded by Council Member McIntyre and passed.

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

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

**Abstained:** 0

Enactment No: 029829

**17. Second Reading Ordinance - Appropriating funds for the Energy Efficiency Conservation Retrofit for Major City Facilities project; changing the Capital Improvement Budget; and executing Amendment No. 1 to the performance contract for energy audit (Phase 2)(1st Reading 4/23/13)**

Ordinance appropriating \$40,389 from AEP Program Incentives in the No. 3160 City Hall CIP Fund for the Energy Efficiency Conservation Retrofit for Major City Facilities project; changing the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to increase revenues and expenditures by \$40,389 each; and authorizing the City Manager, or designee, to execute Amendment No. 1 Technical Energy Audit to the Fixed Price Energy Performance Contract (Design/Build) with McKinstry Essention of Seattle, Washington for Energy Efficiency Conservation Retrofit for Major City Facilities in the amount of \$125,000, for a total re-stated fee of \$7,075,000.

Mayor Martinez referred to Item No. 17. Dan Biles, Director of Engineering stated that the purpose of this item is to execute an amendment with McKinstry Essention for Energy Efficiency Conservation Retrofit for work associated with Phase 2 energy audit and retrofit assessment of major City facilities. Mayor Martinez asked for comments from the audience. There were no comments.

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

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

**Nay:** 1 - Council Member Magill

**Abstained:** 0

Enactment No: 029830

**18. 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.

**Mayor Martinez referred to Item No. 18. Susan Thorpe, Assistant City Manager stated that this item relates to the Proposed FY 2013-2014 Consolidated Annual Action Plan. She added that funds have been identified from the General Fund to fund CDBG Project Nos. 15, Ethel Eyerly Center Fire Alarm System, No. 19, Lindale Senior Center Fire Alarm System, No. 20, Greenwood Senior Center Roofing Project, and No. 25, Northwest Senior Center Fire Alarm System in the total amount of \$96,700, thereby making the funding available for ADA Improvements.**

**A motion was made by Council Member Scott to increase the funding by \$96,700 to CDBG Project No. 9, ADA Improvements, seconded by Council Member McIntyre and passed.**

**A discussion ensued regarding CDBG Project No. 11 La Retama Central Library Accessibility. A motion was made by Council Member Magill to table CDBG Project No. 11 to allow for further review of the project, seconded by Council Member Leal and passed.**

**Mayor Martinez asked for comments from the public. Abel Alonzo spoke in support of ADA improvements.**

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

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

**Abstained:** 0

Enactment No: 029831

**O. FIRST READING ORDINANCES: (ITEMS 19 - 28)**

**19. First Reading Ordinance - Accepting and appropriating a Regional grant to support Emergency Medical Services (EMS) operations**

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$2,847.28 to be used for the purchase of supplies to support the delivery of emergency medical services for the Corpus Christi Fire Department; and appropriating \$2,847.28 from the Coastal Bend Regional Advisory Council into the No. 1062 Fire Grant Fund to purchase supplies to support the delivery of emergency medical services for the Corpus Christi Fire Department

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

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

**Absent:** 1 - Council Member Allen

**Abstained:** 0

Enactment No: 029832

**20. First Reading Ordinance - Accepting and appropriating a Regional grant to support the Web Based Emergency Operations Center (WebEOC)**

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$40,000 for the benefit of the City's WebEOC operations; and appropriating \$40,000 from the Coastal Bend Regional Advisory Council into the 1062 Fire Grant Fund to purchase equipment, services, technical support, training and travel for the Corpus Christi Fire Department's WebEOC.

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

**Aye:** 7 - Council Member Allen, Council Member Leal, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Absent:** 2 - Council Member Loeb and Mayor Martinez

**Abstained:** 0

Enactment No: 029833

**21. First Reading Ordinance - Amending the City Code to revise the City's Water Conservation Plan and Drought Contingency Plan**

Ordinance adopting the Water Conservation Plan and Drought Contingency Plan; Amending City Code of Ordinances, Chapter 55, Article XII Water Conservation, regarding water resource management including drought restrictions and surcharges, providing an effective date of June 3, 2013; and providing for penalties.

**Mayor Martinez referred to Item No. 21. Gus Gonzalez, Director of Water Operations stated that this amendment revises and improves the City's Water Conservation Ordinance and the 2009 Water Conservation and Drought Contingency Plan. He added that the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB) require submitted of a revision every five years. Mr. Gonzalez provided a presentation and discussed the objectives, outreach, key differences between the Water Conservation Plan and the Drought Contingency Plan, best management practices, identified the drought response stages, difference between the current plan vs. proposed plan (Drought Contingency Plan), and waiver and exemptions.**

**After council discussion, a motion was made by Council Member Magill to add "Council Consent" to Stage 3 Response - Severe Water Shortage Condition and Stage 4 Response - Critical Water Shortage Condition, seconded by Council Member Scott and passed.**

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

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

**Absent:** 1 - Mayor Martinez

**Abstained:** 0

Enactment No: 029846

## **22. First Reading Ordinance - Amending City code to allow dogs in outdoor dining areas of food establishments**

Ordinance amending Chapter 19, Code of Ordinances, City of Corpus Christi, regarding a variance of Section 19-15 which allows for dogs in outdoor dining areas of food establishments and the accompanying application and variance certificate 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:** 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Absent:** 1 - Mayor Martinez

**Abstained:** 0

Enactment No: 029834

**23. First Reading Ordinance - Lease renewal with Padre Little League for baseball field at Bill Witt Park**

Ordinance authorizing the City Manager or designee to execute a five-year Lease Agreement with Padre Little League for the use of Bill Witt Park for its baseball program.

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

**Aye:** 7 - Council Member Allen, Council Member Leal, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Absent:** 2 - Council Member Loeb and Mayor Martinez

**Abstained:** 0

Enactment No: 029835

**24. First Reading Ordinance - Lease renewal with Padre Youth Soccer for soccer field at Bill Witt Park**

Ordinance authorizing the City Manager or designee to execute a five-year Lease Agreement with Padre Soccer League for the use of Bill Witt Park for its soccer program.

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

**Aye:** 7 - Council Member Allen, Council Member Leal, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Absent:** 2 - Council Member Loeb and Mayor Martinez

**Abstained:** 0

Enactment No: 029836

**25. First Reading Ordinance - Approval of a use privilege agreement with the Corpus Christi Independent School District to install, operate, maintain, and remove a wastewater line located at 2602 Lipan Street**

Ordinance authorizing the City Manager to execute a use privilege agreement with the Corpus Christi Independent School District ("Permittee") to install, operate, maintain, and remove a private two-inch wastewater force main within the Lipan Street public right-of-way, subject to Permittee's compliance with specified conditions.

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

**following vote:**

**Aye:** 7 - Council Member Allen, Council Member Leal, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Absent:** 2 - Council Member Loeb and Mayor Martinez

**Abstained:** 0

Enactment No: 029837

**26. First Reading Ordinance - Amendment to Type A agreement for Del Mar College Internship Program (Original Agreement Passed 08/21/12)**

Ordinance appropriating \$72,804.35 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for a small business incentives grant from the Corpus Christi Business and Job Development Corporation ("Type A Corporation") to Del Mar College ("Del Mar") for an intern program to support small businesses; Changing the FY 2012-2013 operating budget, adopted by Ordinance No. 029565, by increasing proposed expenditures by \$72,804.35.

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

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

**Absent:** 1 - Mayor Martinez

**Abstained:** 0

Enactment No: 029843

**27. First Reading Ordinance - Amendment to Type A agreement for Texas A&M University - Corpus Christi Internship Program (Original Agreement Passed 08/21/12)**

Ordinance appropriating \$35,060 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for a small business incentives grant from the Corpus Christi Business and Job Development Corporation ("Type A Corporation") to Texas A&M University - Corpus Christi ("TAMU-CC") for an intern program to support small businesses; Changing the FY 2012-2013 operating budget, adopted by Ordinance No. 029565, by increasing proposed expenditures by \$35,060.

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

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

**Absent:** 1 - Mayor Martinez

**Abstained:** 0

Enactment No: 029844

**28. First Reading Ordinance - Lease agreement for boat show event**

Ordinance authorizing the City Manager or designee to execute agreement with Costa Productions, L.L.C. for use of portions of Lawrence Street T-head from July 8, 2013 through July 15, 2013 for a boat show event.

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

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

**Absent:** 1 - Mayor Martinez

**Abstained:** 0

Enactment No: 029838

**Q. BRIEFINGS TO CITY COUNCIL: (ITEM 40)**

**40. Nueces County Appraisal District**

Mayor Pro Tem Allen deviated from the agenda and referred to Item No. 40. Ronnie Canales, Chief Appraiser, Nueces County Appraisal District provided a brief overview and discussed the improvements to the Appraisal District building including the safety improvements, HVAC and roof replacement, and new flooring. Mr. Canales stated that their customer service has improved with a new website, 2013 proposed values now available on-line, e-file of residential homesteads, and a phone bank. He then discussed residential/commercial sales and sales by category, 2013 preliminary value estimate and taxable new growth.

**P. FUTURE AGENDA ITEMS: (ITEMS 29 - 39)**

Mayor Pro Tem Allen referred to the Future Agenda, Items 29 through 39 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 37 and 36. Council Members requested a presentation on Items 29, 30, and 32.

**29. Purchase of Police Motorcycles**

Motion approving the purchase of six (6) police motorcycles from



GRAMB, Inc. dba Corpus Christi CyclePlaza, Corpus Christi, Texas in accordance with Request For Proposal No. BI-0087-13 based on best value for an estimated expenditure of \$163,386.00, of which \$149,886.00 is required for the remainder of FY 2012-2013. Funding is available in the FY 2012-2013 Capital Outlay Budget.

**This Motion was recommended by Staff to Consent Agenda.**

**30. Supply agreement for polymer used to remove water from sludge at wastewater treatment plants**

Motion approving a supply agreement with Polydyne Inc., Riceboro, Georgia for sludge dewatering polymer to be used at the wastewater treatment plants in accordance with Bid Invitation No. BI-0133-13, based on only bid for an estimated twelve month expenditure of \$162,958.00 of which \$40,739.50 is required for FY 2012-2013. The term of the contract will be for twelve months with 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 in the Wastewater Operating Budget in FY 2012-2013.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-085

**31. Supply agreement for chemical solution for disinfection of treated effluent and potable drinking water**

Motion approving a supply agreement with Brenntag Southwest, Inc., Dallas, Texas for approximately 956,200 pounds of sodium hypochlorite solution in accordance with Bid Invitation No. BI-0137-13 based on lowest responsible bid for an estimated twelve month expenditure of \$551,211.90 of which \$137,334.23 is required for FY 2012-2013. The term of the supply agreement 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 in the Water and Wastewater Operations Budgets in FY2012-2013.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-086

**32. Change Order No. 11 for Kostoryz Road improvements Phase 1 from Horne to Sunnybrook and Phase 2 from Sunnybrook to SPID (Bond 2008)**

Motion authorizing the City Manager, or designee, to execute a Change Order No. 11 with Texas Sterling Construction of Houston, Texas in the amount of \$508,077.63, for the Kostoryz Road

Improvements Phase 1 from Horne to Sunnybrook and Phase 2 from Sunnybrook to SPID.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-091

**33. Engineering design contract for lifecycle curb and gutter replacement**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Engineering and Construction Management Services LLC, from Corpus Christi, in the amount of \$73,150.00, for Lifecycle Curb and Gutter Replacement.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-087

**34. Engineering design contract amendment no. 1 for Schanen Ditch Improvements Phase 2**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to the Contract for Professional Services with Freese and Nichols, Inc. from Corpus Christi, Texas in the amount of \$38,540.00, for a re-stated fee not to exceed \$72,978.00 for Schanen Ditch Improvements Phase 2, for design, bid, and construction phase services.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-088

**35. Engineering design contract for Americans with Disabilities Act (ADA) Master Plan Improvements City Wide (BOND 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with CH2M Hill, Inc., from Corpus Christi, in the amount of \$263,200.00, for ADA Master Plan Improvements City-Wide Bond Issue 2012 for design, bid, and construction phase services. (Proposition No. 1 Street Projects)

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-089

**36. Interlocal agreement with Regional Transportation Authority (RTA) for street improvement program**

Resolution authorizing the City Manager, or designee, to execute an Interlocal Agreement with the Corpus Christi Regional Transportation Authority to increase funding based upon sales tax revenues and

provide for a more efficient process in funding street improvements.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029847

**37. Chapter 380 Agreement for Staples Center Retail Venture, LP (The Shops at La Palmera)**

Approving a resolution authorizing the City Manager or designee to execute a Chapter 380 Economic Development Incentive Agreement with Staples Center Retail Venture, LP ("Agreement") for certain economic development grants for redevelopment of Staples Retail Center and Mt. Vernon Center, for the benefit of the City.

**This Resolution was recommended by Staff to the Regular Agenda.**

Enactment No: 029845

**38. Purchase of software, hardware and services to create a virtual desktop program for City computer services**

Motion authorizing the City Manager, or designee, to execute documents necessary to purchase software, hardware, and services for a virtual desktop infrastructure program from the following suppliers: Computer Solutions for \$52,709.70, Dell, Inc., for \$31,875.00, and Inteltek Technologies for \$2,317.00 for a total expenditure of \$86,901.70.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-090

**39. Approving Financial Underwriters for issuing bonds**

Motion approving authorized list of financial underwriters

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-092

**Mayor Pro Tem Allen referred to the appointments for the Commission on Children & Youth. After review of resume for Ms. Heather Butscher, the Council made the following reappointments: Dr. Ridge Hammons (Education), Heather Butscher (Health & Human Services), and Denise Etheridge (Youth Representative).**

**R. LEGISLATIVE UPDATE: (ITEM 41)**

**41. Status Report on Legislative Issues**

Mayor Pro Tem Allen referred to Item No. 41. Tom Tagliabue, Director of Intergovernmental Relations distributed an update of the 2013 Legislation. Council Member Scott asked if a vote has occurred on Windstorm, and Foster Edwards, CEO Chamber of Commerce responded that a vote is expected May 15th. Mr. Edwards distributed information regarding Senate Bill 1700.

**S. ADJOURNMENT**

There being no further business to come before the Council, Mayor Pro Tem Allen declared the meeting adjourned at 6:21 pm.