



# Corpus Christi

1201 Leopard St  
Corpus Christi, TX 78401  
CCtexas.com

## Meeting Minutes - Final City Council

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Tuesday, August 28, 2012

12:00 PM

Council Chambers

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**A. Call meeting to order.**

Mayor Adame called the meeting to order.

**B. Invocation**

The invocation was delivered by Pastor Felix Zapata, El Shaddai Church.

**C. Pledge of Allegiance.**

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

**D. Roll Call**

Assistant City Secretary Juarez verified that the necessary quorum of the Council and the necessary Charter Officers City Manager Ron Olson, City Attorney Carlos Valdez and Assistant City Secretary Mary Juarez were present to conduct the meeting:

**Present:** 8 - Mayor Joe Adame, 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:** 1 - Council Member Larry Elizondo

**E. Proclamations / Commendations**

- 1 Proclamation declaring September 2012 as "Life Insurance Awareness Month"  
Proclamation declaring September 8, 2012 as "Grandparent's Millennium Olympics Day"  
Proclamation declaring September 8, 2012 as "Operation K.E.Y.S. - Keeping Every Youth in School Day"

Mayor Adame read and presented the Proclamation(s).

**F. MINUTES: (NONE)**

**G. BOARDS & COMMITTEE APPOINTMENTS: (NONE)**

**I. CONSENT AGENDA: (ITEMS 2 - 19)**

Mayor Adame called for consideration of the Consent Agenda, Items 2 through 19. City Manager Olson announced that Item No. 3 was being pulled from the agenda. Item No. 8 was pulled for individual consideration. Mayor Adame asked for comments from the audience. There were no comments. The remaining items were approved by one vote:

**2** Name change of Greenwood Branch Library and the children's area

Resolution authorizing the name change of the Greenwood Library to the Ben F. McDonald Public Library and the naming of the Greenwood Library children's area the Velia and Joe De Leon Children's Library.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029604

**3** 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.

**This item was withdrawn from the agenda.**

**4** Change order to fund sidewalk accessibility improvements (Bond Issue 2004)

Motion authorizing the City Manager, or designee, to execute Change Order No. 8 with Safeco Insurance Company of America in the amount of \$281,019.24 for the ADA Sidewalk Accessibility Improvements along Staples Street from Leopard Street to Six Points for under-run items, over-run items, additional sidewalk improvements, additional storm water improvements, additional detectable warning surfaces, and reconstruction of curb inlet tops (Bond Issue 2004).

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: M2012-159

**5** Agreement for materials testing for Williams Drive project from Rodd Field Road to Airline Road (BOND 2008)

Motion authorizing the City Manager, or designee, to execute a Construction Materials Testing Agreement with Tolunay-Wong Engineers, Inc., of Corpus Christi, Texas in the amount of \$250,570 for Williams Drive Phases 1 & 2 from Rodd Field to Nile Drive and Nile Drive to Airline Road. (Bond 2008).

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: M2012-160

**6** Professional services contract to fund project management and master planning for all capital improvement projects for the Water Department

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with URS Corporation of Corpus Christi, Texas in the amount of \$300,000.00 for the Water Program Management Project.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: M2012-161

**7** Resolution opposing a federal administrative action that threatens artificial reef habitat

Resolution opposing the U.S. Department of the Interior's Idle Iron policy and supporting both the REEFS Act and the Rigs to Reef Habitat Protection Act.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029605

**8** Ordinance setting a property tax rate

Ordinance setting a property tax rate of \$0.570557 per \$100 valuation which is effectively a 1.40% increase over the effective tax rate; and declaring an emergency.

**Mayor Adame referred to Item No. 8. Council Member Scott made a motion to adopt the ordinance and moved that the property tax rate be increased by the adoption of a tax rate of \$0.570557 per \$100 valuation, which is effectively a 1.40 percent increase in the tax rate. The property tax rate being proposed for Fiscal Year 2012-2013 of \$0.570557 is the same tax rate that was adopted last year, seconded by Council Member Adler and passed.**

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

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

**Nay:** 1 - Council Member Leal

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029606

**9** Second Reading Ordinance - Authorizing resale of 22 foreclosed properties with delinquent ad valorem taxes (First Reading 8/21/12)

Ordinance authorizing the resale of twenty-two (22) properties for \$76,450.00 which were foreclosed upon for failure to pay ad valorem taxes, of which the City shall receive \$7,583.99 plus \$12,276.42 for partial payment of City paving and demolition liens.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029607

**10** Second Reading Ordinance - Appropriating a federal grant to fund improvements to the Airport Terminal building (First Reading 8/21/12)

Ordinance appropriating \$98,299 from the Federal Aviation Administration Grant No. 3-48-0051-046-2010 in the No. 3020 Airport Capital Improvement Fund to modify the Terminal Building; amending the FY 2012-2013 Capital Budget adopted by Ordinance No. 029565 to add Project No. E09046GR46 and increase revenues and expenditures by \$98,299.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029608

11

Second Reading Ordinance - Accepting and appropriating a State grant amendment to fund women, infants, and children program (First Reading 8/21/12)

Ordinance authorizing the City Manager or his designee to execute all documents necessary to accept and appropriate a grant amendment in the amount of \$32,000 from the Texas Department of State Health Services in the Health Grants Fund No. 1066, increasing the award amount for the peer counselor and registered dietician projects by \$12,000 and \$20,000 respectively.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029609

12

Second Reading Ordinance - Accepting and appropriating a State grant to fund oyster bed testing (First Reading 8/21/12)

Ordinance authorizing the City Manager or his designee to execute all documents necessary to accept and appropriate a grant of \$22,500 from the Texas Department of State Health Services in the Health Grants Fund No.1066 to provide laboratory services for the analysis of bay water samples.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029610

**13**

Second Reading Ordinance - Accepting and appropriating a federal grant to fund meals for senior citizens First Reading 8/21/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$561,717 grant awarded by the Area Council on Aging of the Coastal Bend and appropriating in No. 1067 Parks and Recreation Grants Fund for the FY 2012 Senior Community Services, Elderly Nutrition Program.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029611

**14**

Second Reading Ordinance - Accepting and appropriating a federal grant to fund Retired Senior Volunteer program (First Reading 8/21/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$45,434 grant awarded by the Corporation for National and Community Service for the Retired Senior Volunteer Program; appropriating the \$45,434 grant in the No. 1067 Parks and Recreation Grants Fund; transferring \$79,173 from the No. 1020 General Fund to the No. 1067 Parks and Recreation Grant Fund as City matching funds for the Retired Senior Volunteer program and appropriating the \$79,173 in the No. 1067 Parks and Recreation Grant Fund.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029612

15

Second Reading Ordinance - Accepting and appropriating a federal grant to fund Senior Companion program (First Reading 8/21/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$275,007 grant awarded by the Corporation for National and Community Service; appropriating the \$275,007 grant in the No. 1067 Parks and Recreation Grants Fund; transferring \$76,903 from the No. 1020 General Fund to the No. 1067 Parks and Recreation Grants Fund as City matching funds for the Senior Companion Program, and appropriating the \$76,903 in the No. 1067 Parks and Recreation Grants Fund.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029613

16

Second Reading Ordinance - Executing a contract and appropriating funds with State to fund Community Youth Development Program in 78415 zip code area; and executing subcontracts for youth services (First Reading 8/21/12)

Ordinance authorizing the City Manager or designee to execute a contract with the Texas Department of Family and Protective Services for funding for September 1, 2012 through August 31, 2014 in the total amount of \$640,403; authorizing appropriation in the Grants Fund No. 1060 for Community Youth Development program contracts for the 78415 Zip Code area; and authorizing execution of subcontracts as follows: \$85,000 to SERCO of Texas and \$65,000 to Communities In Schools for subcontract period September 1, 2012 through August 31, 2013, and providing for one annual renewal period.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029614

- 17 Second Reading Ordinance - Type A Grant to fund expansion of facilities for Craft Training Center (First Reading 8/21/12)

Ordinance approving a Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Associated Builders & Contractors Merit Shop Training Program, Inc. dba Craft Training Center of the Coastal Bend ("Craft Training Center") to provide grant amount up to \$750,000 for expansion of Craft's existing facility and authorizing the City Manager or designee to execute a Project Support Agreement with the Type A Board to administer the Craft Training Center Business Incentives Agreement and appropriating \$750,000 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for a business incentive grant from the Type A Corporation to Craft Training Center for expansion of its facility; Changing the FY 2012-2013 operating budget, adopted by Ordinance No. 029565, by increasing proposed expenditures by \$750,000.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029615

- 18 Second Reading Ordinance - Agreement and appropriation of funds for two additional crossing guards at Flour Bluff ISD (First Reading 8/21/12)

Ordinance authorizing the City Manager or designee to execute an agreement with the Flour Bluff Independent School District to reimburse the City of Corpus Christi for the services of three additional School Crossing Guard positions during the school year 12/13 and for each subsequent school year; and appropriating \$20,000 from Flour Bluff Independent School District for two additional school crossing guards, changing the FY2013 Operating Budget adopted by Ordinance No. 029577 by increasing revenue and expenditures in the General Fund No. 1020 by \$20,000 each.

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

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



**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029616

- 19** Second Reading Ordinance - Transferring and appropriating funds for a professional services contract to analyze the current condition of the Barge Dock (First Reading 8/21/12)

Ordinance transferring and appropriating \$350,000 from the Unreserved Fund Balance in No. 1120 Seawall Improvement Fund to and appropriating in the No. 3271 Seawall Type A CIP Fund for the Barge Dock Elevation Phase 1 Project; authorizing the City Manager or designee to execute a Professional Services Contract with RVE, Inc. of Corpus Christi, Texas in the amount of \$309,870.00 for the Barge Dock Elevation Phase 1 Project.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Enactment No: 029617

**J. EXECUTIVE SESSION: (ITEM 20)**

**Mayor Adame read Executive Session No. 20. The council went into executive session. The council returned from executive session. Mayor Adame announced that no action will be taken on the executive session item.**

- 20** Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding City of Greenville v. Syngenta Crop Protection, Inc. and Syngenta AG, Case No. 3:10-cv-00188-JPG-PMF, presently pending in the United States District Court for the Southern District of Illinois, with possible discussion and action in open session.

**This E-Session Item was discussed in executive session**

**K. PUBLIC HEARINGS: (ITEMS 21-22)**

**Mayor Adame referred to Item No. 21. Bob Payne, Planning & Environmental Services Department stated that this item is an amendment to the Urban Transportation Plan to designate County Road 52 from an A-2 Arterial to an A-1 Arterial between US 77 and Callicoatte Road. A motion was made by Council Member Martinez, seconded by Council Member Scott and passed to open the public hearing. Mayor Adame asked for comments from the public. There**

were no comments from the public. A motion was made by Council Member Marez, seconded by Council Martinez to close the public hearing and passed.

21

First Reading Ordinance - Amending the Urban Transportation Plan and redesignating County Road 52 from 4 lane with a median to 4 lane with a continuous left turn lane located between US 77 and Callicoatte Road (First Reading 8/28/12)

Public Hearing to consider an Ordinance amending the Urban Transportation Plan, an element of the Comprehensive Plan of the City of Corpus Christi, by re-designating County Road 52 from an A-2 Arterial (100-foot right-of-way, four lanes, and a median) to an A-1 Arterial (95-foot right-of-way, four lanes, and a continuous left turn lane) between U.S. Hwy. 77 and Callicoatte Road; amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

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

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

**Nay:** 1 - Council Member Leal

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

Mayor Adame referred to Item No. 22. Bob Payne, Planning & Environmental Services Department stated that this item is an amendment to the Urban Transportation Plan to consolidate two proposed collectors into a single collector. He added that a property owner requested that the city consider changing the Urban Transportation Plan by removing a proposed C-1 (60 foot right-of-way, with two travel lanes) collector street located approximately 1,000 feet west of and parallel with US 77. Mr. Payne added that staff recommends consolidating the two north-south collectors between County Road 69 and US 77 into a single C-1, 60 foot right-of-way collector located approximately midpoint between the two major roadways. A motion was made by Council Member Martinez, seconded by Council Member Scott to open the public hearing. Mayor Adame asked for comments from the audience. There were no comments. A motion was made by Council Member Scott, seconded by Council Member Marez to close the public hearing.

22

First Reading Ordinance - Amending the Urban Transportation Plan to consolidate two proposed collector streets into a single collector located midpoint between CR 69 and US 77 (First Reading 8/28/12)

Public Hearing to consider an Ordinance amending the Urban Transportation Plan, an element of the Comprehensive Plan of the City

of Corpus Christi, by consolidation of two north-south collector streets into a single collector street generally located midpoint between County Road 69 and U.S. Hwy. 77; amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

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

**Aye:** 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Loeb, Council Member Marez, Council Member Martinez and Council Member Scott

**Nay:** 1 - Council Member Leal

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

**L. REGULAR AGENDA: (NONE)**

**M. FIRST READING ORDINANCES: (ITEMS 23 - 25)**

**23** First Reading Ordinance - Accepting and appropriating a State grant for overtime enforcement of Driving While Intoxicated (DWI) and speeding (First Reading 8/28/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Department of Transportation (TXDOT) in the amount of \$60,528.90 for the 2013 Comprehensive Selective Traffic Enforcement Project (STEP) within the Police Department, for overtime Driving While Intoxicated (DWI) and Speed enforcement, with a city match of \$68,842.11, for a total project cost of \$129,371.01 and appropriating \$60,528.90 in the No. 1061 Police Grants Fund.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

**24** First Reading Ordinance - Accepting and appropriating a federal grant and awarding a construction contract for the runway extension/displacement and taxiway project at the Airport (First Reading 8/28/12)

Ordinance accepting and appropriating \$16,345,505.00 from the

Federal Aviation Administration Grant No. 3-48-0051-049-2012 in the No. 3020 Airport Capital Improvement Fund for the Runway 17/35 Extension Displacement and Associated Taxiways and Runway 13/31 Connecting Taxiways Project; changing the FY2012-2013 Capital Budget adopted by Ordinance No. 029565 by increasing revenues and expenditures by \$5,545,505.00 each; authorizing the City Manager, or designee, to execute a construction contract with Bay, Ltd. of Corpus Christi in the amount of \$12,841,419.06 for Base Bid Plus Additive Alternates 1, 2 and 3 for the Runway 17/35 Extension/Displacement and Connecting Taxiway Project.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

**25**

First Reading Ordinance - Accepting and appropriating a State grant for a marketing campaign to improve air service at the airport (First Reading 8/28/12)

Authorizing the City Manager or designee to execute all documents necessary to accept Small Community Air Service Development Program from the United States Department of Transportation (USDOT) in the amount of \$300,000 and appropriating \$300,000 from the United States Department of Transportation Small Community Air Service Development Program in the No. 1055 Airport Grants Fund for a marketing campaign to educate travelers on benefits of local air service at Corpus Christi International Airport.

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

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

**Absent:** 1 - Council Member Elizondo

**Abstained:** 0

#### **N. FUTURE AGENDA ITEMS: (ITEMS 26 - 33)**

**Mayor Adame referred to the Future Agenda section, Items 26 - 33. Mayor Adame stated that these items are for informational purposes only and that no action and public comment would be taken at this time. City Manager Olson stated that staff would provide a presentation on Items 30 through 33, and council requested a presentation on Item No. 26.**

- 26 Supply agreement for asphalt used for street construction and repair
- Motion approving a supply agreement with Ergon Asphalt & Emulsions, Inc., Austin, Texas for emulsified polymerized asphalt in accordance with Bid Invitation No. BI-0210-12, based on lowest responsible bid, for an estimated 6-month expenditure of \$376,731.00. The term of the agreement shall be for six (6) months with options to extend for up to five (5) additional six-month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by Street Operations in FY 2012-2013.
- This Motion was recommended by staff to the Consent Agenda.**
- 27 Participation agreement and Reimbursement agreement to fund street and water improvements for future development located south of Yorktown Blvd. and east of Cimarron Blvd. (Bond 2008)
- Motion authorizing the City Manager to execute a Participation Agreement for \$88,000 for City's portion of Excalibur Road, and a Water Arterial Transmission and Grid Main Extension Construction and Reimbursement Agreement for \$18,171.34, each with MPM Development LP, Developer of Royal Creek Estates Unit 4.
- This Motion was recommended by staff to the Consent Agenda.**
- 28 Professional services contract to obtain Legal services for general water law issues
- Motion to authorize the City Manager or designee to execute a legal services agreement with Timothy L. Brown to advise the City on water rights and general water law issues, at monthly rate of \$7,000 plus expenses and authorize \$50,000 for consultant subcontracts needed to assist with resolution of water law issues.
- This Motion was recommended by staff to the Consent Agenda.**
- 29 Amendment to contract to continue Packery Channel monitoring through FY 2012 - 2013
- Motion authorizing the City Manager, or designee, to execute Amendment No. 7 to the contract between the City of Corpus Christi and Texas A&M University-Corpus Christi in the amount of \$314,389.00, for a restated amount not to exceed \$1,548,028.00, for Packery Channel Monitoring for Fiscal Year 2012-2013.
- This Motion was recommended by staff to the Consent Agenda.**
- 30 Resolution declaring intent to establish a street user fee
- Resolution declaring intent to establish a street user fee for

implementation in FY 2013-2014; approving the design concepts for street user fee rates; and establishing policy relative to establishment of a street user fee.

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

### **FUTURE PUBLIC HEARINGS: ITEMS 31 - 32)**

**31**

Change of zoning from single-family 6 district to the neighborhood commercial district at 1221, 1225, 1237 Horne Rd.

Case No. 0712-02: Hutton Company: A change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District, resulting in a change of future land use from low density residential to commercial. The property to be rezoned is described as Laguna Acres, Block 1, Lots 2, 3 and 4, located near the southwest corner of Columbia Street and Horne Road.

Planning Commission & Staff Recommendation (July 18, 2012): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

#### ORDINANCE

Ordinance amending the Unified Development Code ("UDC") upon application by Hutton Company, on behalf of Guadalupe Silva Reyes (owner of lots 2 and 3) and Mayan Sun Enterprises, LTD (owner of lot 4) ("Owners"), by changing the UDC Zoning Map in reference to Laguna Acres, Block 1, Lots 2, 3, and 4, from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations from the existing Comprehensive Plan; providing a repealer clause; providing for penalties; providing for publication; and declaring an emergency.

**This Ordinance was recommended by staff to Public Hearing.**

**32**

Change of zoning from the farm rural district to the light industrial district at 8018 Sedwick Road

Case No. 0712-03 Michael N. Gunning: A change of zoning from the "FR" Farm Rural District to the "IL" Light Industrial District, not resulting in a change of future land use. The property to be rezoned is described as a 19.15-acre tract of land out of Lots 23 and 24, H. B. Sheppard Farm Lots, located on the north side of Sedwick Road and approximately 1,000 feet west of Rhew Road.

Planning Commission & Staff Recommendation (July 18, 2012): Approval of the change of zoning from the "FR" Farm Rural District to

the "IL" Light Industrial District.

#### Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Michael N. Gunning, on behalf of Eloy Salazar and Rick A. Martinez ("Owners"), by changing the UDC Zoning Map in reference to a 19.15-acre tract of land out of Lots 23 and 24, H. B. Sheppard Farm Lots, from the "FR" Farm Rural District to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations from the existing Comprehensive Plan; providing a repealer clause; providing for penalties; providing for publication; and declaring an emergency.

**This Ordinance was recommended by staff to Public Hearing.**

### **FUTURE CORPORATION MEETING: (ITEM 33)**

**33**

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. Motion appointing Councilman Kelley Allen as a board member of the CCCIC.
4. Approve minutes from Board meeting of June 28, 2011.
5. Treasurer's Report
6. Appointments to the Loan Review Committee
7. Public Comment
8. Adjournment

**This Corporation Meeting was recommended to be held.**

### **O. UPDATES TO CITY COUNCIL: (ITEMS 34 - 35)**

**34**

Status of New Broadway Wastewater Treatment Plant

**Mayor Adame referred to Item No. 34, Status of New Broadway Treatment Plant. Mr. Dan Biles, Director of Engineering provided an update on the construction status of the project. He provided a powerpoint presentation and displayed construction progress photos of the construction of the new Broadway**

Treatment Plant. He added that Phase 1 of the project allows for the operational of the new plant and begin the demolishing of the old plant. Mr. Biles stated that the existing plant was built in the 1930's and the new plant handle higher peak flows and still meet the demands of current permit conditions, in addition to any new permit requirements and handle the complete odor control system. He then discussed the project achievements to date.

**35** Downtown Streets Chaparral (Bond 2008)

Mayor Adame referred to Item No. 35, Downtown Streets Chaparral (Bond 2008). Mr. Dan Biles, Director of Engineering provided a presentation on the current project status and available options. Mr. Biles discussed the project options, the Bond 2008 scope, project budget, base bid of the project; and project budget

**P. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 4:00 P.M., OR AT THE END OF THE COUNCIL MEETING, WHICHEVER IS EARLIER. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.**

Mayor Adame referred to public comment. Jack Gordy spoke about illegal signs and issues with code enforcement; Jerry Garcia spoke about lack of funding for Southside Baseball; Faye Creider thanked the council for the improvements in the downtown area; Abel Alonzo stated that he supports improvements in the downtown area but also in other areas of the city; Johnny French spoke about the Downtown Chaparral Street improvements, Park Road 22 and Rodd Field & Yorktown; Jim Klein urged the council to pass a Resolution to overturn the Citizens United court case.

**Q. CITY MANAGER'S COMMENTS:**

City Manager Olson spoke about hurricane safety and recognized the EMS department and City staff and added that the City is better prepared than last year and that all leadership staff has received the National Incident Management Training; provided an update on the Initiative Plastic Bag issue; reported that staff has been involved in discussions with a Regional Water Group regarding outside city limits water uses.

**\* Update on City Operations**

**R. ADJOURNMENT**

There being no further business to come before the council, Mayor Adame adjourned the council meeting at 3:16 pm.