



Corpus Christi

1201 Leopard St
Corpus Christi, TX 78401
CCtexas.com

Meeting Minutes - Draft City Council

Tuesday, August 14, 2012

12:00 PM

Council Chambers

A. Call meeting to order.

Mayor Adame called the meeting to order.

B. Invocation.

The invocation was delivered by Reverend Greg Hackett, First United Methodist Church.

C. Pledge of Allegiance.

The Pledge of Allegiance was led by Council Member Chris Adler.

D. Roll Call

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

Present: 7 - Mayor Joe Adame, Council Member Chris Adler, Council Member Kelley Allen, Council Member Larry Elizondo, Council Member Priscilla Leal, Council Member David Loeb, and Council Member Nelda Martinez

Absent: 2 - Council Member John Marez, and Council Member Mark Scott

E. Proclamations / Commendations

1 Certificate of Commendations to Youth Participants in the "Ramp It Up!" Workforce Solutions of the Coastal Bend Summer Youth Project 2012

Mayor Adame read and presented the Proclamation(s).

F. MINUTES:

2 Approval of Meeting Minutes - July 31, 2012.

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

G. BOARDS & COMMITTEE APPOINTMENTS:

- 3 Advisory Committee on Community Pride
 Coastal Bend Council of Governments
 Commission on Children and Youth
 Human Relations Commission
 Leadership Committee for Senior Services
 Park and Recreation Advisory Committee

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

Advisory Committee on Community Pride: Reappointed - Oscar Carmona and Tony Reyes; New Appointments - Frank Franklin, Paul Gottemoller, and Kristina Leal

Coastal Bend Council of Governments: New Appointment - Tom Taglibue

Commission on Children & Youth: New Appointments - Heather Butscher (Education) and Kesha Poncik (At Large)

Human Relations Commission: New Appointment - Joel Mumphord

Leadership Committee for Senior Services: Realignment - Billy Ray Sayles (Direct Service) and Ida Hobbs (Direct Service); New Appointments - Margaret Hawkins and Anne Lee

Parks & Recreation Advisory Committee: Reappointed - Huxley Smith, Ron Wods, Dorian Ramirez and Rick Barrera; New Appointments - Carlos Valdez, Sr.

Enactment No:

I. **CONSENT AGENDA: (ITEMS 4 - 6)**

Mayor Adame called for consideration of the Consent Agenda, Items 4 through 6. Mayor Adame asked for public comment. There were no comments. The items were approved by one vote:

- 4 Rescinding purchase approval of a software interface to Starlims and approving purchase for Intergraph Corporation

Motion rescinding the approval to purchase an interface for the Laboratory Information Management System (LIMS) and ILeads from STARLIMS Corporation of Hollywood, Florida and awarding the purchase of an interface for the Laboratory Information Management System (LIMS) and ILeads from Intergraph Corporation, Chicago, Illinois for a total expenditure of \$73,625. Funds are available through the Coverdell Forensic Science Improvement Grant program and Municipal Information Systems.

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

Aye: 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb and Council Member Martinez

Absent: 2 - Council Member Marez and Council Member Scott

Abstained: 0

Enactment No: M2012-151

5 Agreement to use reclaimed water supply for irrigation of the Coastal Bend Texas State Veteran's Cemetery

Resolution authorizing the City Manager, or designee, to execute an agreement with the State of Texas Veteran's Land Board to supply effluent to irrigate the Coastal Bend Texas State Veteran's Cemetery.

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

Aye: 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb and Council Member Martinez

Absent: 2 - Council Member Marez and Council Member Scott

Abstained: 0

Enactment No: 029586

6 Supplemental Agreement to determine responsibilities for the Billings & Clems parking lot improvements located on Park Road 22

Resolution authorizing the City Manager, or designee, to execute a Supplemental Agreement to the Master Multiple Use Agreement with the Texas Department of Transportation (TxDOT) for the Billings and Clems Parking Lot Improvements located within State right-of-way of Park Road 22 adjacent to the John F. Kennedy Memorial Causeway.

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

Aye: 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb and Council Member Martinez

Absent: 2 - Council Member Marez and Council Member Scott

Abstained: 0

Enactment No: 029587

J. EXECUTIVE SESSION: (ITEMS 7 - 9)

Mayor Adame read Executive Session Items 7, 8 and 9. Council Member Elizondo requested that Item No. 9 be discussed in open session and the council concurred. The council went into executive session. The council returned from executive session.

7 Executive session under Section 551.071 of the Texas Government Code for consultation with attorneys regarding permitting issues

related to the City's TCEQ-issued Texas Pollutant Discharge Elimination System (TPDES) Municipal Separate Storm Sewer System (MS4) Permit Renewal, with possible discussion and action related thereto in open session.

City Secretary Chapa read the following motion:

Motion authorizing the City Manager or designee to execute a contract in the amount of \$75,000 with Martin Rochelle of Lloyd Gosselink Rochelle & Townsend, P.C., to provide legal and other technical services related to the TCEQ-issued Texas Pollutant Discharge Elimination System (TPDES) Municipal Separate Storm Sewer System (MS4) Permit Renewal.

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

Aye: 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb and Council Member Martinez

Absent: 2 - Council Member Marez and Council Member Scott

Abstained: 0

Enactment No: M2012-152

8

Executive session pursuant to Texas Government Code Section 551.071 to consult with attorneys regarding contemplated litigation related to the city wastewater treatment plants, with possible discussion and action in open session.

City Secretary Chapa read the following motion:

Motion to amend Motion 2011-242 regarding legal services agreement with Lloyd Gosselink related to six proposed administrative orders from the U.S. Environmental Protection Agency related to the six City wastewater treatment plants, to authorize additional funding for consultant subcontracts needed to provide technical assistance at hourly rate not to exceed \$300 per hour, plus expenses, subject to certification of funds.

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

Aye: 7 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb and Council Member Martinez

Absent: 2 - Council Member Marez and Council Member Scott

Abstained: 0

Enactment No: M2012-153

9

Executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding confidential commercial or financial information received from Schlitterbahn Waterpark a business that the City Council seeks to have locate, stay or expand within the City and with which the City is conducting economic development

negotiations with possible discussion and action in open session.

Wes Pierson, Assistant City Manager provided the Council with an update on the status of the Schlitterbahn Waterpark project. He addressed concerns regarding the delay of the park project and the impact on the incentive agreement for the development. Mr. Pierson stated that the incentive agreement required the developer to break ground on the project within nine (9) months of the effective date of the agreement. He stated that the date of the agreement is May 22, 2012 and that the nine months deadline date is February 22, 2013. In addition, after the groundbreaking, the developer is required to open and complete the park project within 24 months. He added that a March 2014 date is planned for the opening of the Schlitterbahn Park project. He stated that the delay has no impact on the incentive agreement and that the reason for the delay was due to the completion of the South Padre Island Schlitterbahn Park.

K. PUBLIC HEARINGS: (ITEMS 10 - 11)

Mayor Adame referred to Item No 10. Mark Van Vleck stated that the purpose of this change is to allow for the construction of an auto dealership. A motion was made by Council Member Elizondo, seconded by Council Member Martinez and passed to open the public hearing. There were no comments from the audience. A motion was made by Council Member Elizondo, seconded by Council Member Martinez and passed to close the public hearing.

10

Change of zoning from single family to general commercial located at 6210 South Padre Island Drive

Case No. 0612-01: CCLEL Investments, Inc.: A change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District, resulting in a change of future land use from medium density residential to commercial. The property to be rezoned is a 2.30-acre portion out of Lot 6, Section 13, Flour Bluff and Encinal Farm and Garden Tracts, located on the north side of South Padre Island Drive (SH 358) and east of Prince Drive.

Planning Commission and Staff Recommendation (June 20, 2012): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District.

ORDINANCE

Ordinance amending the Unified Development Code ("UDC") upon application by CCLEL Investments, Inc., on behalf of Leer Properties, Inc. ("Owner"), by changing the UDC Zoning Map in reference to a 2.30-acre portion out of Lot 6, Section 13, Flour Bluff and Encinal Farm and Garden Tracts from the "RS-6" Single-Family 6 District to the "CG-2" General 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.

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

Aye: 6 - Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal, Council Member Loeb and Council Member Martinez

Absent: 2 - Council Member Marez and Council Member Scott

Abstained: 1 - Mayor Adame

Enactment No: 029588

11

Public Hearing on Fiscal Year 2013 Ad Valorem Tax rate

Mayor Adame referred to Item No. 11. Constance Sanchez, Director of Finance stated that they are proposing to keep the ad valorem tax rate the same for Fiscal Year 2012-2013 as it was for Fiscal Year 2011-2012 at \$0.570557 per \$100 valuation. A motion was made by Council Member Elizondo, seconded by Council Member Adler and passed to open the public hearing. There were no comments from the audience. A motion was made by Council Member Martinez, seconded by Council Member Elizondo and passed to close the public hearing. At the end of the public hearing, Mayor Adame read the following statement, during the August 28, 2012 City Council meeting beginning at 12:00 pm at City Hall, the City Council will vote on the proposed tax rate.

L. REGULAR AGENDA: (ITEM 12)

Mayor Adame referred to Item No. 12. City Secretary Chapa stated that this item is ordering the General Election for the election of officers and 8 Bond Propositions, and stated that Oscar Martinez, Assistant City Manager is available to answer questions regarding the propositions.

Council Member Leal made a motion to remove Leopard Street, from Crosstown Freeway to Palm Drive from Proposition No. 1 and add Ayers Street, from Gollihar to South Padre Island Drive, seconded by Council Member Allen. Discussion ensued regarding the estimated cost to add Ayers Street; the Yorktown and Chaparral project; the proposed Leopard Street project; and distribution of informational material to voters. After discussion, Council Member Allen withdrew his second to the motion.

Council Member Loeb made a motion to alter the language on the savings from previous bond packages, and that the first project priority be an additional lane and sidewalks to Ayers Street, seconded by Council Member Leal. A motion was made, seconded and passed to table the motion.

Mr. Dan Biles, Director of Engineering discussed the Bond 2008 voter educational material regarding the Chaparral Street project. He identified the following design elements that could be removed from the project to reduce the project costs: Catenary Lighting - \$1,330,000; Specialized Light and Signal Poles - \$500,000; District Markers - \$75,000; Concrete Roadway Pavers - \$210,000; Concrete Pavers at Intersections only - \$60,000; Concrete Pavers & Covers at Sidewalks - \$630,000; Fixed and Removable Bollards - \$110,000. He added that the enhancements total to approximately \$2.9 million.

A motion was made by Council Member Allen to move forward with Chaparral Street Improvement project under the Bond 2008 program in the amount of \$3.5 million without the enhancements, seconded by Council Member Elizondo.

Mayor Adame asked for comments from the audience on the motion. The following citizens spoke: Johnny French spoke in regards to the bond proposition ballot language; Carolyn Moon spoke in support of the Yorktown project, but not moving projects; Chad Magill spoke in support of the Chaparral Street project and read a Resolution prepared by the Downtown Management District board of directors; Brad Lomax spoke about the bond language; Rick Deyoe, Realtex Development Corporation stated they recently purchased the old Lichenstein building for mixed use development, distributed design drawings for the property, and spoke in support of the Chaparral Street improvements; John Kelley spoke about bond funding for the Chaparral Street project; Steve DeAses spoke in support of the Chaparral Street project; Carrie Robertson spoke in support of improvements in the downtown area.

After further discussion, Assistant City Attorney Logan stated that the motion made by Council Member Allen, seconded by Council Member Elizondo regarding the Chaparral Street Improvement Project does not relate to the posted agenda item and, therefore a vote could not be not taken on this motion. Staff was directed to place an item on a future agenda to discuss and consider funding for the Chaparral Street Improvement project.

Mayor Adame asked for comments from the audience on Item No. 12. Johnny French spoke about the bond propositions; John Kelley spoke about the bridge and funding; and Carolyn Moon spoke about the bond election package.

12

Ordinance ordering a general election for election of Mayor and eight Council Members and consideration of bond propositions

Ordinance ordering a general election to be held on November 6, 2012, in the City of Corpus Christi for the election of Mayor and eight Council Members, and on the questions of authorizing bond issuances of the City supported by ad valorem taxes; providing for procedures for holding such election; providing for notice of election and publication thereof; providing for establishment of branch early polling places; designating polling place locations; authorizing a joint election with Nueces County; and a Runoff Election, if one is necessary; enacting provisions incident and relating to the subject and purpose of this ordinance; and declaring an emergency.

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 Elizondo, Council Member Leal, Council Member Loeb and Council Member Martinez

Absent: 2 - Council Member Marez and Council Member Scott

Abstained: 0

Enactment No: 029589

M. FIRST READING ORDINANCES: (ITEMS 13 - 17)

- 13** Second Reading Ordinance - Accepting and appropriating a federal grant to support joint City and County law enforcement efforts (First Reading - 8/14/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the U. S. Department of Justice, Bureau of Justice Assistance, in the amount of \$169,575 for the FY 12 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation within the Police Department, 50% of the funds to be distributed to Nueces County under an established interlocal agreement and appropriating \$169,575 in the No. 1061 Police Grants Fund.

Mayor Adame asked for comments from the audience on Item No. 13. There were no comments. The foregoing ordinance was passed and approved on first reading with the following vote:

Aye: 6 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal and Council Member Martinez

Absent: 3 - Council Member Loeb, Council Member Marez and Council Member Scott

Abstained: 0

- 14** Second Reading Ordinance - Accepting and appropriating a state grant to prevent auto burglary and theft (First Reading 8/14/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) in the amount of \$392,474 to continue the motor vehicle theft enforcement grant within the Police Department for Year 12, with a City match of \$478,212, in-kind match of \$14,019 in the No. 1020 Police General Fund, and program income match of \$8,541 in the NO. 1061 Police Grants Fund for a total project cost of \$893,246; and appropriating the \$392,474 grant in the No. 1061 Police Grants Fund continue the motor vehicle theft enforcement grant in the Police Department.

Mayor Adame asked for comments from the audience on Item No. 14. There were no comments. The foregoing ordinance was passed and approved with the following vote:

Aye: 6 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal and Council Member Martinez

Absent: 3 - Council Member Loeb, Council Member Marez and Council Member Scott

Abstained: 0

- 15** Second Reading Ordinance - Accepting and appropriating a State

grant to assist with operations for border security (First Reading 8/14/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the Texas Ranger Division of the Texas Department of Public Safety in the amount of \$155,000 for the FY2012 Local Border Security Program within the Police Department and appropriating \$155,000 in the No. 1061 Police Grants Fund..

Mayor Adame asked for comments from the audience on Item No. 15. There were no comments. The foregoing ordinance was passed and approved on first reading with the following vote:

Aye: 6 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal and Council Member Martinez

Absent: 3 - Council Member Loeb, Council Member Marez and Council Member Scott

Abstained: 0

16

Second Reading Ordinance - Utility easement closure to develop property located north of State Highway 44 (First Reading 8/14/12)

Ordinance abandoning and vacating a 3,357.08-square-foot portion of a 5-foot-wide utility easement out of Lot 1A, Block 6, Airport Industrial Subdivision, and a 6,721.94-square-foot portion of a 10-foot-wide utility easement out of Lot 3, Block 4, Airport Industrial Subdivision; and requiring the owner, Weatherford U.S., L.P., to comply with the specified conditions.

Mayor Adame asked for comments from the audience on Item No. 16. There were no comments. The foregoing was passed and approved on first reading with the following vote:

Aye: 6 - Mayor Adame, Council Member Adler, Council Member Allen, Council Member Elizondo, Council Member Leal and Council Member Martinez

Absent: 3 - Council Member Loeb, Council Member Marez and Council Member Scott

Abstained: 0

17

Second Reading Ordinance - Receipt and transfer of funds from the Sessions Bequest to the Friends of the Museum (First Reading 8/14/12)

Ordinance authorizing the City Manager to execute all documents necessary to accept disbursements from mineral interests from the Estate of L. Lloyd Sessions; appropriating distribution in the No. 1069 Museum Trust Fund and authorizing the transfer to the Friends of the Museum of Science and History for the benefit of the Museum.

Mayor Adame asked for comments from the audience on Item No. 17. There were no comments. 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 Elizondo, Council Member Leal, Council Member Loeb and Council Member Martinez

Absent: 2 - Council Member Marez and Council Member Scott

Abstained: 0

N. FUTURE AGENDA ITEMS: (ITEMS 18 - 31)

Mayor Adame referred to the Future Agenda section, Items 18 through 31. Mayor Adame stated that these items are for informational purposes only and that no action would be taken at this time. City Manager Olson stated that staff would provide a presentation on Items 28 through 31, and council requested a presentation on Item No. 18.

- 18** Amendment to city/county health district agreement to combine two nurse practitioner positions into one position; and amending code of ordinances (Related items 2 - 3)

Motion to approve the First Amendment to the Reformed Cooperative Agreement with Nueces County for operation of the Corpus Christi-Nueces County Public Health District in order to consolidate a nursing position under Pay Plan HTH and to authorize execution of the First Amendment by the City Manager.

This Motion was recommended by Staff to the Consent Agenda.

- 19** Ordinance amending the Code of Ordinances, Chapter 39, Article III Section 39-303, Subsection (m), "Pay Plan HTH," to eliminate the Grade 58 position from the plan.

This Emergency Ordinance was recommended by staff to the Consent Agenda.

- 20** Construction contract for parking, drainage, and ADA improvements to the Evelyn Price Park (Bond 2008 - Sports Field Improvements)

Motion authorizing the City Manager, or designee, to execute a Construction Contract with Safenet, LLC. of Corpus Christi, Texas in the amount of \$137,764.63 for the (Evelyn Price Park Improvements (Bond 2008 - Sports Field Improvements).

This Motion was recommended by staff to the Consent Agenda.

- 21** Type A Grant to fund interest buy down and grant program to assist small businesses

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Acción Texas, Inc. ("Acción") to provide grant amount up to \$400,000

for the interest buy down and grant programs for small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Acción Texas Small Business Incentives Agreement.

This Resolution was recommended by staff to the Consent Agenda.

22

Type A Grant to fund Del Mar College small business owner education program

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Del Mar College ("Del Mar") to provide grant amount up to \$120,000 for the FastTrac® Growth Venture program for small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the Del Mar FastTrac® Small Business Incentives Agreement.

This Resolution was recommended by staff to the Consent Agenda.

23

Type A Grant to fund 95 interns through the Del Mar College internship program

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business And Job Development Corporation and Del Mar College ("Del Mar") to provide grant amount up to \$173,223 for an intern program for small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business And Job Development Corporation to administer the Del Mar College Intern Program Small Business Incentives Agreement.

This Resolution was recommended by staff to the Consent Agenda.

24

Type A grant to fund a program that provides market research and technical assistance to small businesses

Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and the Corpus Christi Regional Economic Development Corporation ("EDC") to provide grant amount up to \$96,000 to initiate an Economic Gardening program to help small businesses in Corpus Christi and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the EDC Small Business Incentives Agreement.

This Resolution was recommended by staff to the Consent Agenda.

- 25** Type A Grant to fund assistance for small businesses through workshops and counseling
- Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business and Job Development Corporation and Service Corps of Retired Executives (SCORE) Chapter 221 to provide grant up to \$50,000 to assist small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the SCORE Chapter 221 Small Business Incentives Agreement.
- This Resolution was recommended by staff to the Consent Agenda.**
- 26** Type A Grant to fund 105 interns through the TAMU-CC Internship Program
- Resolution approving a Small Business Incentives Agreement between the Corpus Christi Business And Job Development Corporation and Texas A&M University-Corpus Christi ("TAMU-CC") to provide grant amount up to \$190,635 for an intern program for small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the TAMU-CC Intern Program Small Business Incentives Agreement.
- This Resolution was recommended by staff to the Consent Agenda.**
- 27** Management agreement with Corpus Christi Museum Joint Venture
- Motion authorizing the City Manager or his designee to execute a twenty four month agreement with Corpus Christi Museum Joint Venture (CCMJV) to operate and manage the Corpus Christi Museum of Science and History (Museum).
- This Motion was recommended by staff to the Consent Agenda.**
- 28** Collective bargaining agreement with the Corpus Christi Firefighters' Association for wages, benefits and working conditions
- Motion authorizing the City Manager to enter into a collective bargaining agreement with the Corpus Christi Firefighters' Association for wages, benefits and working conditions.
- This Motion was recommended by staff to the Regular Agenda.**
- 29** Authorization for the Issuance of Utility System Revenue Bonds (Related items 21 - 22)

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for one or more series of City of Corpus Christi, Texas Utility System Revenue Bonds, in an aggregate principal amount not to exceed \$75,000,000.

This Motion was recommended by staff to the Regular Agenda.

30

Ordinance authorizing the issuance of one or more series of City of Corpus Christi, Texas Utility System Revenue Bonds, in an aggregate principal amount not to exceed \$75,000,000, pursuant to the delegation provisions set forth herein; making provisions for the payment and security thereof of a parity with certain currently outstanding Utility System revenue obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; prescribing the forms, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of each series of bonds; including the approval and distribution of one or more Official Statements pertaining thereto; authorizing the execution of one or more paying agent/registrars agreements, one or more escrow agreements, and one or more purchase contracts; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; establishing the City's intention to reimburse itself from the proceeds of any such series of bonds for the prior lawful expenditure of funds to construct various City improvements; delegating the authority to the Mayor and certain members of the City staff to execute certain documents relating to the sale of each series of bonds; and providing an effective date.

This Emergency Ordinance was recommended by staff to the Regular Agenda.

FUTURE PUBLIC HEARINGS: (ITEM 31)

31

Change of zoning from farm rural district to general commercial at 14801 Northwest Blvd.

Case No. 0612-02: Calallen GP, LLC: A change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District, resulting in a change of future land use from commercial and medium density residential uses to commercial uses. The property to be rezoned is described as being a 36.896-acre tract of land out of Lot 4, Block 2, Nueces River Irrigation Park, located on the southeast corner of Northwest Boulevard (FM 624) and FM 1889.

Planning Commission and Staff Recommendation (June 20, 2012): Denial of the applicant's request for the "CG-2" General Commercial District on 36.896 acres and, in lieu thereof, approval of the "CG-2" General Commercial District on Tract 1 (29.243 acres) and the "CN-1" Neighborhood Commercial District on Tract 2 (7.653 acres).

ORDINANCE

Ordinance amending the Unified Development Code (“UDC”) upon application by Calallen GP, LLC, on behalf of Lois Lowman, Connie Diane Brown Polk Laing, Herman Bruce Lowman, NRIP, LLC, and Cloudcroft Land Ventures, Inc. (“Owners”), by changing the UDC Zoning Map in reference to a 36.896-acre tract of land out of Lot 4, Block 2, Nueces River Irrigation Park from the “FR” Farm Rural District to the “CG-2” General Commercial District on Tract 1 (29.243 acres) and the “CN-1” Neighborhood Commercial District on Tract 2 (7.653 acres); 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 Emergency Ordinance was recommended by staff to Public Hearings.

O. UPDATES TO CITY COUNCIL: (ITEM 32)**32 Presentation on Packery Channel Quarterly Monitoring for 2011-2012**

Mayor Adame referred to Item No. 32, Presentation on Packery Channel Quarterly Monitoring. Mr. Dan Biles, Director of Engineering introduced Deidre D. Williams, Coastal Research Scientist, Conrad Blucher Institute for Surveying and Science, Texas A&M University-Corpus Christi. Ms. Williams stated that the City assumed sponsorship of monitoring in 2008 under a contract with DNR to continue monitoring. She provided an update and discussed the following: Pre and Post Dredge Shoaling; location of Post Dredge Shoals; how the sand enters the channel; availability of sand in surrounding nearshore; inland channel segment and channel expansion; shoreline line; and the focus for the 2012-2013 Packery Channel Monitoring Program.

P. Public Comment

Mayor Adame referred to Public Comment. The following citizens spoke: Vanessa Chapa spoke about the number of illegal parking citations issued in her residential area; Jim Klein spoke about Citizens United Group and consideration of a resolution to overturn the decision.

Q. CITY MANAGER’S COMMENTS:*** Update on City Operations**

There were no City Manager comments.

R. ADJOURNMENT

There being no further business to come before the council, Mayor Adame adjourned the meeting at 3:40 pm.