



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, July 21, 2015

11:30 AM

Council Chambers

Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

A. Mayor Nelda Martinez to call the meeting to order.

Mayor Martinez called the meeting to order.

B. Invocation to be given by Reverend Arthur Lane, St. Matthew Missionary Baptist Church.

Reverend Arthur Lane gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Yasmine Chapman, Human Resources Director.

Director of Human Resources Yasmine Chapman led the Pledge of Allegiance.

D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.

City Secretary Rebecca Huerta called the roll and verified that a quorum of the Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

City Manager Ron Olson, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

Present: 9 - Mayor Nelda Martinez, Council Member Rudy Garza, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, Council Member Lucy Rubio, Council Member Brian Rosas, Council Member Mark Scott, and Council Member Carolyn Vaughn

E. Proclamations / Commendations

1. Proclamation declaring July 26, 2015, "CHRISTUS Spohn Health System Day"
Proclamation declaring July 26, 2015, "25th Anniversary of the Americans with Disabilities Act Day"
Proclamation declaring July 30, 2015, "Feria De Las Flores Day"
Proclamation declaring July 24-25, 2015, "Texas A&M Health Science Center 11th Annual Diabetes Conference Weekend"
Swearing-In Ceremony for Newly Appointed Board, Commission and

Committee Members

Mayor Martinez presented the proclamations and conducted the swearing-in ceremony for newly appointed board and committee members.

- F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. 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 Martinez called for comments from the public. James Sautter, Janice Sautter, Christy Zamora, Shirley Thornton, spoke in opposition to the Citizens Collection Center - Flour Bluff/Padre Island. Susie Luna Saldana thanked the City Council for meeting with her to discuss and express concerns on various City issues and stated that she was happy City Manager Olson is remaining in Corpus Christi. Abel Alonzo praised City Manager Olson and the decisions he has made in the best interest of the City and the taxpayers. Brad Gregori requested assistance regarding a sewer line under his property that has caused his front and back yard to sink and reduced his property value. Joshua Tijerina thanked the City Council for including bicycle lanes on City streets. Gary Allsup reported that as of 7:00 a.m. this morning, the Corpus Christi Housing Authority has received 46,420 applications for Section 8 housing. Mr. Allsup said this increase reflects the affordable housing crisis Corpus Christi is experiencing. Gloria Redding, Antonio Cortez, T. Frank Smith, and Wes Wittner referred to Item 25, South Staples Street from Morgan Avenue to IH 37, and expressed concern regarding the following issues: lane reductions; bicycle lanes; and the economic impact on businesses.

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

Mayor Martinez referred to City Manager's Comments. City Manager Olson reported on the following topics:

a. OTHER

1) The next "Let's Talk Corpus Christi" is scheduled for Wednesday, August 12th at the Broadmoor Senior Center to allow citizens to participate in discussions with City leadership on City operations. 2) City Manager Olson recognized Emergency Management Coordinator Billy Delgado, who was honored by the local chapter of the Americans with Disabilities Coastal Bend, for his work with emergency management. 3) The Development Services Department is initiating a campaign to promote and explain the importance of getting permits before building projects. 4) The 6th Annual Fan Drive is taking now through August 14th to collect fans for senior citizens during warm months. Fans or monetary donations are being collected at Grande Communications and at all senior centers.

I. BRIEFINGS: (ITEMS 3 - 5)

- 3. Funding Options (Part 2) for Residential/Local Street Reconstruction Plan**

Mayor Martinez referred to Item 3. Director of Financial Services Constance Sanchez stated that the purpose of this item is to continue the discussion from the April 14, 2015 Council meeting regarding funding options to address residential/local street construction. Ms. Sanchez presented an overview of the funding source options: paving assessments; public improvement districts; industrial district revenue, repurposing sales tax; legislative issues, including gas tax, vehicle registration, Restore Act, and Municipal Management Districts; and ad valorem tax increase scenarios. Council members spoke regarding the following topics: the current tax rate; whether it is possible to find \$10 million in the budget, not including public safety, and the impacts cuts would have to City services and personnel; continuing to maintain fiscal responsibility and sustainability; paving assessments and public improvement districts not being viable alternatives; the allotments from industrial district revenues; pursuing legislative issues including gas tax and vehicle registration fees; changing the general fund contribution to \$1.5 million in 2017 and \$2 million in 2019, for a total of \$5 million; having voters consider a referendum on an ad valorem tax increase; the difference between cash-funded and debt-funded ad valorem tax; an explanation of the scenarios to increase ad valorem tax; providing another option to fund \$10 million for 10 years from ad valorem taxes; an election to repurpose Type A Sales Tax; the ability to have a proposition on the November 2015 ballot; a mechanism that allows the tax increase to be reduced or eliminated if another source became available; the impact to debt capacity; the additional costs associated to include utilities; the percentage of streets with drainage issues impacting street problems; options to continue an assessment program; continue to evaluate City departments for efficiencies; concentration on streets with collector lines/wastewater issues; building residential streets with concrete; revisions to the Financial Policy; a criteria matrix to analyze streets; creating a Strike Team for potholes; budget cut alternatives; and the estimated cost for a 2015 November election.

Council Member Magill made a motion directing the City Manager to bring back to the City Council a 1% budget reduction, excluding public safety and pension liability funding, seconded by Council Member Rubio and passed unanimously.

Council Member McIntyre made a motion directing the City Manager to bring back information to include funding ad valorem taxes for \$10 million for 10 years, \$15 million for 10 years, to include scenarios for debt funding, cash funding, and utilities, seconded by Council Member Magill and passed unanimously.

Council Member Magill made a motion directing the City Manager to present a discussion item on Fiscal Policy Section 7 for City Council, seconded by Council Member Vaughn and passed unanimously.

Council Member Scott made a motion directing the City Manager to begin working on ballot language, that will provide comfort to voters, that funding generated from ad valorem tax increases will only be spent on residential/local streets, seconded by Council Member Magill and passed unanimously.

4. Fire Station #18 - Operational Staffing

Mayor Pro Tem Rubio referred to Item 4. Fire Chief Robert Rocha stated that the purpose of this item is to discuss Fire Station #18 and the required operational staffing costs. Chief Rocha provided the following information: the background and history on Fire Station #18; capital bond project 2008 financial

resources; and five (5) options, including advantages and disadvantages, for consideration. Chief Rocha said staff is recommending Option #1. Council members spoke regarding the following topics: the timeline to construct Fire Station #18; not being in favor of a tax increase; standard response times; utilizing the MGT Plan to determine operational efficiencies and alternative staffing to ensure adequate response time; the number of Fire Department personnel; the number of calls at the Mustang Island station; safety issues; the budget impact to next fiscal year; the impact of closing Mustang Island Station; consideration of co-housing a Fire and Police Substation; whether the determined location for Fire Station #18 is adequate with additional growth in London area; and next steps.

Council Member McIntyre made a motion directing the City Manager to come back with a staffing plan for Fire Station #18 that includes suggestions from the MGT Plan, with no increase and using only existing Fire Department resources to provide adequate response time across the City, seconded by Council Member Magill and passed unanimously.

5. City of Corpus Christi Code of Ethics

Mayor Pro Tem Rubio referred to Item 5. City Attorney Risley explained that approximately four (4) months ago, the Ethics Commission provided recommendations to the City Council. At that meeting, the City Council requested that the Ethics Commission consider a report received from Jon Mureen on improving the City's Code of Ethics. City Attorney Risley stated that the purpose of this item is to provide an overview of the Mureen Code of Ethics Report and receive future feedback to develop an ordinance. City Attorney Risley provided a brief presentation of the Mureen recommendations regarding: the definition for conflict of interest, circle of influence, meeting attendance; gift prohibitions; additional gift recommendations; avoidance of special privileges; avoidance of representing private interests; prohibiting improper access and disclosure of information; former officials; financial disclosure; the Ethics Commission; the complaint process; and sanctions for violations. City Attorney Risley also provided additional Ethics Commission recommendations.

Council members spoke regarding the following topics: new council member training on the Code of Ethics; a timetable to have the Ethics Commission review the Mureen report; internal review of the code of ethics; and support to bring back the five (5) recommendations previously presented by the Ethics Commission.

Dr. Haysam Dawod, Chair of the Ethics Commission, addressed the proposed amendments to the Ethics Ordinance presented to City Council and requested that the City Council support the recommendations at a future meeting. Dr. Dawood also requested that the City Council allow the Ethics Commission the opportunity to continue to review the Mureen report. Karon Connelly and Larry White, members of the Ethics Commission, spoke about the Ethics Commission's ongoing review of the Ethics Ordinance.

J. MINUTES:

6. Regular Meeting of July 14, 2015.

Mayor Pro Tem Rubio referred to approval of the minutes. Council Member McIntyre made a motion to amend the minutes on Page 15, Item 19, to add the language "and passed unanimously" to the motion made by Council Member Garza and seconded by Council Member McIntyre to amend the ordinance. The motion was seconded by Council Member Magill and passed unanimously. Council Member McIntyre made a motion to approve the minutes as amended, seconded by Council Member Magill and passed unanimously.

K. BOARD & COMMITTEE APPOINTMENTS: (NONE)

L. EXPLANATION OF COUNCIL ACTION:

M. CONSENT AGENDA: (ITEMS 7 - 24)

Approval of the Consent Agenda

Mayor Pro Tem Rubio referred to the Consent Agenda. There were no comments from the public. Council Member Vaughn referred to Item 8 and asked whether this purchase was to replace stolen property and how the equipment would be used. Interim Procurement Manager Gabriel Maldonado stated that this equipment was not to replace stolen property and would be used for mowing services by the Parks and Recreation Department. Council Member Garza made a motion to approve the consent agenda items, seconded by Council Member McIntyre. The consent agenda was passed by one vote as follows:

Aye: 8 - Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Mayor Martinez

Abstained: 0

7. Purchase of Specialized Equipment

Motion authorizing the purchase of specialized equipment for a total amount of \$73,521.16 utilizing funds from the U.S. Homeland Security FEMA for the FY 2013 Port Security Grant Program (PSGP) awarded to the City of Corpus Christi and budgeted in the Police Grant Fund 1061.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-075

8. Purchase of two Wide Area Mowers and two Utility Tractors

Motion approving the purchase of two Wide Area Mowers and two Utility Tractors from Deere and Company, Carey, North Carolina in accordance with the State of Texas Cooperative Purchasing Program for a total expenditure of \$194,008.10. Funds have been budgeted by

the Parks and Recreation Department and Utilities Department in FY 2014- 2015.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-076

9. Supply Agreement for Milk for the Elderly Nutrition Program (ENP)

Motion authorizing the City Manager or designee to execute a supply agreement for milk with Hill Country Dairies, Inc., Corpus Christi, Texas in accordance with the Coastal Bend Council of Governments Bid Invitation No. CBCOG-15-3 for an estimated annual expenditure of \$50,555.20, of which \$8,425.86 is required for the remainder of FY 2014-2015. The terms of the contract shall be for twelve months with options to extend for up to two additional twelve-month period, subject to the approval of the Coastal Bend Council of Governments, the supplier, and the City Manager or designee. Funds are available through the Meals on Wheels Grant.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-077

10. Resolution of support for the 2018 Texas Recreation and Park Society (TRAPS) Annual Institute Bid

Resolution of the City of Corpus Christi, Texas dedicating resources to support the bid for the 2018 Texas Recreation and Park Society Institute and Expo.

This Resolution was passed on the Consent Agenda.

Enactment No: 030548

11. Resolution approving annual budget of the Corpus Christi Convention & Visitors Bureau (CCCVB) and authorizing an agreement with the CCCVB regarding the use of Convention Events Funds

Resolution approving annual budget of the Corpus Christi Convention & Visitors Bureau (CCCVB) pursuant to Texas Tax Code Section 351.101 and authorizing the City Manager or designee to execute an agreement with the Corpus Christi Convention & Visitors Bureau regarding the use of Convention Events Funds.

This Resolution was passed on the Consent Agenda.

Enactment No: 030549

12. Second Reading Ordinance - Rezoning property located at 674 Flato Road (1st Reading 7/14/15)

Case No. 0615-02 Orion Drilling Company, LLC: A change of zoning from the "IL" Light Industrial District to the "IH" Heavy Industrial District resulting in a change to the Future Land Use Plan from light industrial to heavy industrial uses. The property is described as being a 13.63 acre tract of land comprised of all of Lots 19A and 19B, Block 6, Roblex Industrial Area, and all of Lots 20 and 21, Block 6, Roblex Industrial Area, save and except the west 721.00 feet of the said Lot 20, located on the northeast corner of Flato Road and Bates Drive.

Planning Commission and Staff Recommendation (June 3, 2015): Denial of the change in zoning from the "IL" Light Industrial District to the "IH" Heavy Industrial District and, in lieu thereof, approval of the "IL/SP" Light Industrial District with a Special Permit subject to six conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Orion Drilling Company, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 13.63 acre tract of land comprised of all of Lots 19A and 19B, Block 6, Roblex Industrial Area, and all of Lots 20 and 21, Block 6, Roblex Industrial Area, save and except the west 721.00 feet of the said Lot 20, from the "IL" Light Industrial 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.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030550

13.

Second Reading Ordinance - Rezoning property located at 4002 River Walk Drive (1st Reading 7/14/15)

Case No. 0615-03 Coastal Signature Homes, LLC: A change of zoning from the "ON" Office District to the "RS-4.5" Single Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as Lot 2, Block 1, River Heights Subdivision, located on the east side of River Walk Drive, near the intersection with Trinity River Drive.

Planning Commission and Staff Recommendation (June 3, 2015): Approval of the change of zoning from the "ON" Office District to the "RS-4.5" Single Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Coastal Signature Homes, LLC ("Owner"), by changing

the UDC Zoning Map in reference to Lot 2, Block 1, River Heights Subdivision ("Property"), from the "ON" Office District to the "RS-4.5" Single Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030551

14.

Second Reading Ordinance - Rezoning property located at 450 Caribbean Drive and 3004 Jamaica Drive (1st Reading 7/14/15)

Case No. 0615-05 Michael Havelka: A change of zoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District, resulting in a change to the Future Land Use Plan from medium density residential to low density residential uses. The property is described as being 9.49 acres of land out of Lot 6, Tropic Estates, and out of Lots 10, 11, and 12, Section 53, Flour Bluff Encinal Farm and Garden Tracts, located along Caribbean Drive between Waldron Road and Jamaica Drive and along Jamaica Drive between Caribbean Drive and Glenoak Drive.

Planning Commission and Staff Recommendation (June 17, 2015):

Approval of the change of zoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Michael Havelka on behalf of MHJ Development, LLC and Havelka Construction, Inc. ("Owners"), by changing the UDC Zoning Map in reference to 9.49 acres of land out of Lot 6, Tropic Estates, and out of Lots 10, 11, and 12, Section 53, Flour Bluff Encinal Farm and Garden Tracts ("Property"), from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030552

15.

Second Reading Ordinance - Rezoning property located at 3410 Up River Road (1st Reading 7/*14/15)

Case No. 0615-06 Roman Silguero: A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, resulting in a change to the Future Land Use Plan from commercial to

medium density residential uses. The property is described as being the south one-half (S-1/2) of the east one-half (E-1/2) of Lot 3, Alfred Barthlome's Acre Tracts, located along the north side of Up River Road approximately 350 feet east of Nueces Bay Boulevard between Longview Street and Westgate Drive.

Planning Commission and Staff Recommendation (June 17, 2015):
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Roman Silguero ("Owner"), by changing the UDC Zoning Map in reference to the south one-half (S-1/2) of the east one-half (E-1/2) of Lot 3, Alfred Barthlome's Acre Tracts ("Property"), from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030553

16.

Second Reading Ordinance - Rezoning property located at 3526 Holly Road (1st Reading 7/14/15)

Case No. 0615-01 N.P. Homes, LLC: A change of zoning from the "RM-1" Multifamily 1 District to the "CN-1" Neighborhood Commercial District, resulting in a change to the Future Land Use Plan from medium density residential uses to commercial uses. The property is described as Lot 8, Block 1, Carroll Place Unit 7, located along the north side of Holly Road and west of Carroll Lane.

Planning Commission and Staff Recommendation (June 3, 2015):
Approval of the change of zoning from the "RM-1" Multifamily 1 District to the "CN-1" Neighborhood Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by N.P. Homes, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 8, Block 1, Carroll Place Unit 7 ("Property"), from the "RM-1" Multifamily 1 District to the "CN-1" Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030554

17. Second Reading Ordinance - Accepting and appropriating grant funds for the Operation Stonegarden Grant Program (1st Reading 7/14/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$285,951 from Nueces County for funding eligible under the FY2014 Department of Homeland Security Grant Program Operation Stonegarden to reimburse fuel, overtime, fringe benefits, and equipment expenditures for the Police Department's collaborative enforcement efforts with Nueces County along routes of ingress and egress to include (but not limited to) U. S. Highway 77 and State Highway 44; and appropriating the \$285,951 in the No. 1061 Police Grants Fund.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030555

18. Second Reading Ordinance - Approving lease agreement for House of Rock 10 Year Anniversary Event (1st Reading 7/14/15)

Ordinance authorizing the City Manager or designee to execute a lease agreement with Entertainment Showcase Inc. for House of Rock 10 Year Anniversary event and related activities to be held on July 25, 2015 and allow use of City property including Starr Street between Mesquite Street and Lower Broadway Street.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030556

19. Second Reading Ordinance - Accepting and appropriating grant funds for the Retired Senior Volunteer Program (RSVP) (1st Reading 7/14/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant awarded by the Corporation for National and Community Service in the amount of \$45,434 for the Retired and Senior Volunteer Program; appropriating the \$45,434 grant in the No. 1067 Parks and Recreation Grants Fund for the Retired and Senior Volunteer Program.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030557

20. Second Reading Ordinance - Accepting and appropriating grant funds for the Senior Companion Program (SCP) (1st Reading 7/14/15)

Ordinance authorizing the City Manager or designee to execute all

documents necessary to accept a grant awarded by the Corporation for National and Community Service in the amount of \$264,007 for the Senior Companion Program; appropriating the \$264,007 grant in the No. 1067 Parks and Recreation Grants Fund for the Senior Companion Program.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030558

21. Second Reading Ordinance - Closing a utility easement located west of the Rodd Field Road (SH 357) state right-of-way, and north of the Airline Road public street right-of-way (1st Reading 7/14/15)

Ordinance abandoning and vacating a 17,405.20-square foot portion of an existing 20-foot wide utility easement out of a part of Lots 1-2, Block 1, Brighton Park Addition, located west of the Rodd Field Road (SH 357) state right-of-way, and north of the Airline Road public street right-of-way; and requiring the owner, Ronald S. Browning to comply with the specified conditions.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030559

22. Second Reading Ordinance - Appropriating funding and approving a construction contract for the Cimarron Boulevard and Lipes Boulevard Traffic Signal Improvements (1st Reading 7/14/15)

Ordinance appropriating \$307,419.45 of anticipated revenues from the Corpus Christi Independent School District (CCISD) in Fund No. 3530 for the Cimarron Boulevard and Lipes Boulevard Traffic Signal Improvements project; changing the FY 2015 Capital Improvement Budget adopted by Ordinance No. 030303 to increase revenues and expenditures by \$307,419.45; authorizing the City Manager or designee to execute an Interlocal Cooperation Agreement with CCISD for traffic signal improvements at the intersection of Cimarron Boulevard and Lipes Boulevard for the new Veterans Memorial High School; and authorizing the City Manager or designee to execute a construction contract with Austin Traffic Signal Construction Company of Pflugerville, Texas in the amount of \$292,780.43 for the Cimarron Boulevard and Lipes Boulevard Traffic Signals Improvements for the Base Bid only.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030560

23. Second Reading Ordinance - Appropriating funds, approving

interlocal agreements and authorizing a construction contract for Community Park Development and Improvements at LaRetama Park (1st Reading 7/14/15)

Ordinance appropriating \$70,000 of anticipated revenues from the Regional Transportation Authority (RTA); appropriating \$20,000 of anticipated revenues from the Corpus Christi Downtown Management District (CCDMD) in Fund No. 3280 for the Community Park Development and Improvements at La Retama Park; changing the FY 2015 Capital Improvement Budget adopted by Ordinance No. 030303 to increase revenues and expenditures by \$90,000; authorizing the City Manager or designee to execute an Interlocal Cooperation Agreement with the RTA; execute an Interlocal Cooperation Agreement with CCDMD for the Improvements at La Retama Park; and authorizing the City Manager or designee to execute a construction contract with McNamee Landscapes and Nursery, LLC. of Taft, Texas in the amount of \$173,590 for the Community Park Development and Improvements at La Retama Park for the Base Bid and Additive Alternate 1 (Bond 2012 and Bond 2014).

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030561

24. Second Reading Ordinance - First Amendment Type A Agreement for HEB Grocery Company located on McCampbell Road (1st Reading 7/14/15)

Ordinance approving the attached First Amendment to the Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and HEB Grocery Company, LP ("HEB") which provides an additional \$250,000 for the improvement of McCampbell Road; and appropriating \$250,000 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for said business incentive grant from the Type A Corporation to HEB; and changing the FY 2014-2015 operating budget, adopted by Ordinance No. 030294, by increasing proposed expenditures by \$250,000.

This Ordinance was passed on second reading on the Consent Agenda.

Enactment No: 030562

N. PUBLIC HEARINGS: (NONE)

O. REGULAR AGENDA: (ITEMS 25 - 27)

25. Second Reading Ordinance - Appropriating funds, authorizing a construction contract, and approving an agreement for South

Staples Street from Morgan Avenue to IH 37 (Bond 2012) (1st Reading 7/14/15)

Ordinance appropriating \$771,036 of anticipated revenues from the Regional Transportation Authority (RTA); changing the FY 2015 Capital Improvement Budget adopted by Ordinance No. 030303 to increase revenues and expenditures by \$6,557,836; authorizing the city manager or designee to execute an Interlocal Agreement with the RTA; authorizing the City Manager, or designee, to execute a construction contract with Berry Contracting, LP - DBA Bay LTD of Corpus Christi, Texas in the amount of \$13,414,114.10 for South Staples Street from Morgan Avenue to IH 37 for the total Base Bid plus deductive alternate 1 and to execute a construction materials testing agreement with Rock Engineering & Testing Laboratory, Inc. of Corpus Christi, Texas in the amount of \$74,350 for South Staples Street from Morgan Avenue to IH 37 (Bond 2012)

Mayor Pro Tem Rubio referred to Item 25. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute a construction contract, an Interlocal Agreement with the Regional Transportation Authority (RTA), and an construction materials testing agreement for the South Staples Street Project from Morgan Avenue to IH 37. Mayor Pro Tem Rubio called for comments from the public. Don Keetch and Russell Canales addressed the following concerns as business owners: how re-striping the lanes will impact businesses; safety issues; the project schedule; and bicycle lanes. Council members spoke regarding the following topics: the process for finalizing the striping plan by October; the Bond 2012 language; parking concerns; costs associated with the bicycle lanes; future discussions with stakeholders; a traffic comparison between three (3) lanes and four (4) lanes; RTA participation and reconstruction of utilized streets; left and right turn counts; a list of existing bicycl lanes; input from Fire and Police; and bus turnouts. Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Scott. This Ordinance was passed on second reading and approved with the following vote:

Aye: 6 - Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Scott and Council Member Vaughn

Nay: 1 - Council Member Rubio

Absent: 2 - Mayor Martinez and Council Member Rosas

Abstained: 0

Enactment No: 030563

Mayor Pro Tem Rubio called for a brief recess due to technical difficulties.

26.

Resolution to begin annexation of 4.08 acres of land into the territorial limits of the City of Corpus Christi in Industrial District

No. 1

Resolution declaring the City's intent to begin annexation of approximately 4.08 acres of land into the territorial limits of the City of Corpus Christi, directing city staff to prepare a service plan for the extension of municipal services to the proposed annexation area, and setting two public hearings on annexation.

Mayor Pro Tem Rubio referred to Item 26. Director of Development Services Dan Grimsbo stated that the purpose of this item is to annex 4.08 acres of land into the territorial limits of the City. The proposed annexation will provide for compatible future land use and development in the City's Industrial District No. 1. There were no comments from the Council or the public. Council Member Garza made a motion to approve the resolution, seconded by Council Member Riojas. This Resolution was passed and approved with the following vote:

Aye: 7 - Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 2 - Mayor Martinez and Council Member Scott

Abstained: 0

Enactment No: 030564

27.**Interlocal Agreement for the County Road 52 Extension Phase 2 project**

Motion authorizing the City Manager, or designee, to execute an Interlocal Agreement between the City of Corpus Christi and Nueces County in an amount up to \$2,000,000 for the County Road 52 Extension Phase 2 project for project-related activities. (Bond 2012)

Mayor Pro Tem Rubio stated that the purpose of this item is to execute an Interlocal Agreement with Nueces County for the extension of County Road 52 from County Road 69 to FM 1889. Mayor Pro Tem Rubio called for comments from the public. Nueces County Commissioner Mike Pusley thanked Council Member Vaughn and City staff for their support of the project. Council Member Vaughn made a motion to approve the motion, seconded by Council Member Riojas. This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Mayor Martinez

Abstained: 0

Enactment No: M2015-078

P. FIRST READING ORDINANCES: (ITEM 28)

28. First Reading Ordinance - Authorizing the City Manager or designee, to execute a surface easement abandonment agreement at 101 Ocean Way

Ordinance authorizing the City Manager or designee, to execute a Surface Easement Abandonment Agreement ("Agreement") with Avinash C. Ahuja and Peggy B. Ahuja ("Permittees"), to construct and maintain a masonry brick wall, extending approximately 50-square feet into the public right-of-way while occupying an additional 138-square feet of public right-of-way (approximately 188 total square feet) of the present Ocean Way public street right-of-way, subject to Permittees' compliance with specified conditions.

Mayor Pro Tem Rubio referred to Item 28. Director of Development Services Dan Grimsbo stated that the purpose of this item is to execute a Revocable Surface Easement Abandonment Agreement to allow the owners the ability to construct and maintain a brick wall, in an unneeded portion of the present Ocean Way public street right-of-way. There were no comments from the public. In response to Council Member Rubio, Mr. Grimsbo said the owners will construct a retaining wall with a stairway to the home. Council Member Magill made a motion to approve the ordinance, seconded by Council Member Riojas. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Mayor Martinez

Abstained: 0

Q. FUTURE AGENDA ITEMS: (ITEMS 29 - 31)

Mayor Pro Tem Rubio referred to Future Agenda Items. Deputy City Manager Rose stated that staff did not have any planned presentations.

29. Supply Agreement for Food Items

Motion authorizing the City Manager or designee to execute supply agreements with the following companies in the following amounts in accordance with Coastal Bend Council of Governments Bid Invitation No. CBCOG-15-4 for food items, for an estimated six-month expenditure of \$225,067.49, of which \$75,022.49 is required for the remainder of FY 2014-2015. The terms of the contracts shall be for six months. Funds are available through the Meals on Wheels Grant.

LaBatt Food Service
Corpus Christi, Texas
140 Line Items
\$97,747.03

Performance Food Group
Victoria, Texas
142 Line Items
\$127,320.46

Grand Total: \$225,067.49

This Motion was recommended to the consent agenda.

30. Interlocal Agreement for a volumetric survey of Lake Corpus Christi Reservoir

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with the Texas Water Development Board in the amount of \$43,518 for a volumetric survey of Lake Corpus Christi Reservoir.

This Resolution was recommended to the consent agenda.

31. Supporting Downtown Management District's application for the Texas Historical Commission's Main Street Program

Resolution authorizing participation as a Texas Main Street Urban City and designating city participation.

This Resolution was recommended to the consent agenda.

H. EXECUTIVE SESSION: (ITEM 2)

Mayor Pro Tem Rubio referred to the day's executive session. The Council went into executive session.

2. Executive session pursuant to Texas Government Code § 551.071 for consultation with attorneys regarding collective bargaining negotiations and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters' Association and/or Corpus Christi Police Officers' Association.

This E-Session Item was discussed in executive session.

R. LEGISLATIVE UPDATE:

None.

S. ADJOURNMENT

The meeting was adjourned at 6:43 p.m.