



Corpus Christi

1201 Leopard St
Corpus Christi, TX 78401
CCtexas.com

Meeting Minutes - Final City Council

Tuesday, September 11, 2012

12:00 PM

Council Chambers

11:45 Proclamation declaring September 11, 2012 as "9/11 Day of Remembrance and Commitment"

Mayor Adame read and presented the Proclamation.

A. Call meeting to order.

Mayor Adame called the meeting to order.

B. Invocation.

The invocation was delivered by Pastor David Beirne of Travis Baptist 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 following necessary Charter Officers City Manager Ron Olson, City Attorney Carlos Valdez and City Secretary Armando Chapa 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 the month of September 2012 as "National Recovery Month"
Proclamation declaring the month of September 2012 as "Senior Center Month"
Proclamation declaring September 12, 2012 as "Grandparents and Other Relatives Raising Children Day"
Proclamation declaring September 19, 2012 as "Texting and Driving - It Can Wait Day"
"At Your Service" Award, City Employee Recognition

Mayor Adame read and presented the Proclamation(s).

F. MINUTES:

2 Approval of Meeting Minutes - August 21, 2012 and August 28, 2012.

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

G. BOARDS & COMMITTEE APPOINTMENTS:

3 Animal Control Advisory Committee
Building Code Board of Appeals
Cable Communications Commission
Retired and Senior Volunteer Program Advisory Committee

The council made new appointments/reappointed to the following City boards, commissions and committees:

Animal Control Advisory Committee: Harold Bennett (Animal Welfare/Shelter) - Reappointed; Laina Schonefeld (Community At Large) - New Appointment
Building Code Board of Appeals: Randy Farrar (Building Industry) and Debbie Ehlen (General Contractor) - New Appointments
Cable Communications Commission: Walter DeVille and Lyle Smitson - New Appointments
Retired and Senior Volunteer Program Advisory Committee: Margaret Ramsey (Volunteer Station) - Reappointed; Anne Bauman, Mary Helen Salazar, Abel Sanchez and Dale Berry - New Appointments

Enactment No: 0000

I. CONSENT AGENDA: (ITEMS 4 - 12)

Mayor Adame called for consideration of the Consent Agenda, Items 4 through 12. Mayor Adame asked for comments from the audience. There were no comments. The items were approved by one vote:

4 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.

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: M2012-162

- 5** 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.

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: M2012-163

- 6** 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.

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: M2012-164

- 7** 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.

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: M2012-165

- 8** Second 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)

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 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: 029618

- 9** Second 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)

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 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: 029619

10

Second 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 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: 029620

11

Second 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 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: 029621

12

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

Ordinance 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 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: 029622

J. EXECUTIVE SESSION: (ITEMS 13 - 14)

Mayor Adame read Executive Session Item Nos. 13 and 14. The council went into executive session. The council returned from executive session. Mayor Adame announced that no action would be taken on the executive session.

13

Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code for consultation with attorneys regarding Civil Action No. :2-12-cv-00217 styled United States of America v. The City of Corpus Christi, Texas presently pending in the United States District Court for the Southern District of Texas, Corpus Christi Division, with

possible discussion and action in open session.

This E-Session Item was discussed in executive session

- 14 Executive Session pursuant to Section 551.071(2) of the Texas Government Code for consultation with attorneys regarding a matter in which the duty of an attorney for the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with chapter 551 of the Texas Government Code, with possible discussion and action in open session.

This E-Session Item was discussed in executive session

K. PUBLIC HEARINGS: (ITEMS 15-16)

- 15 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.

Mayor Adame referred to Item No. 15, Public Hearing - Hutton Company. Mark Van Vleck, Interim Director of Development Services stated that this item is for a zoning change from "RS-6" Single Family 6 District to "CN-1" Neighborhood Commercial District on a 1.14-acre site located near the southwest corner of Columbia Street. A motion was made by Council Member Martinez, seconded by Council Member Adler to open the public hearing and passed. Ricardo Blanco concerned about the type of business that will be built in the area. A motion was made by Council Member Scott, seconded by Council Member Adler to close the public hearing and passed.

An emergency was declared and the foregoing ordinance 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: 029623

16

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.

Mayor Adame referred to Item No. 16, Public Hearing - Michael N. Gunning. Mark Van Vleck, Interim Director of Development Services stated that this item is for a zoning change from "FR" Farm Rural District to "IL" Light Industrial District on 19.15-acre tract, located on the north side of Sedwick Road and approximately 1,000 feet west of Rhew Road. A motion was made by Council Member Martinez, seconded by Council Scott to open the public hearing and passed. There were no comments from the audience. A motion was made by Council Member Martinez, seconded by Council Member Loeb and passed to close the public hearing.

An emergency was declared and the foregoing ordinance 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: 029624

L. REGULAR AGENDA: (NONE)

M. FIRST READING ORDINANCES: (ITEMS 17 - 21)

17 Second Reading Ordinance - Accepting and appropriating a State grant to continue clinical services for infrastructure and maintenance of clinics. (1st Reading - 9/11/12)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a grant of \$775,666 from the Texas Department of State Health Services in the Health Grants Fund No. 1066 to provide continued clinical services.

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

Enactment No: 029628

18 Second Reading Ordinance - Accepting and appropriating a State grant to fund immunization education services (1st Reading - 09/11/12)

Ordinance authorizing the City manager or designee to execute all documents necessary to accept and appropriate a grant amendment in amount of \$12,500.00 from the Texas Department of State Health Services in the Health Grants Fund No. 1066 to provide funds for Immunization education services.

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

Enactment No: 029629

- 19** Second Reading Ordinance - Extending a State lease agreement to enable the boy scouts to finance and construct improvements on their permanent encampment. (1st Reading - 9/11/12)

Ordinance authorizing the City Manager, or designee, to execute an extension of the Lease Agreement with Texas Parks and Wildlife Department for the use of an approximately 14,106 acre tract adjacent to Lake Corpus Christi through December 31, 2052; providing for severance; providing for publication; and providing an effective date.

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 Leal, Council Member Loeb, Council Member Martinez and Council Member Scott

Absent: 1 - Council Member Elizondo

Abstained: 1 - Council Member Marez

- 20** Second Reading Ordinance - Accepting and appropriating a State grant to fund WebEOC operations (1st Reading - 9/11/12)

Ordinance authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Council in the amount of \$20,000 for the benefit of the City's WebEOC operations; and appropriating \$20,000 from the Coastal Bend Regional Advisory Council into the No. 1062 Fire Grants Fund to purchase equipment, services, technical support and training for the Corpus Christi Fire Department's WebEOC.

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

Enactment No: 029630

- 21** Second Reading Ordinance - Transferring and appropriating funds for pavement repairs required at Ocean Drive and Elizabeth Street (1st Reading - 9/11/12)

Ordinance appropriating \$553,839.90 from the Unreserved Fund

Balance in No. 1020 General Fund and transferring into Street CIP Fund 3530 for the Emergency Repair - Ocean Drive at Elizabeth Street Pavement Repair Project; amending FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to add Project No. E11088 Ocean Drive at Elizabeth Street; increasing revenues and expenditures in the amount of \$553,839.90; changing the FY 2013 Operating Budget adopted by Ordinance No. 029577 to increase expenditures by \$553,839.90.

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

Enactment No: 029631

N. FUTURE AGENDA ITEMS: (ITEMS 22 - 29)

Mayor Adame referred to the Future Agenda section, Items 22 through 31. Mayor Adame stated that these items are for informational purposes only and that no action or public comment would be taken at this item. City Manager Olson stated that staff would provide a presentation on Items 27 through 31, and council requested a presentation on Item No. 22.

22 Service agreement for household hazardous waste disposal

Motion approving a service agreement with Stericycle Specialty Waste Solutions, Inc., Tulsa, Oklahoma for household hazardous waste disposal in accordance with Bid Invitation No. BI-0169-12, based on lowest responsible bid, for an estimated three-year expenditure of \$377,029.20 of which \$109,630.39 is required for the remainder of FY 2012-2013. The term of the agreement shall be for thirty-six (36) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Storm Water Department in FY 2012-2013.

This Motion was recommended by staff to the Consent Agenda.

Enactment No: M2012-166

23 Amendment to a State contract to extend contract and add services for re-inventory of artifact collection

Resolution authorizing the City Manager or designee to execute 3rd amendment to the interagency cooperation contract with the Texas Historical Commission which extends the term of the contract through

December 31, 2013 and modifies the services to be performed

This Resolution was recommended by staff to the Consent Agenda.

Enactment No: 029625

24

Authorization to submit a State grant application to study at-risk hazardous materials transportation activities and industrial facilities throughout Nueces County and neighboring jurisdictions

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$65,000 to the Texas Department of Public Safety, Governor's Division of Emergency Management, for FY 2013 Hazardous Materials Emergency Preparedness (HMEP) grant program to conduct a detailed hazardous materials vulnerability assessment to increase effectiveness in safety and efficiently handling hazardous materials accidents and incidents and to further enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986, with a hard match of \$13,000; and authorizing the City Manager, or designee, to apply for, accept, reject, alter or terminate the grant.

This Resolution was recommended by staff to the Consent Agenda.

Enactment No: 029626

25

State service agreement to analyze recreational beach water samples for water quality and public health and safety

Resolution approving a service agreement between the Corpus Christi-Nueces County Public Health District ("Health District") and the Texas General Land Office to enable the Health District to provide beach water sampling in Nueces, Aransas, and San Patricio counties under the Texas Beach Watch Program; and ratifying approval of the agreement as of September 1, 2012.

This Resolution was recommended by staff to the Consent Agenda.

Enactment No: 029627

26

Renewal of federal joint funding agreement to continue use of automated river gauging stations for recording inflows and releases of City's reservoir system

Motion authorizing the City Manager or designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Society (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of all inflows and releases in the City's water reservoir, with the City's cost to be \$155,864.

This Motion was recommended by staff to the Consent Agenda.

Enactment No: M2012-167

- 27** Construction contract for new mechanical bar screen and grit removal improvements for wastewater treatment plant

Motion authorizing the City Manager, or designee, to execute a construction contract with R.M. Wright Construction Company of El Paso, Texas in the amount of \$2,772,662.00 for the Allison Wastewater Treatment Plant New Mechanical Bar Screen and Grit Removal Improvements for the Base Bid plus Additive Alternate No. 1 and 2.

This Motion was recommended by staff to the Consent Agenda.

Enactment No: M2012-168

- 28** Construction contract for Downtown Streets project (Chaparral) (BOND 2008)

Motion authorizing the City Manager, or designee, to execute a construction contract with Reytec Construction Resources, Inc. of Houston, Texas in the amount of \$4,819,070.00 for the Downtown Streets - Chaparral Project for the Base Bid; authorizing the removal of the catenary poles, specialized street lights and paver covers at utility cleanouts from the Base Bid. (Bond 2008)

This Motion was recommended by staff to the Regular Agenda.

Enactment No: M2012-169

- 29** Analysis and summary of the Request for Proposal response for operation and management of the American Bank Center

Motion directing the City Manager or designee to: i) prepare a document analyzing and summarizing the financial and strategic options available to the City for the operation and management of the ABC; (ii) provide recommendations to the City Council related to the operation and management of the American Bank Center; and (iii) conduct time-limited negotiations with SMG for the operation and management of the American Bank Center (ABC).

This Motion was recommended by staff to the Regular Agenda.

Enactment No: M2012-170

FUTURE PUBLIC HEARING: (ITEMS 30 - 31)

- 30** Change of zoning from the multifamily 1 district to the single-family 6 district located at 2302 Flour Bluff Drive

Case No. 0712-04 Mohammad Rezaei: A change of zoning from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 District, resulting in a change of future land use from commercial and medium density residential to low density residential. The property to be rezoned is described as being 8.943 acres out of the North one-half (½) of Lot 17, Section 49, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Purdue Road and Flour Bluff Drive.

Planning Commission and Staff Recommendation (July 18, 2012): 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 Mohammad Rezaei ("Owner"), by changing the UDC Zoning Map in reference to 8.943 acres out of the North one-half (1/2) of Lot 17, Section 49, Flour Bluff and Encinal Farm and Garden Tracts, from the "RM-1" Multifamily 1 District to the "RS-6" Single-Family 6 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 Emergency Ordinance was recommended by staff to public hearing.

Enactment No: 029632

31

Change of zoning from the single-family 6 district to the resort commercial district located at 14101 Commodores Drive

Case No. 0812-01 Steven Bright: A change of zoning from the "RS-6" Single-Family 6 District to the "CR-2" Resort Commercial District, resulting in a change of future land use from low density residential to commercial. The property to be rezoned is described as Island Fairway Estates, Block 34, Lot 21, located along the southwest corner of Commodore's Drive and Aquarius Street.

Planning Commission and Staff Recommendation (August 1, 2012): Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CR-2" Resort Commercial District and, in lieu thereof, approval of the "RM-AT" Multifamily AT District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Steven Bright, on behalf of Calvin F. Bright ("Owner"), by changing the UDC Zoning Map in reference to Island Fairway

Estates, Block 34, Lot 21 from the "RS-6" Single-Family 6 District to the "RM-AT" Multifamily AT 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 Emergency Ordinance was recommended by staff to public hearing.

Enactment No: 029633

O. UPDATES TO CITY COUNCIL: (ITEMS 32 - 33)

32 Drought Contingency Plan and Conservation

Mayor Adame referred to Item No. 32, Drought Contingency Plan and Conservation. Gus Gonzalez, Director of Water Operations provided a presentation and discussed the reservoir levels at Choke Canyon Reservoir, Lake Corpus Christi, and the Combined Reservoir System. He reported that based on current consumption and no rainfall, the Choke Canyon/Lake Corpus Christi Combined Reservoir System may reach 40 percent capacity by October 2012. He also discussed the water volume projections; the drought management plan; customer program; and the action in Stage II.

33 Mary Rhodes Pipeline, Phase 2

Mayor Adame referred to Item No. 33, Mary Rhodes Pipeline, Phase 2. Gus Gonzales, Director of Water Operations provided an update and discussed the following: status update, project status, project schedule, and project budget.

RECESS THE CITY COUNCIL MEETING

34 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 held.

RECONVENE THE CITY COUNCIL MEETING

- 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 the public comment. John Webb, owner of Crowdaddy's Restaurant spoke about concerns that he is not allowed to wash bird droppings off the sidewalk in front of his business; Jerry Garcia spoke about funding for Southside Youth Complex; Jim Klein urged the council to pass a resolution to overturn the Citizens United court case and distributed a resolution approved by the US Conference of Mayor's regarding this issue; Richard Hardgrove spoke about the street user fee.

Q. CITY MANAGER'S COMMENTS:

*** Update on City Operations**

City Manager Olson provided the council an update on the following operational issues: 1) during the Labor Day holiday, the Neighborhood Services, Police and Parks & Recreation department concentrated their efforts on litter control and beach cleaning, 2) the Proud Partnership effort will move into the third area, the Lynwood area at the end of the month for clean up and code enforcement, 3) reported that the Fire department will begin a new process, Data Driven Decision Making for operations in the department, 4) progress on the replacement of the Peoplesoft system to occur in August 2013 with the new fiscal year, 5) reported that appointed leadership will take part in training program designed for department heads and assistants and is patterned after management process dealing with leadership and planning, 6) continuing to evaluate the facility maintenance program and inventory of city buildings and condition, on schedule to make recommendation to council in January 2013, 7) the Solid Waste Competitive review is ongoing and expect a final draft in January 2013, 8) reported progress on business plans and plans to add performance measures into the business plan monitoring system, and 9) announced that the Communications department received a National Award for work associated with the budget education program.

R. ADJOURNMENT

There being no further business to come before the council, Mayor Adame adjourned the meeting at 4:00 pm.