



## MINUTES

City of Corpus Christi, Texas  
Workshop Council Meeting  
March 27, 2012 - 10:30 am

### Present:

Mayor Joe Adame

#### Council Members:

Kelley Allen  
Larry Elizondo  
Priscilla Leal  
David Loeb  
\*John Marez  
Nelda Martinez  
Mark Scott

#### City Staff:

City Manager Ronald L. Olson  
City Attorney Carlos Valdez  
City Secretary Armando Chapa

\*Arrived at 11:30 am

### Absent

Chris Adler

Mayor Adame called the workshop meeting to order in the Council Chambers of City Hall. City Secretary Chapa called the roll and verified that the necessary quorum of the Council and the required Charter officers were present to conduct the meeting.

Mr. Oscar Martinez, Assistant City Manager stated that this is Workshop Session Number 2 regarding the Street Improvement Finance Plan. He recognized Dr. Robert Furgason, a member of the Street Maintenance Ad Hoc Committee. Dr. Furgason spoke in support of the finance plan.

Mr. Martinez stated that during Workshop Session Number 1 held on March 20, 2012 there were 45 questions asked by the council. He added that council was provided with responses to those questions, and that the discussion today would focus on summarizing those responses. At the end of the workshop meeting, he provided an overview of the items scheduled for Workshop Session No. 3 scheduled for April 10, 2012 would include city-wide municipal management district, division of resource consideration, pavement condition index considerations, priority rankings of street maintenance, and utility work impacts.

There being no further business to come before the Council, Mayor Pro Tem Loeb adjourned the Workshop Meeting at 11:45 am on March 27, 2012.



## **MINUTES**

City of Corpus Christi, Texas  
Regular Council Meeting  
March 27, 2012 - 12:00 p.m.

### **Present:**

Mayor Joe Adame

#### **Council Members:**

Kelley Allen  
Larry Elizondo  
David Loeb  
Priscilla Leal  
John Marez  
Nelda Martinez  
Mark Scott

#### **City Staff:**

City Manager Ronald L. Olson  
City Attorney Carlos Valdez  
City Secretary Armando Chapa

### **Absent**

Chris Adler

Mayor Adame called the meeting to order in the Council Chambers of City Hall. The invocation was delivered by Reverend Harry Williams and the Pledge of Allegiance to the United States Flag was led by Council Member Priscilla Leal.

City Secretary Chapa called the roll and verified that the necessary quorum of the Council and the required Charter officers were present to conduct the meeting.

Mayor Adame called for approval of the minutes of the Workshop and Regular Council meetings of March 20, 2012. A motion was made and passed to approve the minutes as presented.

## **BOARD APPOINTMENT**

The council made the following new appointments or reappointments to the city's boards, commissions and committees:

#### **Building Standards Board**

Shawn Bodine (Engineer)  
Peggy Mettlen

## **CONSENT AGENDA**

Mayor Adame called for consideration of the Consent Agenda (Items 3 - 24). Council members requested that Items 17 and 24 be pulled for individual consideration. There were no comments from the audience. City Secretary Chapa polled the Council for their votes as follows:

### **3. MOTION NO. M2012-057**

Motion approving the lease purchase of two (2) five yard wheel loaders from Anderson Machinery, of Manor, Texas in the amount of \$379,629.68 of which \$6,757.53 is required for FY 2011-2012. The award is based on the Cooperative Purchasing Agreement with the

Texas Local Government Cooperative. The units will be used by the Solid Waste Department. Funds for the lease purchase of the wheel loaders will be provided through the City's lease/financing program.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

4. MOTION NO. M2012-058

Motion approving the lease purchase of 2,940 96-gallon curbside recycle containers from Toter Incorporated, of Statesville, North Carolina for the total amount of \$149,899, of which, \$8,080.47 is required for FY2011-2012. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (H-GAC). The containers will be used in the City's automated recycle program. Funds for the lease purchase of the curbside recycle containers will be provided through the City's lease/purchase financing program.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

5. MOTION NO. M2012-059

Motion approving the lease purchase of one (1) Caterpillar Pneumatic Roller from Holt Cat Machinery, of Dallas, Texas for a total amount of \$101,554 of which \$5,440.59 is required for FY2011/2012. The award is based on the cooperative purchasing agreement with the Texas Local Government Cooperative. The equipment will be used by the City's Street Department. This unit is a replacement to the fleet. Funds for the lease purchase of the roller will be provided by the City's lease/purchase financing program.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

6. MOTION NO. M2012-060

Motion approving the lease purchase of four (4) side loading refuse trucks from Rush Truck Centers of Texas LP, of Houston, Texas for a total amount of \$1,186,120.00 of which \$21,113.32 is required for the remainder of FY2011-2012. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). All units are replacements to the fleet and will be used by the Solid Waste Department. Financing for the lease purchase of the vehicles will be provided through the City's lease/purchase financing program.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

7. MOTION NO. M2012-061

Motion approving the purchase of twelve (12) Chevrolet Tahoes from Caldwell Country Chevrolet, of Caldwell, Texas, for a total amount of \$327,562. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). All units are replacements to the fleet and will be used by the Police

Department. Funding is available in the FY2011-2012 Capital Outlay Budget of the Fleet Maintenance Fund.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

8. MOTION NO. M2012-062

Motion approving the lease purchase of one (1) trommel screen from McCourt & Sons Equipment, Inc., of La Grange, Texas for a total amount of \$292,125 of which \$20,799.68 is required for the remainder of FY 2011-2012. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). The equipment is a replacement unit and will be used by the Solid Waste Department. Financing for the equipment will be provided through the City's lease-purchase financing program.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

9. MOTION NO. M2012-063

Motion authorizing the purchase of specialized equipment for a total amount of \$129,559 utilizing funds from the 2009 Homeland Security Grant awarded to the City of Corpus Christi and budgeted in the Fire Grant Fund No. 1062.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

10. MOTION NO. M2012-064

Motion approving the purchase of an interface for the Laboratory Information Management System (LIMS) and ILeads from STARLIMS Corporation, of Hollywood, Florida, for a total expenditure of \$73,550. 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: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

11.a. RESOLUTION NO. 029396

Resolution authorizing the City Manager or designee to accept a grant from the Coastal Bend Regional Advisory Council in the amount of \$21,133.93 to be used for the purchase of equipment and supplies to support the delivery of emergency medical services for the Corpus Christi Fire Department.

The foregoing resolution was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

11.b. ORDINANCE NO. 029397

Ordinance appropriating \$21,133.93 from the Coastal Bend Regional Advisory Council into the No. 1056 Ambulance Grant Fund to purchase equipment and supplies to support the delivery of emergency medical services for the Corpus Christi Fire Department.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

12.a. RESOLUTION NO. 029398

Resolution authorizing the City Manager or designee to execute all documents to accept a \$5,381 grant awarded by the Corporation for National and Community Service for the Senior Companion Program (SCP).

The foregoing resolution was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

12.b. ORDINANCE NO. 029399

Ordinance appropriating a \$5,381 grant awarded by the Corporation for National and Community Service for the Senior Companion Program (SCP).

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

13.a. RESOLUTION NO. 029400

Resolution authorizing the City Manager or designee to accept a \$117,301.38 grant awarded by the Texas Department of Agriculture Texans Feeding Texans Program for the FY2012 Senior Community Services (SCP) Elderly Nutrition Program.

The foregoing resolution was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

13.b. ORDINANCE NO. 029401

Ordinance appropriating a \$117,301.38 grant from the Texas Department of Agriculture Texans Feeding Texans Program in the No. 1067 Parks and Recreation Grants Fund for the FY2012 Senior Community Services (SCP) Elderly Nutrition Program.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

14. ORDINANCE NO. 029402

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Buccaneer Commission, Inc. ("Commission") for 2012 Buccaneer Days Festival and related activities to allow use of City property including areas bounded by Kinney Street, North

Shoreline, South Shoreline, and Park Avenue, including adjacent parking lots during April 23 2012 through May 8, 2012; use of parking lot north of former Memorial Coliseum site from April 12, 2012 through April 16, 2012; and also including use of McGee Beach for fireworks launch on April 27, 2012; and provide for Commission paying 50% police overtime, and 100% of all other City costs and fees.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

15. ORDINANCE NO. 029403

Ordinance amending Ordinance No. 027996, which designated a certain area within the jurisdiction of the City of Corpus Christi as a tax increment financing district known as "Reinvestment Zone Number Three, City of Corpus Christi, Texas" (the "Reinvestment Zone"), to correct the termination date of the Zone; authorizing the City Manager to enter into an Amended Interlocal Agreement with Del Mar College and Nueces County.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

16. RESOLUTION NO. 029404

Resolution authorizing the City Manager or designee to execute a one-year Interlocal Cooperation Agreement with the Corpus Christi Downtown Management District ("District"), to renew annually automatically, in the annual amount equal to the District's revenue received from the District's ad valorem taxes each fiscal year at an annual minimum of \$127,000 for assistance in downtown development and redevelopment activities for FY2011-2012 and annually thereafter as renewed.

The foregoing resolution was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

18. MOTION NO. M2012-065

Motion authorizing the City Manager or designee to execute a Contract for Professional Services with Urban Engineering of Corpus Christi, Texas in the amount of \$87,400 for the Staples Street Pumping Plant New 10 MGD Pumps.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

19. MOTION NO. M2012-066

Motion authorizing the City Manager or designee to execute Amendment No. 2 to a Contract for Professional Services with RVI of Austin, Texas for the Oso Creek/Oso Bay Area Park Master Plan in the amount of \$616,670 for a total restated fee of \$903,650 for design of Phase 2 Improvements. (Bond 2008)

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

20. MOTION NO. M2012-067

Motion authorizing the City Manager or designee to execute a construction contract with Austin Traffic Signal Construction Co., Inc. of Pflugerville, Texas in the amount of \$900,348.44 for the Traffic Signals (New and Synchronization) Project for the Base Bid and Additive Alternate No. 1. (Bond 2008)

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

21.a. ORDINANCE NO. 029422

Second Reading Ordinance – Amending Sections 29-48 and 29-52, Code of Ordinances, City of Corpus Christi, to authorize additional authorized expenses from the Municipal Court Building Security Fund and the Juvenile Case Manager Fund consistent with current state law. (First Reading 3/20/12)

The foregoing ordinance was passed and approved on second reading with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

21.b. ORDINANCE NO. 029423

Second Reading Ordinance – Appropriating \$170,702 from Municipal Court Building Security Fees in the No. 1035 Municipal Court – Building Security Fund for expenses specifically authorized by state law and city ordinance; appropriating and transferring \$91,097.15 from the General Fund to the No. 1035 Municipal Court Fund; changing the FY 2011-2012 Adopted Annual Operating Budget, adopted by Ordinance No. 029155 by increasing proposed expenditures/revenues by \$170,702. (First Reading 3/20/12)

The foregoing ordinance was passed and approved on second reading with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

21.c. ORDINANCE NO. 029424

Second Reading Ordinance – Appropriating \$255,720 from Municipal Court's Technology Fees in the No. 1036 Municipal Court – Technology Fund for expenses specifically authorized by state law and city ordinance; appropriating in and transferring \$150,618 from the General Fund to the No. 1036 Municipal Court-Technology Fund; changing the FY2011-2012 Adopted Annual Operating Budget, adopted by Ordinance No. 029155 by increasing proposed expenditures/revenues by \$255,720. (First Reading 3/20/12)

The foregoing ordinance was passed and approved on second reading with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

21.d. ORDINANCE NO. 029425

Second Reading Ordinance – Appropriating \$357,206 from Municipal Court's Juvenile Case Manager Fees in the No. 1037 Municipal Court Juvenile Case Manager Fund for expenses specifically authorized by state law and city ordinance; appropriating in and transferring

\$247,464 from the General Fund to the No. 1037 Municipal Court-Juvenile Case Manager Fund; changing the FY2011-2012 Adopted Annual Operating Budget, adopted by Ordinance No. 029155 by increasing proposed expenditures/revenues by \$357,206. (First Reading 3/20/12)

The foregoing ordinance was passed and approved on second reading with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

22. ORDINANCE NO. 029426

Second Reading Ordinance – Appropriating \$70,000 from the Unreserved Fund Balance in the No. 1020 General Fund to fund the School Crossing Guard Program for the remainder of FY2012. (First Reading 3/20/12)

The foregoing ordinance was passed and approved on second reading with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

23. ORDINANCE NO. 029427

Naming ball field at Southside Sports Complex at 1901 Paul Jones Avenue the Raymond R. Dulak, Jr. Ball Field. (First Reading 3/20/12)

The foregoing ordinance was passed and approved on second reading with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

The following items were pulled for individual consideration and were voted on separately. Council Member Leal stated that fees for outstanding balances are being waived for three other leagues and she requested that the fees also be waived for Southside Youth League. Michael Morris, Director of Parks and Recreation stated that he would look into whether Southside League qualified. He added that if the complex qualified, he would bring the item back to the Council to amend the agreement. There were no comments from the audience. City Secretary Chapa polled the council for their votes as follows:

17.a. ORDINANCE NO. 029405

Ordinance authorizing the City Manager or designee to amend the lease agreement with Great Western Soccer League, a non-profit organization, for the use of Terry and Bobby Labonte Park for its soccer program to end in January 2014 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.b. ORDINANCE NO. 029406

Ordinance authorizing the City Manager or designee to amend the lease agreement with Padre Youth Football League, a non-profit organization, for the use of Bill Witt Park for its football program to end in February 2016 by amending section regarding water utilities.



An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.c. ORDINANCE NO. 029407

Ordinance authorizing the City Manager or designee to amend the lease agreement with Corpus Christi and Coastal Bend Youth Football League, a non-profit organization, for the use of Botsford Park for its football program to end in January 2014 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.d. ORDINANCE NO. 029408

Ordinance authorizing the City Manager or designee to amend the lease agreement with Corpus Christi Senior Softball Association, a non-profit organization, for the use of Kiwanis Park for its softball program to end in March 2016 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.e. ORDINANCE NO. 029409

Ordinance authorizing the City Manager or designee to amend the lease agreement with Southside Little Miss Kickball League, a non-profit organization, for the use of property located at 4200 McArdle Road for its kickball program to end in February 2016 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.f. ORDINANCE NO. 029410

Ordinance authorizing the City Manager or designee to amend the lease agreement with Southside Youth Sports Complex, a non-profit organization, for the use of Price Park for its baseball program to end in January 2014 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.g. ORDINANCE NO. 029411

Ordinance authorizing the City Manager or designee to amend the lease agreement with Corpus Christi United Little Miss Kickball League, a non-profit organization, for the use of

Bill Witt Park for its kickball program to end in January 2014 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.h. ORDINANCE NO. 029412

Ordinance authorizing the City Manager or designee to amend the lease agreement with Padre Soccer League, a non-profit organization, for the use of Bill Witt Park for its soccer program to end in January 2013 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.i. ORDINANCE NO. 029413

Ordinance authorizing the City Manager or designee to amend the lease agreement with Santa Fe Soccer League, a non-profit organization, for the use of South and North Pope Park for its soccer program to end in June 2013 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.j. ORDINANCE NO. 029414

Ordinance authorizing the City Manager or designee to amend the lease agreement with Corpus Christi Police Athletic League, a non-profit organization, for the use of T.C. Ayers, Ben Garza, and Driscoll Field for its youth athletic program to end in February 2015 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.k. ORDINANCE NO. 029415

Ordinance authorizing the City Manager or designee to amend the lease agreement with National Little League, a non-profit organization, for the use of Paul Jones Youth Sports Complex for its baseball program to end in February 2016 by amending section regarding water utilities and waiving outstanding water utility balance.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.l. ORDINANCE NO. 029416

Ordinance authorizing the City Manager or designee to amend the lease agreement with Oso Pony Baseball League, a non-profit organization, for the use of Paul Jones Youth Sports Complex for its baseball program to end in February 2016 by amending section regarding water utilities and waiving outstanding water utility balance.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.m. ORDINANCE NO. 029417

Ordinance authorizing the City Manager or designee to amend the lease agreement with Oso Little Miss Kickball League, a non-profit organization, for the use of Paul Jones Youth Sports Complex for its kickball program to end in February 2016 by amending section regarding water utilities and waiving outstanding water utility balance.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.n. ORDINANCE NO. 029418

Ordinance authorizing the City Manager or designee to amend the lease agreement with Padre Little League, a non-profit organization, for the use of Bill Witt Park for its baseball program to end in April 2013 by amending section regarding water utilities.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.o. ORDINANCE NO. 029419

Ordinance authorizing the City Manager or designee to execute five-year lease agreement with International Westside Baseball for the use of Greenwood/Horne Youth Sports Complex, for its baseball program.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.p. ORDINANCE NO. 029420

Ordinance authorizing the City Manager or designee to execute five-year lease agreement with Sparkling City Fast Pitch League for the use of, Greenwood/Horne Youth Sports Complex for its softball program.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

17.q. ORDINANCE NO. 029421

Ordinance authorizing the City Manager or designee to execute five-year lease agreement with Universal Little League for the use of Greenwood/Horne Youth Sports Complex for its baseball program.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

Mayor Adame referred to Item No. 24. Council Members discussed the number of persons required to file a sworn complaint. A motion was made by Council Member Marez, seconded by Council Member Leal to increase the number for a person to file a sworn complaint from 1 to 2. The motion failed with the following vote: Adame, Leal and Marez, voting "Aye"; Allen, Elizondo, Loeb, Martinez and Scott, voting "No"; Adler was absent. Mayor Adame asked for comments from the audience. There were no comments. City Secretary Chapa polled the council for their votes on the ordinance as presented.

24. ORDINANCE NO. 029428

Amending the Code of Ethics provisions regarding conflicts of interest and complaint procedures. (First Reading 3/20/12)

The foregoing ordinance was passed and approved on second reading with the following vote: Adame, Allen, Elizondo, Loeb, Marez, Martinez and Scott, voting "Aye"; Leal voting "No"; Adler was absent.

**EXECUTIVE SESSIONS**

Mayor Adame announced the executive sessions which were listed on the agenda as follows:

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

Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding Cause No. 8-11-6088CV-B styled City of Ingleside, Texas vs. City of Corpus Christi, Texas presently pending in the 156<sup>th</sup> District Court of San Patricio, County with possible discussion and action in open session.

Executive session pursuant to Section 551.071 of the Texas Government Code to consult with attorneys regarding Time Warner cable franchise, with possible discussion and action in open session.

The council went into executive session. The council returned from executive session. A motion was made by Council Member Martinez, seconded by Council Member Marez and passed. City Secretary Chapa polled the council for their votes as follows:

MOTION NO. M2012-068

Motion authorizing the City Attorney to file Motion to intervene in Public Utility Commission of Texas Docket No. 40227 regarding Time Warner Cable application to amend its State franchise to add the Corpus Christi area.

The foregoing motion was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

**UPDATE TO CITY COUNCIL**

Mayor Adame deviated from the agenda and referred to Item No. 39, Convention & Visitors Bureau Update. Mr. Keith Arnold, CEO, Convention & Visitors Bureau provided an update on Spring Break. Mr. Arnold provided a report including the HOT collections through January 31, 2012; report on Convention and Event Sales; Certified Tourism Ambassador Program; Branding and Production of Collateral Material; Online Packaging Program; Cultural and Heritage Tourism Portal; Interactive Marketing; and Visitor Statistics.

**PUBLIC HEARINGS**

Mayor Adame referred to Item No. 25. A motion was made and passed to open the following public hearing. Staff informed the Council that the applicant has requested that the following zoning case be postponed for two weeks.

Case No. 0212-01, Urban Engineering: The applicant is requesting a change of zoning from the "RS-6" Single-family 6 District to the "RS-4.5) Single-family 4.5 District on Tract 1 and "CH" Cottage Housing District on Tract 2, without resulting in a change of future land use. The property to be rezoned is described as Flour Bluff and Encinal Farm and Garden Tracts, Section 26, 20.763 acres out of Lots 29, 30 and 31, located east of Rodd Field Road (County Road 9) and north of Slough Road (County Road 26).

25. POSTPONED

~~Amending the Unified Development Code (UDC) upon application by Urban Engineering on behalf of Brooke Tract, LP, Owner, by changing the UDC zoning map in reference to Flour Bluff and Encinal Farm and Garden Tracts, Section 26, 20.763 acres out of Lots 29, 30, and 31, from the "RS-6" Single-family 6 District to the "RS-4.5" Single-family 4.5 District on Tract 1 and "CH" Cottage Housing District on Tract 2; amending the Comprehensive Plan to account for any deviations from the existing Comprehensive Plan; providing a repealer clause; and providing for publication.~~

## **REGULAR AGENDA**

Mayor Adame referred to Item 26. Emily Martinez, Regional Economic Development Corporation stated that this item is for a grant to Kanon Services. She added that Kanon Services provides oilfield and refinery support throughout the Coastal Bend region. Ms. Martinez stated that they plan to invest \$3.7 million over a five year period. Mayor Adame asked for comments from the audience. There were no comments from the public. City Secretary Chapa polled the council for their votes as follows:

### **26.a. ORDINANCE NO. 029429**

Ordinance appropriating \$120,000 from the Unreserved Fund balance in the No. 1140 Business/Job Development Fund for a business incentive grant from the Corpus Christi Business and Job Development Corporation ("CCBJDC") to Kanon Services, Inc. ("Kanon") for capital investments and the creation and retention of jobs; changing the FY2011-2012 Operating Budget, adopted by Ordinance No. 029155 by increasing proposed expenditures by \$120,000.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Marez, Martinez, and Scott, voting "Aye"; Adler and Loeb were absent.

### **26.b. RESOLUTION NO. 029430**

Resolution approving a Business Incentive Agreement for the creation and retention of jobs between the Corpus Christi Business and Job Development Corporation ("CCBJDC") and Kanon Services, Inc. ("Kanon"), which provides a grant of up to \$120,000, for investing in new equipment for its facilities within the City of Corpus Christi, in which Kanon will invest at least \$3,700,000 in furniture, fixtures, and equipment and will retain at least 4 current full-time jobs with an average annual salary of at least \$50,000 over a five-year period and the creation and maintenance of 36 additional full-time jobs with an average annual salary of at least \$50,000 over a five-year period, and authorizing the City Manager or designee to execute a Business Incentive Project Support Agreement with the CCBJDC regarding implementation and administration of the Kanon Business Incentive Agreement for the Creation and Retention of Jobs.

The foregoing resolution was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Marez, Martinez, and Scott, voting "Aye"; Adler and Loeb were absent.

Mayor Adame referred to Item No. 27. Emily Martinez, Regional Economic Development Corporation stated that this item is for a grant to Oneta Company. She added that the Oneta Company is comprised of the last independent Pepsi Bottler company. Ms. Martinez stated that they plan to invest \$4.7 million in furniture and equipment at the facility and retain 64 jobs and create up to 31 new jobs. Mayor Adame asked for comments from the audience. There were no comments. City Secretary Chapa polled the council for their votes as follows:

### **27.a. ORDINANCE NO. 029431**

Ordinance appropriating \$300,000 from the Unreserved Fund balance in the No. 1140 Business/Job Development Fund for a business incentive grant from the Corpus Christi Business and Job Development Corporation ("CCBJDC") to Oneta Company ("Oneta") for

investing in new facilities and new equipment of their existing manufacturing and distribution facilities and the creation and retention of jobs; changing the FY2011-2012 Operating Budget, adopted by Ordinance No. 029155 by increasing proposed expenditures by \$300,000.

An emergency was declared and the foregoing ordinance was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

27.b. RESOLUTION NO. 029432

Resolution approving a Business Incentive Agreement for the creation and retention of jobs between the Corpus Christi Business and Job Development Corporation ("CCBJDC") and Oneta Company ("Oneta"), which provides a grant of up to \$300,000, for investing in new facilities and new equipment for its facilities within the City of Corpus Christi, in which Oneta will invest at least \$4,700,000 in furniture, fixtures, and equipment and will retain at least 64 current full time jobs with an annual average salary of at least \$30,935 over a five-year period and the creation and maintenance of 31 additional full time jobs with an average annual salary of at least \$30,935 over a five-year period, and authorizing the City Manager or designee to execute a Business Incentive Project Support Agreement with the CCBJDC regarding implementation and administration of the Oneta Business Incentive Agreement for the creation and retention of jobs.

The foregoing resolution was passed and approved with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott voting "Aye"; Adler was absent.

**FIRST READING ORDINANCE**

Mayor Adame referred to Item 28. Gus Gonzalez, Director of Water Operations stated that this item is for a Girl Scout Lease of 76 acres at Lake Corpus Christi. He provided a presentation including background and terms of the agreement. Mayor Adame asked for comments from the audience. There were no comments. City Secretary Chapa polled the council for their votes as follows:

28. FIRST READING ORDINANCE

Authorizing the City Manager or designee to execute a lease agreement with Girl Scouts of Greater South Texas for the use of a 76-acre tract adjacent to Lake Corpus Christi through December 31, 2041.

The foregoing ordinance was passed and approved on first reading with the following vote: Adame, Allen, Elizondo, Leal, Loeb, Marez, Martinez, and Scott, voting "Aye"; Adler was absent.

**FUTURE AGENDA ITEMS**

Mayor Adame referred to the Future Agenda Item section on the agenda (Items 29 - 38). Mayor Adame stated that these items are for informational purposes only and that no action or public comment will be taken at this time. Staff provided a presentation on Item Numbers 35 - 40.

29. Motion approving the lease purchase of two Bomag Tandem Vibratory Rollers from Anderson Machinery, of Manor, Texas for a total amount of \$196,960.00 of which \$10,551.81 is required for FY2011/2012. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). The equipment will be used by the City's Street Department. All units are replacements to the fleet. Funds for the lease purchase of the Rollers will be provided by the City's lease/purchase financing program.
- 30.a. Resolution authorizing the City Manager or designee to accept a six-month grant extension from the Texas Department of State Health Services (TDHS) for the Women, Infants and Children (WIC) Program for April 1, 2012 – September 30, 2012, and to execute all related documents.
- 30.b. Ordinance appropriating a grant amendment in the amount of \$500,354 from the Texas Department of State Health Services in the No. 1066 Health Grants Fund for the Women, Infants and Children Program resulting from an extension of the term of the grant agreement.
31. Resolution authorizing the City Manager or designee to execute an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for installation of additional box culverts, relocation of signals, and widening roadway at the intersection of State Highway 357 (Rodd Field Road) and Williams Drive for the Williams Drive Phase 1 from Rodd Field Road to Nile Drive with the City's participation in the amount of \$8,562. **(Bond Issue 2008)**
32. Motion approving the temporary street closures of the Peoples Street T-Head and the northbound lanes of Shoreline Boulevard (including medians) from the north curb line of Schatzell Street to the south right-of-way of Taylor Street, beginning at 6:00 a.m. on Monday, April 16, 2012 and ending at 6:00 p.m. on Monday, April 23, 2012, for the Texas International Boat Show.
33. Motion approving the temporary street closure applications from the Buccaneer Commission for the 2012 Buc Days events to begin on April 13, 2012 through May 5, 2012. The following street closures will be required for the festivities:  
BBQ Challenge and Rodeo Truck Trailer Parking -beginning April 15, 2012 at 8:00 a.m. through April 23, 2012 at 12:00 a.m.:
- Street closure of North Broadway Street between Fitzgerald Street and Brewster Street
  - Street closure of Fitzgerald Street between North Broadway Street and Mesquite Street
  - Street closure of Resaca Street between Chaparral Street and Shoreline Boulevard
  - Street closure of southbound Shoreline Boulevard between Resaca Street and the South Texas Art Museum

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Carnival - beginning April 23, 2012 at 6:00 p.m. through May 7, 2012 at 9:00 a.m.:

- Street closure of southbound Shoreline Boulevard between Kinney Street and Park Street
- Street closure of Kinney Street between south and northbound Shoreline Boulevard



- Street closure of Born Street between Water Street and southbound Shoreline Boulevard
  - Street closure of Broadway Court between Water Street and southbound Shoreline Boulevard
  - Street closure of Park Avenue south and northbound Shoreline Boulevard
- 34.a. Ordinance amending the FY2012 Capital Improvement Budget adopted by Ordinance No. 029135 adding Project #E11090 Bayfront Seawall Maintenance Repair Project; increasing expenditures in the amount of \$150,894.
- 34.b. Motion authorizing the City Manager or designee to execute a Contract for Professional Services with HDR Engineering, of Corpus Christi, Texas in the amount of \$150,894 for the Bayfront Seawall Repairs.
35. Resolution approving and authorizing the City Manager or designee to execute a Municipal Maintenance Agreement with the State of Texas, acting by and through the Texas Department of Transportation ("State" or "TxDOT") for the maintenance, control, supervision and regulation of certain state highways and/or portions of state highways in the City of Corpus Christi. (Attachment #35)
36. Case No. 0212-03, Encore Multi-Family, LLC.: The applicant is requesting a change of zoning from "CG-1" General Commercial District to "RM-2" Multi-family 2 District, resulting in a change of future land use from commercial to medium density residential. The property to be rezoned is 6.80 acres out of Lots 5-C and 5-D, Lokey Subdivision and Lot 6, Section 12, Flour Bluff and Encinal Farm and Garden Tracts, located along the west side of Nodding Pines Drive between Holly Road and Golden Canyon Drive. Planning Commission and Staff's Recommendation: Approval of the change of zoning to the "RM-2" Multi-family 2 District.
37. Case No. 0212-04-City of Corpus Christi: The applicant is requesting a change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-4.5" Single-family 4.5 District, resulting in a change of future land use from commercial to low density residential. The property to be rezoned is Cimarron Center, Block 2, Lot 9A, located on the southwest corner at the intersection of Dunbarton Oak Drive and Earnhart Drive. Planning Commission and Staff's Recommendation: Approval of the change of zoning to the "RS-4.5" Single-family 4.5 District.
38. Case No. 0212-02 Flint Hills Resources Corpus Christi, LLC: The applicant is requesting a change in zoning from "RS-6" Single Family 6 District, "RS-6" Single Family 6 District / Special Permit / 78-16 and "RS-TF" Two Family District / Special Permit/78-16 to "CG-1" General Commercial District on Tract 1 and "IL" Light Industrial District on Tract 2, resulting in a change of future land use. The property to be rezoned is 9.586 acres (280,335.3 sq. ft.) of land, being all of Lots 134-140, 191-227, and a portion of Lots 141-146, 187-190, and 228-239, a portion of Ebony Street (50-foot right of way) and Baymoor Boulevard (50-foot right-of-way), all in Baymoor Addition, located north of Interstate Highway 37 and west of Nueces Bay Boulevard. Planning Commission and staff's recommendation: Approval of the change in zoning to the "CG-1" General Commercial District on Tract 1 and "IL" Light Industrial District on Tract 2.

### **UPDATES TO THE CITY COUNCIL**

Mayor Adame referred to Item No. 40, Street Program Update. Dan Biles, Interim Director of Engineering provided a brief update on the Bond 2008 Street Project Savings including the bidding of street projects; savings to date is approximately \$13 million; tentative projects approved by council; TxDOT participation opportunities; and Top 10 Street Matrix Projects.

### **PUBLIC COMMENT**

Mayor Adame called for comments from the public. Abel Alonzo spoke about the street projects, and voter participation; Mark Creider displayed pictures regarding holes on Hart Street and is requesting reimbursement for funds he spent to repair the street; Ray Gonzales spoke about funding for street maintenance.

### **CITY MANAGER COMMENTS**

No comments.

There being no further business to come before the Council, Mayor Adame adjourned the Council meeting at 4:00 p.m. on March 27, 2012.