



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, July 23, 2013

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 at 11:30 a.m.

B. Invocation to be given by Pastor Felix Zavala, El Shaddai Church

The invocation was given by Pastor Zavala.

C. Pledge of Allegiance to the Flag of the United States.

The Pledge of Allegiance was given by Monique Lerma.

D. City Secretary Armando Chapa to call the roll of the required Charter Officers.

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

Charter Officers: City Manager Ron Olson, City Attorney Carlos Valdez, and City Secretary Armando Chapa.

NOTE: Council Member McIntyre arrived at 11:38 a.m.

Present: 9 - Council Member Kelley Allen, Council Member Priscilla Leal, Council Member David Loeb, Mayor Nelda Martinez, Council Member Mark Scott, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Rudy Garza

E. Proclamations / Commendations

1. Proclamation declaring July 23, 2013 as "Pepe Serna Day"
Proclamation declaring July 25-28, 2013 as "2013 TAAF Summer Games of Texas Week"
Proclamation declaring July 27, 2013 as "Feria de las Flores Day"
Proclamation declaring August 2013 as "Corpus Christi Human Resource Management Association Diversity & Inclusion Awareness Month"

Mayor Martinez presented the proclamations.

- 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 Public Comment. Pastor Ward stated that the street maintenance fee would have a negative impact on non-profits like his church in Flour Bluff. The following individuals spoke in support of increasing fire department staffing to man the 2 additional medic units in the proposed budget: Carolyn Moon; Joan Veith; Thomas Cruz; Kenneth Thurman; Madison Farantello; Carlos Torres; Steve Bowers; and Lonnie Loosemore. Scott Leeton spoke regarding the Corpus Christi Police Officers Association Explorers who participated in a beautification project for Garcia Park, at the invitation of Council Member Magill. Abel Alonzo spoke regarding the Fire Union and city employees who did not have a voice in the budget process. Jerry Garcia with the Southside Youth Sports Complex asked Council to be fair and inclusive of all parts of the city when they made decisions.

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

- 1. MAKE A STATEMENT OF FACTUAL INFORMATION.**
- 2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.**
- 3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.**

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

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

None.

- H. EXECUTIVE SESSION: (ITEMS 2 - 4)**

Mayor Martinez referred to the executive sessions. The Council went into executive session.

- 2. Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code to consult with attorneys regarding Cause No. 13-10-00272-CV, styled San Patricio Municipal Water District and South Texas Water Authority vs. City of Corpus Christi, presently on**

appeal from the 319th District Court of Nueces County, Texas with possible discussion and action in open session.

The Council returned from executive session. Council Member Garza made a motion, seconded by Council Member Leal, as follows: Motion to authorize the City Manager to settle Cause No. 08-5366-G styled San Patricio Municipal Water District et al v. City of Corpus Christi filed in the 319th District Court of Nueces County, Texas pursuant to the terms negotiated by the parties. This motion was passed and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: M2013-110

3. Executive session pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property where deliberation in an open meeting would have a detrimental effect on the position of the City of Corpus Christi in negotiations with a third person with possible discussion and action in open session.

This E-Session Item was discussed in executive session.

4. 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.

This E-Session Item was discussed in executive session.

I. **MINUTES: (NONE)**

J. **BOARDS & COMMITTEE APPOINTMENTS: (ITEM 5)**

5. Civil Service Commission
Civil Service Board

Mayor Martinez referred to the board and committee appointments. The following board appointments were made:

**Civil Service Commission: Appointed - Leslie Vlisides
Civil Service Board: Appointed - Leslie Vlisides**

K. **EXPLANATION OF COUNCIL ACTION:**

L. CONSENT AGENDA: (ITEMS 6 - 14)

Mayor Martinez referred to the Consent Agenda. Mayor Martinez asked for public comment, and there was none. Council members requested that Items 9 and 10 be pulled for discussion. The items were approved by one vote as follows:

6. Purchase of Mini Track Excavators

Motion approving the purchase of three (3) Mini Track Excavators from Doggett Machinery, Corpus Christi, Texas in accordance with Bid Invitation No. BI-0151-13 based on lowest responsible bid for a total expenditure of \$84,150.00. Funding is available in the FY 2012-2013 Capital Outlay Budget of the Maintenance Service Fund.

This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: M2013-111

7. Service Agreements for Custodial Services for City Hall and Frost Building

Motion approving service agreements for custodial services for City Hall and Frost Building with the following companies for the following amounts in accordance with Bid Invitation No. BI-0135-13, based on low responsible bid for an estimated annual expenditure of \$170,920.80 of which \$15,974.80 is required for FY 2012-2013. The term of the contract will be for twelve months with an option to extend for up to two additional twelve-month periods subject to the approval of the service providers and the City Manager or designee. Funds have been budgeted by Facility Maintenance Services in FY 2012-2013.

Martin's Janitorial Service
Corpus Christi, TX
City Hall
\$127,656

ISS Facility Services, Inc.
Corpus Christi, TX
Frost Building
\$43,264.80

Grand Total: \$170,920.80

This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: M2013-112

8. Supply Agreement for food items for the Meals on Wheels Elderly Nutrition Program

Motion approving supply agreements with the following companies for the following amounts in accordance with the Coastal Bend Council of Governments Bid Invitation No. CBCOG-13-3 for food items which include canned and frozen fruit and vegetables; meats and condiments, for an estimated six month expenditure of \$208,750.32 of which \$17,395.86 is required for FY 2012-2013. The terms of the contracts shall be for six months with options to extend for up to three additional months, subject to the approval of the Coastal Bend Council of Governments, the suppliers, and the City Manager or designee. Funds are available through the Meals on Wheels Grant.

LaBatt Food Service	Performance Food Group
<u>Corpus Christi, Texas</u>	<u>Victoria, Texas</u>
109 Line Items	91 Line Items
\$78,011.32	\$130,739.00

Grand Total: \$208,750.32

This Motion was passed and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: M2013-113

11. Memorandum of Understanding (MOU) regarding aerial spraying for mosquitoes

Resolution authorizing the City Manager or his designee to execute a Memorandum of Understanding with Nueces County to work together in unison in determining the need for using aerial spraying to combat the spread of the West Nile virus.

This Resolution was passed and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 029902

12. Second Reading Ordinance- Accepting and appropriating Federal grant for the FY 2013 Port Security Grant Program (1st Reading 7/16/13)

Ordinance authorizing the City Manager or designee to accept a sub-grant in the amount of \$40,000 from the Department of Homeland Security, FEMA, for funding eligible under the 2012 Port Security Grant Program (PSGP) grant to purchase law enforcement equipment for the Police Department; and appropriating \$40,000 in the No. 1061 Police Grants fund from the Department of Homeland Security, FEMA, to purchase law enforcement equipment for the Police Department.

This Ordinance was passed on second reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 029903

13. Second Reading Ordinance - Appropriating funds for the Women, Infants and Children (WIC) grant amendment to increase funding (1st Reading 7/16/13)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a grant amendment in the amount of \$12,460 from the Texas Department of State Health Services in the Health Grants Fund No. 1066, increasing the award amount for the Women, Infants and Children nutrition program peer counselor project by \$12,460.

This Ordinance was passed on second reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 029904

14. Second Reading Ordinance - Appropriating Funds and approving the lease purchase for vehicles for daily operational use (1st Reading 7/16/13)

Ordinance appropriating \$115,000 from the Fleet Maintenance Services Reserve for Future Fleet Replacement Fund No. 5110 into the Capital Outlay Budget of the Maintenance Services Fund No. 5110 for the purchase of vehicles to be used by Development Services; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 by increasing appropriations by \$115,000 in the No. 5110 Maintenance Service Fund; and approving the purchase of thirty-nine (39) pickup trucks, two (2) cargo vans, six (6) heavy trucks and the lease-purchase of two (2) heavy trucks and one (1) pickup truck from AutoNation Ford, Corpus Christi, Texas, in accordance with Bid Invitation No. BI-0146-13, for the total amount of \$1,229,148.

This Ordinance was passed on second reading and approved with the following vote:

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 029905

9. Lease - Purchase of two heavy trucks and purchase of nine heavy trucks

Motion approving the lease-purchase of two (2) heavy trucks and the purchase of nine (9) heavy trucks for the total amount of \$1,211,268.00, of which \$1,015,992.00 is required for the remainder of FY 2012-2013. The heavy trucks are awarded to the following companies for the following amounts in accordance with Bid Invitation No. BI-0164-13 based on lowest responsible bid. Funding for the purchase of heavy trucks is available in the Capital Outlay Budget of the Maintenance Service Fund. Financing for the lease-purchase of heavy trucks will be provided through the City's lease/purchase financing contractor.

<u>Corpus Christi Freightliner</u>	<u>Santex Truck Center, Ltd.</u>
Corpus Christi, TX	Corpus Christi, TX
Items 1,2,3,4,7, & 8	Items 5 & 6
\$902,508.00	\$308,760.00

Grand Total: \$1,211,268.00

Mayor Martinez referred to Item 9. Council members thanked staff for bringing

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

Aye: 8 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: M2013-114

10. Mowing Services for Storm Water drainage and street rights-of-way and Water production facilities

Motion approving service agreements for mowing services for Storm Water drainage and street rights-of-way and Water production facilities with the following companies, for the following amounts, in accordance with Bid Invitation No. BI-0119-13 based on lowest responsible bid for an estimated annual expenditure of \$479,958.09, of which \$39,996.50 is required for FY 2012-2013. The term of the service agreements will be for one-year with an option to extend for two additional one-year periods. Funding is available in the Storm Water and Water Operations budgets.

<u>Brown Mule Mowing</u>	<u>Aspen Lawn Care, LLC</u>
Corpus Christi, TX	Corpus Christi, TX
Storm Water - Group 1	Water - Groups 2 & 3
\$417,197.99	\$62,760.10

Grand Total: \$479,958.09

Mayor Martinez referred to Item 10. Council members thanked staff for being responsive to questions posed during last week's Council meeting. The foregoing motion was passed and approved with the following vote:

Aye: 6 - Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member Riojas and Council Member Garza

Absent: 3 - Council Member Allen, Council Member Scott and Council Member McIntyre

Abstained: 0

Enactment No: M2013-115

M. PUBLIC HEARINGS: (ITEMS 15 - 16)

- 15. Public Hearing and First Reading Ordinance - Rezoning from the "RS-4.5" Single-Family 4.5 District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay, on property located east of Rancho Vista Boulevard East.**

Case No. 0613-01 Yorktown Oso Joint Venture: A change of zoning from the "RS-4.5" Single-Family 4.5 District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being a 5.74-acre tract of land out of Lots 19, 20, 29, and 30, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located east of Rancho Vista Boulevard East, between Stampede Drive and Vaquero Drive. The rezoning also includes the associated PUD plat.

Planning Commission and Staff Recommendation (June 19, 2013): Approval of the change of zoning from the "RS-4.5" Single-Family 4.5 District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay, subject to six conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Yorktown Oso Joint Venture ("Owner"), by changing the UDC Zoning Map in reference to a 5.74-acre tract of land out of Lots 19, 20, 29, and 30, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the "RS-4.5" Single-Family 4.5 District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 15. Director of Development Services Mark Van Vleck stated that the purpose of the item was to rezone the subject property to allow construction of a gated, single family subdivision. The Planned Unit Development (PUD) is to allow deviations of the code requirements related to the street width, sidewalks, and front-yard setbacks. Council Member Magill made a motion to open the public hearing, seconded by Council Member Leal, and passed. There were no comment from the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member Leal, and passed. There were no comments from the Council. This Ordinance was passed on first reading with the following vote:

Aye: 6 - Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member Riojas and Council Member Garza

Absent: 3 - Council Member Allen, Council Member Scott and Council Member McIntyre

Abstained: 0

16. Public Hearing and First Reading Ordinance - Rezoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, on property located at 7401 and 7555 Holly Road.

Case No. 0613-02 Southside Ventures, L.P.: A change of zoning from the "FR" Farm Rural 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 Lots 3, 4, and 5, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Holly Road, approximately 1,160 feet east of Rodd Field Road.

Planning Commission and Staff Recommendation (June 19, 2013):
Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Southside Ventures, L.P., acting as agent on behalf of Palm Land Investments, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Lots 3, 4, and 5, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural 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.

Mayor Martinez referred to Item 16. Director of Development Services Mark Van Vleck stated that the purpose of the item was to allow development of a single-family subdivision. Council Member Garza made a motion to open the public hearing, seconded by Council Member Leal, and passed. There were no questions from the public. Council Member Magill made a motion to close the public hearing, seconded by Council Member Leal, and passed. There were no comments from the Council. This Ordinance was passed on first reading with the following vote:

Aye: 6 - Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member Riojas and Council Member Garza

Absent: 3 - Council Member Allen, Council Member Scott and Council Member McIntyre

Abstained: 0

N. REGULAR AGENDA: (ITEM 17)

17. Engineering design contract amendment No. 1 for the Citywide Street Overlay and Seal Coat Indefinite Delivery/Indefinite Quantity (Pilot) Program

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to a Contract for Professional Services with RH Shackelford, Inc. from Corpus Christi, Texas in the amount of \$194,847.00, for a re-stated fee not to exceed \$240,597.00 for Citywide Street Overlay and Sealcoat Indefinite Delivery/Indefinite Quantity Program-Pilot Program.

Mayor Martinez referred to Item 17. City Engineer Dan Biles stated that the purpose of the item was to authorize services required to develop bidding and construction documents for the pilot program of the Citywide Street Overlay

and Sealcoat IDIQ Program. He stated that the item had been revised at the request of the City Council. He noted that consultant basic services represent approximately 3.0% of the total anticipated construction budget for the pilot program.

Council members spoke regarding the following issues: cost of overlays versus sealcoats; doing more overlay work in-house rather than contracting out; paying for curb and gutter work with alternative funding; communicating with residents about the pilot program; increasing the warranty on work from 1 year to 5 years; utility cut policy; and repair the utility cut on Robert Street.

Mayor Martinez asked for public comment. Abel Alonzo stated that the due to ADA requirements, the City was committed to fixing sidewalks and curb cuts when doing street repair work.

The foregoing motion was passed with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

Enactment No: M2013-116

P. FUTURE AGENDA ITEMS: (ITEM 32)

32. Resolution supporting Destination Bayfront

Resolution approving and adopting the Corpus Christi Destination Bayfront Master Implementation Plan, Schematic Design and the phasing plan outlined therein prepared by Hargreaves Associates for the Destination Bayfront Project ("Project"); directing staff to prepare an ordinance calling for a November 5, 2013 Election with language for a bond proposition to fund the construction of the Project; authorizing the City Manager or designee to execute Amendment No. 11 to the Professional Services Contract with Hargreaves Associates, Inc. in the amount of \$1,936,300 and Amendment No. 2 to the Testing Agreement with Rock Engineering & Testing Laboratory in the amount of \$102,500, contingent upon voter-approval of the Bond Proposition.

Mayor Martinez deviated from the agenda and referred to Item 32. City Engineer Dan Biles stated that the purpose of the item was to direct staff to prepare an ordinance for a November 5, 2013 special election to issue general obligation bonds for Destination Bayfront Project; adopt the project's Master Implementation Plan; and approve an amendment and testing agreement to facilitate the completion of the design phase conditional upon the passage of the project in the special election. This Resolution was recommended by staff to regular agenda.

O. FIRST READING ORDINANCES: (ITEMS 18 - 23)

18. First Reading Ordinance - Accepting and appropriating Federal

grant to combat drug trafficking

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant modification award in the amount of \$71,837 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for the salary and benefits of a full-time program coordinator, one administrative assistant, overtime for 4 Corpus Christi Police Officers, and 4 lease vehicles; and appropriating the \$71,837 in the No. 1061 Police Grants Fund.

Mayor Martinez referred to Item 18. Police Chief Floyd Simpson stated that the purpose of the item was to accept and appropriate a grant modification award to support the Houston High Intensity Drug Trafficking Area program. He said this was the second of two awards. Mayor Martinez called for public comment and there was none. There were no comments from the Council.

This Ordinance was passed on first reading with the following vote:

Aye: 7 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Magill, Council Member McIntyre and Council Member Garza

Absent: 2 - Council Member Scott and Council Member Riojas

Abstained: 0

19. First Reading Ordinance - Appropriating funds from the sale of police handguns to police officers

Ordinance appropriating \$87,526 in the General Fund No 1020 from the sale of Police handguns; and Amending the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase revenue and expenditures in the General Fund No 1020 by \$87,526

Mayor Martinez referred to Item 19. Police Chief Floyd Simpson stated that the purpose of the item was to appropriate funds for the purchase of new handguns for police officers. Mayor Martinez called for public comment. Scott Leeton with the Corpus Christi Police Officers Association stated that Smith and Wesson weapons being purchased were superior to the current model Glocks. There were no comments from the Council. This Ordinance was passed on first reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

20. First Reading Ordinance - Appropriating funds from the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program

Ordinance appropriating \$3,380,824 from the United States Department of Homeland Security - Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program, into the No. 1062 Fire Grants Fund to hire and maintain 34 additional firefighters within the Fire Department.

Mayor Martinez referred to Item 20. Fire Chief Robert Rocha stated that the purpose of the item was to use SAFER grant funds to provide 100% funding for entry-level salaries and fringe benefits for 34 full-time firefighters for 24 months. Mayor Martinez asked for public comment, and there was none. Council members asked for clarification on whether the grant funds could be used to fund new positions, or only for positions lost through attrition. This Ordinance was passed on first reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

21. First Reading Ordinance - Amending the Code of Ordinances to adopt new compensation rates

Ordinance amending Code of Ordinances, Chapter 39, Personnel, Article III Employee Classification and Compensation System of the Corpus Christi Code of Ordinances to adopt new compensation rates.

Mayor Martinez referred to Item 32. Director of Human Resources Yasmine Chapman stated that the item would allow the City to adopt the new classification and compensation plan previously presented to Council. She also mentioned that the City would be discussing how Health Department employees would be affected by the plan with the County. There were no comment from the Council or the public. This Ordinance was passed on first reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

22. Second Reading Ordinance - Engineering Design Contract Amendment No. 1 for Cefe Valenzuela Outfall Modifications and On-Call Consulting Services (1st Reading 7/23/13)

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to add Project No. E11050 Cefe Valenzuela Outfall Modifications; transferring funds from Fund No. 3365 Reserve Appropriation in the amount of \$100,000 to Project No. E11050 Cefe Valenzuela Outfall Modifications and authorizing the City Manager or designee to execute Amendment No. 1 to the Contract for Professional Services with HDR Engineering, Inc. of Corpus Christi,

Texas in the amount of \$69,800, for a total restated fee not to exceed \$116,200 for the Project No. E11050 Cefe Valenzuela Outfall Modifications and On-Call Consulting Services.

Mayor Martinez referred to Item 22. City Engineer Dan Biles stated that the purpose of the item was to authorize the proposed engineer to provide design and construction documents for the Cefe Valenzuela Landfill / Petronila Creek Outfall Project. There were no comments from the public or the Council. This Ordinance was passed on first reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

23. First Reading Ordinance - Accepting and appropriating State grant for air quality planning

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a grant in the amount of \$442,300 from the Texas Commission on Environmental Quality in the No. 1071 Community Enrichment Fund for air quality planning purposes.

Mayor Martinez referred to Item 23. Director of Planning and Environmental Services Pete Anaya stated that the purpose of the item was to accept and appropriate a grant from the TCEQ for air quality planning purposes. There were no comments from the public or the Council. This Ordinance was passed on first reading with the following vote:

Aye: 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

FUTURE CORPORATION MEETING (ITEM 24)

24. Annual Board Meeting of the Corpus Christi Community Improvement Corporation

Annual Board meeting of the Corpus Christi Community Improvement Corporation (CCCIC)

This Corporation Meeting was recommended to be held by staff.

P. FUTURE AGENDA ITEMS: (ITEMS 25-31, 33-39)

Mayor Martinez referred to the Future Agenda items. Assistant City Manager Wes Pierson said that staff had presentations on Items 33 - 35.

25. Service Agreement for custodial services at Police Department

Motion approving a service agreement with ABM Janitorial Services - South Central Inc., San Antonio, Texas for custodial service for the main police building in accordance with Bid Invitation No. BI-0161-13 based on low responsible bid for an estimated annual expenditure of \$85,500. The term of the contract will be for twelve months with an option to extend for up to two additional twelve-month periods subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Police Department in FY 2012-2013 and will be requested during the normal FY 2013-2014 budget approval process.

This Motion was recommended by staff to consent agenda.

26. Purchase of Law Enforcement Firearms & Accessories

Motion approving the purchase of firearms and accessories from Smith & Wesson Corporation, Springfield, Massachusetts, based on sole source, in the amount of \$91,395. Funds are budgeted in the Police and Fire departments' FY 2012-2013 budgets.

This Motion was recommended by staff to consent agenda.

27. Purchase of six vehicles for Fire Department use

Motion approving the purchase of four (4) Chevrolet Tahoes and two (2) Ford Explorers from Caldwell Country Chevrolet/Ford, Caldwell, Texas for a total amount of \$152,222. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC) and the State of Texas Cooperative Purchasing Program. Funding is available in the FY 2012-2013 of the Fire Department Fund.

This Motion was recommended by staff to consent agenda.

28. Purchase and Installation of Fire Alarm Systems for Senior Centers

Motion approving the purchase and installation of four (4) fire alarm systems from MCS Fire & Security, Corpus Christi, Texas in accordance with the State of Texas Cooperative Purchasing Program for a total expenditure of \$64,958.00. Funds have been budgeted by the Parks and Recreation Department in FY 2012- 2013.

This Motion was recommended by staff to consent agenda.

29. Purchase of Water Truck

Motion approving the purchase of one (1) 2,000 gallon Water Truck from Corpus Christi Freightliner, Corpus Christi, TX for a total amount of \$88,800.00. The award is based on the cooperative purchasing

agreement with the Houston Galveston Area Council. The equipment will be used by the City's Water Department. This unit is an addition to the fleet. Funds are available from the Water Department Fund No. 4010.

This Motion was recommended by staff to consent agenda.

30. Contingency service agreement for Hurricane/Storm Disaster Recovery Services

Motion awarding a contingency service agreement with CrowderGulf, LLC, Theodore Alabama, to provide hurricane disaster recovery operation services, in accordance with Bid Invitation No. BI-0167-13, based on most advantageous proposal, for an estimated event expenditure of \$62,620,440. The term of the contract will be for five years.

This Motion was recommended by staff to consent agenda.

31. Supply Agreement for Library Books and Recordings

Motion approving supply agreements with the following companies for the following amounts, for library books and recordings in accordance with Bid Invitation No. BI-0173-13, for an estimated annual expenditure of \$300,000. Awards are based on lowest responsible bid; providing for secondary suppliers for Groups I and II. The term of the contracts will be for twelve months with an option to extend for up to four additional twelve-month periods subject to the approval of the suppliers and the City Manager or his designee. Funds have been budgeted by the Corpus Christi Public Libraries in FY 2012- 2013 and will be requested during the normal FY 2013-2014 budget approval process.

<u>Primary</u>	<u>Secondary</u>	
<p><u>Secondary</u> Baker & Taylor, Inc. Library Services, Inc. <u>Charlotte, NC</u> <u>TN</u></p>	<p>Brodart Company</p> <p><u>Williamsport, PA</u></p>	<p>Ingram</p> <p><u>La Vergne,</u></p>
<p>Groups: I - VIII Total: \$290,000 \$5,000</p>	<p>Group: I Total: \$5,000</p>	<p>Group: II Total:</p>

Grand Total: \$300,000

This Motion was recommended by staff to consent agenda.

33. Engineering Design Contract for construction phase services to support the Minor Street Indefinite Delivery/Indefinite Quantity

(IDIQ) program

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Engineering and Construction Management Services LLC from Corpus Christi, Texas in the amount of \$85,600.00, for Indefinite Delivery/Indefinite Quantity Minor Street improvements Year Two.

This Motion was recommended by staff to consent agenda.

34. Engineering Design Contract Amendment No. 9 for the Mary Rhodes Pipeline Phase 2

Motion authorizing the City Manager, or designee, to execute Amendment No. 9 to the Contract for Professional Services with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$195,664.00, for a total restated fee not to exceed \$11,335,503.00 for Mary Rhodes Pipeline Phase 2.

This Motion was recommended by staff to consent agenda.

35. Adopting a resolution for the acquisition of real property rights for the Holly Road Street Improvement Project - Greenwood Dr. to (SH286) Crosstown Expressway, Bond 2008

A resolution of the City Council of the City of Corpus Christi, Texas (1) determining the public necessity and public use for the acquisition of parcels of land by fee simple title to the surface estate, utility easements, and temporary construction easements for a street improvement project known as the Holly Road Street Improvement Project which is to be generally located from Greenwood Dr. to (SH286) Crosstown Expressway, Bond 2008; (2) authorizing the City Manager or his designee to negotiate and execute all documents necessary to acquire the property interests subject to availability of funds appropriated for such purposes; (3) authorizing the City Manager to institute condemnation by eminent domain proceedings to acquire the fee simple and easement interests in the properties; (4) authorizing payment pursuant to an award by Special Commissioners; (5) authorizing acceptance and recording of appropriate legal instruments; and (6) approving condemnation for all units of property to be acquired by condemnation the parcels of land described herein by a single record vote of the City Council.

This Resolution was recommended by staff to consent agenda.

36. Type A Grant for Service Corps of Retired Executives (SCORE) Chapter 221 for Fiscal Year 2014

Resolution approving a Small Business Incentives Agreement between

the Corpus Christi Business and Job Development Corporation and Service Corps of Retired Executives (SCORE) Chapter 221 to provide grant up to \$50,000 to assist small businesses and authorizing the City Manager, or designee, to execute a Project Support Agreement with the Corpus Christi Business and Job Development Corporation to administer the SCORE Chapter 221 Small Business Incentives Agreement.

This Resolution was recommended by staff to consent agenda.

37. Setting Date to adopt the Property Tax Rate

Motion setting September 10, 2013 as the date of the adoption of the ad valorem tax rate of \$0.588797 per \$100 valuation.

This Motion was recommended by staff to regular agenda.

38. Setting Public Hearing Dates for Ad Valorem Tax rate

Motion setting a public hearing on the ad valorem tax rate for August 20, 2013 and a second public hearing for August 27, 2013, during the regular City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

This Motion was recommended by staff to regular agenda.

39. Renewal of State and Federal external legislative consultant contracts

Motion authorizing the City Manager to execute one year renewal agreements for governmental relation services with Focused Advocacy for stategovernmental relations services for \$78,000 per year plus reasonable expenses and with Meyers & Associates for federal governmental relations services for \$72,000 per year plus reasonable expenses.

This Resolution was recommended by staff to consent agenda.

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

R. ADJOURNMENT

Mayor Martinez adjourned the meeting at 4:32 p.m.