



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes - Final City Council

Tuesday, February 26, 2013

11:30 AM

Council Chambers

A. CALL MEETING TO ORDER.

Mayor Martinez called the meeting to order.

B. INVOCATION.

The invocation was delivered by Bill Word.

C. PLEDGE OF ALLEGIANCE.

The Pledge of Allegiance was led by Holly Tyree, City Manager's Office.

D. ROLL CALL.

City Secretary Armando 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.

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. Certificate of Commendation to P. Gail Anderson, PE
Recognition of the Hotel Occupancy Tax Fund Arts Grant Recipients for 2013 chosen by the Arts & Cultural Commission
Proclamation declaring February 24 - March 2, 2013 as "Peace Corps Week"
Proclamation declaring February 28, 2013 as "Larry Elizondo, Sr. Day"
Proclamation declaring March 2013 as "Women's History Month"
Proclamation declaring March 1, 8, and 15, 2013 as "Fill-the-Boot for Muscular Dystrophy Association"
Proclamation declaring March 3 - 9, 2013 as "Women in Construction Week"
Proclamation declaring March 7, 2013 as "Risk Management Awareness Day"

Mayor Martinez read and presented the Proclamations.

F. PUBLIC COMMENT.

Mayor Martinez referred to Public Comment. The following citizens spoke: Carolyn Moon spoke in support of a plastic bag fee; Susie Luna Saldana stated that she supports Destination Bayfront but that right now it is not the right time, and that we need to focus on fixing the roads; Foster Edwards, CEO of Chamber of Commerce spoke regarding Windstorm Insurance, and invited the Council to Coastal Bend Day in Austin next Tuesday, March 5th; Lynda Jones spoke regarding construction on Vaky Street and the need for speed bumps; Cheryl Martinez recognized the Animal Control department for their great work; Colin Sykes spoke about Destination Bayfront and stated that we need to focus on road and street needs; Paul Koepke spoke in support of Destination Bayfront; Denny Bales thanked the Police Department for the leadership in overseeing the Animal Control; Lisa Scheerer spoke in regards to the street maintenance fee and asked that Charter Schools be added to the exemption list; Willard Hammonds asked for equitable distribution of the street maintenance fee; Joe McComb spoke about the street maintenance fee and the impact to small businesses; Joe Guerra spoke about the plastic bag fee, and the unfair burden of the street maintenance fee on small businesses; and Jack Gordy spoke about the signs on Regional Transportation Authority bus benches.

Renee Clayton spoke in support of Destination Bayfront, and read a letter on behalf of Ed and Camille Gates regarding their support for Destination Bayfront; Sean De La Garza spoke against the street maintenance fee and the impact on small businesses; David Fields spoke against the street maintenance fee; Tony Norrell spoke against the formula used to calculate the street maintenance fee; Gilbert Martinez stated that the fee is inequitable and unfair for small businesses; Pablo Garza, Jr., Commander, Bill Roper Country Post #364 (Veteran Organization) spoke against the street maintenance fee and asked to consider adding non-profit organizations on the exemption list; Martha Martinez spoke against the street maintenance fee and the impact the fee would have on small businesses; Patty Clark spoke in support of Destination Bayfront; Trey Bates spoke in support of Destination Bayfront and asked about an equitable system for the street maintenance fee; Butch Escobedo spoke against the formula used for calculating the street maintenance fee, the impact it will have on small businesses and does not support the 30,000 cap; Abel Alonzo spoke about the cost to date for Destination Bayfront and the additional cost if the Bond Proposition passes; Jerry Garcia spoke about several issues of concern in the city; and the lack of funding to Southside Youth Sports Complex; Eloy Salazar spoke against the street maintenance fee and that it needs to be fair and equitable; Casey Lane spoke against the street maintenance fee and asked that it be tabled; Loni Bernal spoke in support of the Select Baseball program and the funds it generates in the community; Kirk Bromfield agrees that streets needs to be repaired, but that the the proposal is unfair to small businesses; Mr. Tamez spoke against the street maintenance fee; Ray Brown, spoke about the street maintenance fee and the impact on small businesses.

G. EXECUTIVE SESSION: (ITEM 2)

Mayor Martinez referred to Executive Session Item No. 2. The Council went into executive session. The council returned from executive session.

2. Executive session pursuant to section 551.087 of the Texas Government Code to discuss or deliberate issues regarding commercial information that the City has received from a business prospect that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City is conducting economic development negotiations, with possible discussion and action in open session.

This executive session was discussed and no action was taken.

H. **MINUTES:**

3. Approval of Meeting Minutes - February 19, 2013.

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

I. **BOARDS & COMMITTEE APPOINTMENTS:**

K. **CONSENT AGENDA: (ITEMS 4 - 23)**

Mayor Martinez referred to the Consent Agenda, Items 4 through 23. Mayor Martinez asked for council and public comment. There were no comments. The items were approved by one vote:

4. Supply Agreement for hot tap fittings for repairing or adding pressurized natural gas lines

Motion approving a supply agreement with M.T. Deason Company, Inc., Birmingham, Alabama for hot tap fittings in accordance with Bid Invitation No. BI-0052-13 based on only bid for an estimated annual expenditure of \$69,257.50, of which \$40,400.21 is required for the remainder of FY 2012-2013. The term of the agreement shall be for twelve (12) 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 Gas Department in FY 2012- 2013.

The foregoing motion was passed and approved 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: M2013-035

5. Service agreement for uniformed guard security services for specific City buildings

Motion approving a service agreement with Eddie Garza Security & Investigations, of Corpus Christi, Texas for uniformed guard security services for City Hall, Frost Bank Building, Central Library, Ben F. McDonald Library, Janet F. Harte Library and the O.N. Stevens Water Treatment Plant in accordance with Bid Invitation No. BI-0035-13 based on lowest local bid for an estimated twelve month expenditure of \$296,186.63 of which \$123,411.10 is required for the remainder of FY 2012-2013. The term of the agreements shall be for twelve months with options to extend for up to two additional twelve months periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the using departments in FY 2012- 2013.

The foregoing motion was passed and approved 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: M2013-036

6. Authorizing State grant application submission for assisting victims of crime

Resolution authorizing the submission of a grant application in the amount of \$79,188.69 to the State of Texas, Criminal Justice Division for funding available under the Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit with a city match of \$16,964.54 and \$4,000 in-kind services, for a total project cost of \$100,153.23; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

The foregoing resolution was passed and approved 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: 029743

7. Authorizing State grant application submission to State for direct services to victims of crime

Resolution authorizing the submission of a grant application in the amount of \$67,660.55 to the State of Texas, Criminal Justice Division. For funding available under the Victims of Crime Act (VOCA) fund for the Police Department's Family Violence Unit to establish a Victim Outreach Program with a city match of \$13,533.07 and \$3,000 in-kind services, for a total project cost of \$84,193.62; and authorizing the City

Manager or designee to apply for, accept, reject, alter, or terminate the grant.

The foregoing resolution was passed and approved 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: 029744

8. Authorizing State grant application submission to State for reducing and preventing violence against women

Resolution authorizing the submission of a grant application in the amount of \$47,351.74 to the State of Texas, Criminal Justice Division. For funding available under the Violence Against Women Act (VAWA) fund for the Police Department's Family Violence Unit with a city match of \$16,573.28 and \$5,400 in-kind services, for a total project cost of \$69,325.02; and authorizing the City Manager or designee to apply for, accept, reject, alter, or terminate the grant.

The foregoing resolution was passed and approved 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: 029745

9. Approving amendment no. 2 to professional services contract for water supply study to include gas line and Municipal Information Systems conduit from Laguna Shores Boulevard to Padre Island Drive

Motion authorizing the City Manager, or designee, to execute Amendment No. 2 to the Contract for Professional Services with Urban Engineering of Corpus Christi, Texas in the amount of \$182,976.00, for a total restated fee not to exceed \$597,216.00, for the Padre Island Water Supply Study.

The foregoing motion was passed and approved 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: M2013-037

10. Construction Contract for removing ammonia from reclaimed water to

meet Texas Commission of Environmental Quality (TCEQ) permit criteria for ammonia

Motion authorizing the City Manager, or designee, to execute a Construction Contract with CSA Construction of Houston, Texas in the amount of \$3,461,025.00, for Oso Water Reclamation Plant Nutrient Removal Project (Ammonia) - Phase 1.

The foregoing motion was passed and approved 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: M2013-038

11. Appointing Council Members to the Corpus Christi Housing and Finance Corporation and the Corpus Christi Industrial Development Corporation

Motion appointing Council Members Nelda Martinez, Kelley Allen, Rudy Garza, Priscilla Leal, David Loeb, Chad Magill, Colleen McIntyre, Lillian Riojas and Mark Scott as Board Members to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation.

The foregoing motion was passed and approved 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: M2013-039

12. Appointing Council Members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation boards

Motion appointing Council Members Nelda Martinez, Kelley Allen, Rudy Garza, Priscilla Leal, David Loeb, Chad Magill, Colleen McIntyre, Lillian Riojas and Mark Scott as Board Members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation.

The foregoing motion was passed and approved 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: M2013-040

- 13.** Second Reading Ordinance - A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, at 7201 Brooke Road (1st Reading 2/12/13)

Case No. 0113-01 Brooke Tract, L.P.: A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, resulting in a change of future land use from low density residential to medium density residential. The property is described as 39.99 acres out of Lots 16, 17, 18, 19, 28, 29, and 30, Section 26, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Rodd Field Road and Brooke Road.

Planning Commission and Staff Recommendation (January 16, 2013): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Brooke Tract, L.P. ("Owner"), by changing the UDC Zoning Map in reference to 39.99 acres out of Lots 16, 17, 18, 19, 28, 29, and 30, Section 26, Flour Bluff and Encinal Farm and Garden Tracts, from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029746

- 14.** Second Reading Ordinance - Adopting a local amendment to the 2009 International Residential Code (IRC) that establishes a fire separation distance equal to the one that was required by the 2003 IRC (1st Reading 2/12/13)

Ordinance amending the Code of Ordinances, Chapter 14, "Development Services," Article II, "City of Corpus Christi Technical Construction Codes," Division 8, "Residential Code," Section 14-291, "Residential construction code," by creating new subsection (6.1)

pertaining to Section R302.1 of the International Residential Code for One- and Two-Family Dwellings, which relates to exterior walls and fire-resistant construction, in order to establish new exception language and include modifications to the applicable table.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029747

15. Second Reading Ordinance - Adopting the 2009 International Fire Code with local amendments (1st Reading 2/12/13)

Ordinance adopting the International Fire Code, 2009 Edition, with local amendments, as the Fire Code of the City of Corpus Christi; providing for penalties; providing for severance; and providing for publication.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029748

16. Second Reading Ordinance - Agreement for use of McGee Beach for music event (1st Reading 2/12/13)

Ordinance authorizing the City Manager or designee to execute an Agreement with Elizabeth Guarneri for use of McGee Beach for music event to be held on March 16, 2013 and March 17, 2013.

This ordinance was withdrawn.

17. Second Reading Ordinance - Accepting and appropriating State grant funds and regional cash match funds for parking lot improvements at the Billings and Clems Boat Ramp; amending project agreement to increase federal grant funds and include lease as local match (1st Reading 2/12/13)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate funding in the amount of \$25,000 from the Saltwater-fisheries Enhancement Association and \$674,710 in additional federal funding for the Clem's

and Billing's Boat Ramp renovations in the No. 1067 Park and Recreation Grants Fund; authorizing the City Manager or designee to execute Amendment to Project Agreement with Texas Parks and Wildlife Department for Clem's and Billing's Boat Ramp renovations to increase federal grant funds \$674,710 and include 25 year lease with Texas General Land Office as local match; and amending the FY 12-13 Capital Budget adopted by Ordinance No. 029565 by increasing proposed revenues by \$699,710.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029749

- 18.** Second Reading Ordinance - Accepting and appropriating State grant and City matching funds for wildlife refuge improvements (1st Reading 2/12/13)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a grant in the amount of \$100,000 from the Texas General Land Office for Hans and Pat Suter Wildlife Refuge improvements in the No. 1067 Park and Recreation Grants Fund with City matching funds of \$66,667.00 in the No. 4720 Community Enrichment Fund for total project amount of \$166,667.00.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029750

- 19.** Second Reading Ordinance - Accepting and appropriating State grant for elderly nutrition home delivered meals (1st Reading 2/12/13)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a \$140,220.79 grant from the Texas Department of Agriculture Texans Feeding Texans Program in the No. 1067 Parks and Recreation Grants Fund for the FY 2013 Senior Community Services, Elderly Nutrition Program.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029751

20. Second Reading Ordinance - Amending the Capital Improvement Budget and ratifying Change Order No. 5 for improvements at the Airport (1st Reading 2/12/13)

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to add Project No. E10075 Corpus Christi International Airport Communications Center, Perimeter Security, Standby Generator, and Commercial Aviation Lighting Upgrades; increasing expenditures in the amount of \$170,404.21; and ratifying Change Order No. 5 to the Construction Contract with Beecroft Construction, Ltd. of Corpus Christi, Texas in the amount of \$170,404.21, for a total restated fee not to exceed \$2,943,053.09, for the Corpus Christi International Airport Communications Center, Perimeter Security, Standby Generator and Commercial Aviation Lighting Upgrades.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029752

21. Second Reading Ordinance - Amending lease agreement to exclude subsidiary from On-Airport Rental Car Concession and Lease for airport (1st Reading 2/12/13)

Ordinance authorizing the City Manager, or designee, to ratify an amendment to the On-Airport Rental Car Concession and Lease Agreement with The Hertz Corporation for the operation of a car rental concession at the Corpus Christi International Airport ("Airport") to exclude former Hertz subsidiary Simply Wheelz, L.L.C. as a party.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029753

22. Second Reading Ordinance - Amending rental car concession and lease agreements with each rental car agency located at the airport (1st Reading 2/12/13)

Ordinance authorizing the City Manager, or designee, to execute a First Amendment to the On-Airport Rental Car Concession and Lease Agreement with each 1) EAN Holdings, LLC, a wholly owned subsidiary of Enterprise Holdings, Inc. dba Alamo Rent A Car and National Car Rental ("Alamo/National"), 2) Coastal Bend Rent-A-Car dba Avis Rent-A-Car ("Avis"), 3) DTG Operations, Inc. dba Dollar Rent-A-Car and Thrifty Car Rental ("Dollar/Thrifty"), 4) EAN Holdings, LLC, a wholly owned subsidiary of Enterprise Holdings, Inc. dba Enterprise Rent-A-Car ("Enterprise"), and 5) The Hertz Corporation ("Hertz") to lease space in the Quick Turn Around Facility ("QTA") located at the Corpus Christi International Airport ("Airport"), in consideration of a base rent to be offset as applicable by revenues collected via a Customer Facility Charge, each for a term of five (5) years.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029754

23. Second Reading Ordinance - Amending the City Code of Ordinances regarding Mayoral appointments to audit committee, period for audit reports follow-up, peer review effective date and process for filling City Auditor vacancy (1st Reading 2/12/13)

Ordinance amending Chapter 12 ½ of the City Code of Ordinances regarding City Council Audit Committee, Audit follow-up reports, Peer review, and City Auditor vacancy and selection process.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029755

L. PUBLIC HEARINGS: (ITEMS 24 - 28)

- 24.** Second Reading Ordinance - A change of zoning from the "ON" Office District to the "RS-6" Single-Family 6 District, at 10625 Gettysburg Street (1st Reading 2/26/13)

Case No. 0113-02 Jose Luis Martinez and Frances Martinez: A change of zoning from the "ON" Office District to the "RS-6" Single-Family 6 District, resulting in a change of future land use from park to low density residential. The property is described as Jackson Woods Subdivision Unit 1, Block G, Lot 17, located on the southeast corner of Gettysburg Street and Peach Tree Street.

Planning Commission and Staff Recommendation (January 30, 2013): Approval of the change of zoning from the "ON" Office District to the "RS-6" Single-Family 6 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC") upon application by Jose Luis Martinez and Frances Martinez ("Owners"), by changing the UDC Zoning Map in reference to Lot 17, Block G, Jackson Woods Subdivision Unit 1, from the "ON" Office District to the "RS-6" Single-Family 6 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item No. 24. Mark Van Vleck, Director of Development Services stated that the purpose to rezone the property is to allow for single-family houses. He stated that the Planning Commission and Staff recommend approval of the zoning change from "ON" Office District to "RS-6" Single Family 6 District. A motion was made by Council Member Magill, seconded by Council Member McIntyre to open the public hearing and passed. There were no comments from the public. A motion was made by Council Member Scott, seconded by Council Member Magill to close the public hearing and passed.

The foregoing ordinance was passed and approved on first reading with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 029764

- 25.** Second Reading Ordinance - Amending the Unified Development Code to allow City Staff to execute standard deferment agreements to expedite recordation of plats and issuance of building permits (1st Reading 2/26/13)

Ordinance amending the Unified Development Code ("UDC") by revising subsections 8.1.10. and 8.1.11. relating to the designation of authority under Requirements for Plat Recordation Prior to Final Acceptance of Infrastructure Improvements Based on Financial Security and Technical Compliance; providing for severance, penalties, and publication.

Mayor Martinez referred to Item No. 25. Mark Van Vleck, Director of Development Services stated that this is a text amendment to the Unified Development Code to allow for the designation of authority to the Assistant City Managers to execute Standard Deferment Agreements. A motion was made by Council Member Magill, seconded by Council Member Leal to open the public hearing and passed. There were no comments from the public. A motion was made by Council Member McIntyre, seconded by Council Member Loeb to close the public hearing and passed.

The foregoing ordinance was passed and approved 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

Enactment No: 029761

26.

Second Reading Ordinance - Amending the Unified Development Code (UDC) regarding public notices, special permits and setbacks to improve the effectiveness of the UDC (1st Reading 2/26/13)

Ordinance amending the Unified Development Code by revising subsections 3.1.7.C.1 and 3.1.7.C.4 - public notice requirements, subsection 3.3.3.C - City Council final action on rezonings, section 3.6 - special permits, subsection 3.18.4 - building permit expiration, subsection 3.24.1 - applicability of administrative adjustments, table 4.4.3.A - setbacks in two-family and townhouse zoning districts, table 4.4.3.B - setbacks in multifamily zoning districts, table 4.5.2 - permitted uses in commercial zoning districts, table 5.1.4.I - vehicle sales and service uses, subsection 5.3.1.J - accessory uses and structures, subsection 5.4.3.G - banners for temporary promotional events, subsection 7.5.13.E - institutional signs, and subsection 7.5.20.D - temporary and portable signs allowed in nonresidential districts; and providing for severance, penalties, and publication.

Mayor Martinez referred to Item No. 26. Mark Van Vleck, Director of Development Services stated the this is a text amendment to the Unified Development Code to update the regulations of the Unified Development code to improve the UDC's effectiveness in regards to public notices, special permits and setbacks. A motion was made by Council Member Loeb, seconded by Council Member Scott to open the public hearing and passed. There were no comments from the public. A motion was made by Council Member Loeb,

seconded by Council Member McIntyre to close the public hearing and passed.

The foregoing ordinance was passed and approved 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

Enactment No: 029770

27. Second Reading Ordinance on proposed assessments for Vaky Street, Ivy Lane, and Clare Drive; amending the Capital Improvement Budget and awarding construction contract (1st Reading 2/26/13)

Public Hearing on proposed assessments for Vaky Street from Swantner Drive to Reid Drive, Ivy Lane from Gollihar Road to Horne Road, and Clare Drive from South Padre Island Drive to McArdle Road (the "Project"); Ordinance finding and determining that the property abutting said streets will be specifically and specially benefitted and enhanced to an amount at least equal to the cost to each property owner; levying and imposing assessments totaling \$191,716.44 against property abutting the improvements for the Project; fixing corresponding liens on property and charges against property owners; adopting the attached Preliminary Assessment Roll; providing for subsequent adjustment of assessment amounts and the corresponding liens and charges based on as-built conditions; specifying assessment payment terms and lien enforcement measures; amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to transfer \$99,217.38 in unspent Storm Water funds and \$48,592 in unspent Water funds from the Rodd Field/Yorktown Intersection at Airline Road project to the Project; increasing expenditures in the amount of \$147,809.38; and authorizing the City Manager to execute a construction contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$2,381,270.55 for the Project for the Base Bid and Additive Alternates 1 and 2. (Bond Issue 2008)

Mayor Martinez referred to Item No. 27. Dan Biles, Director of Engineering Services stated that this item is a Public Hearing and First Reading Ordinance on proposed assessments imposing assessments, fixing liens, payment terms for Vaky Street, from Swantner to Reid Drive; Ivy Lane from Gollihar Road to Horne Road; Clare Drive from SPID to McArdle Road, and authorizing a construction contract. He added that this was a Bond 2008 project. A motion was made by Council Member McIntyre, seconded by Council Member Scott to open the public hearing and passed. There were no comments from the audience. A motion was made by Council Member Garza, seconded by Council Member Scott to close the public hearing and passed.

The foregoing ordinance was passed and approved 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

Enactment No: 029769

28. Second Reading Ordinance - Amending the Unified Development Code relating to street design standards (1st Reading 2/26/13)

Ordinance amending Articles 1 and 8 of the Unified Development Code relating to design standards, criteria, and requirements for street design; requiring compliance with design standards issued by the City Engineer; requiring street design for a 30-year life level of service; and providing for severance, penalties, and publication.

Mayor Martinez referred to Item No. 28. Dan Biles, Director of Engineering Services stated that this is a text amendment to the Unified Development Code to add new requirements related to street standards, criteria, and requirements for street design; requiring compliance with design standards issued by the City Engineer; and requiring street design for a 30-year life level of service. A motion was made by Council Member Magill, seconded by Council Member Scott to open the public hearing and passed. Council Members Loeb and Garza asked questions regarding the design standards for concrete streets. Mr. Brown, Peterson Development spoke in regards to the indemnified clause in the deferment agreement. A motion was made by Council Member Magill, seconded by Council Member Scott to close the public hearing and passed.

The foregoing ordinance was passed and approved 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

Enactment No: 029765

M. FIRST READING ORDINANCES: (ITEMS 29 - 37)

29. Second Reading Ordinance - Establishing a Street Maintenance Fee (1st Reading - 2/26/13)

Ordinance establishing a street maintenance fee to be implemented by policies, rates, and methodologies established by separate ordinance.

Mayor Martinez referred to Item No. 29. Mr. Oscar Martinez, Assistant City Manager stated that Item Nos. 29 and 30 are both related to the Street Maintenance Fee. Mr. Martinez stated that the purpose is to raise funds in the amount of \$15 million for the Street Maintenance Program. He stated that the

fee is based on the following variables: the improvement square footage, the land use and the associated trip factor, and the application of base rate to be charged to every equivalent residential unit a flat fee of \$7. He stated that it also allows for a 10 year sunset, and provides for \$1.2 million for administrative cost to oversee the program.

Mr. Carlos Valdez, City Attorney spoke to the legality in collecting the Street Maintenance Fee. He stated that the City of Corpus Christi is a Home Rule city and that Article X of the City Charter gives the City the authority it needs to maintain our city streets. He stated that the intent is to collect a fee and that the process required that the City first identify: 1) the amount necessary for the purpose, and 2) once the fee is collected, it can only be used for street maintenance. He added that this process has been followed.

Mr. Martinez stated that Item No. 29 is a First Reading Ordinance establishing a street maintenance fee in order to protect the citizens from the deteriorated street system, and to provide for the public health and safety of the citizens. He added that it establishes a schedule for street maintenance and sets out the fee to be paid by each utility customer and owner for a benefitted property and collection of the fee. He stated that Item No. 30 is establishing the rate based on the cost of the city to maintain the street system; that the fee be paid collectively and not to be used for any other purpose; and provides for the fee to cease after 10 years from the date of its final passage.

Mayor Martinez referred to public comment. Wilson Wakefield stated that the street maintenance fee is unfair; Joan Veith spoke against establishing the maintenance fee and asked that they remember the senior citizens.

The foregoing ordinance was passed and approved on first reading with the following vote:

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

Nay: 1 - Council Member Leal

Abstained: 0

30. Second Reading Ordinance - Establishing policies, methodologies and rate to be charged for implementing the Street Maintenance Fee (1st Reading 2/26/13)

Ordinance establishing rates, policies and methodologies to implement Street Maintenance Fee.

Mayor Martinez referred to Item No. 30. Mr. Oscar Martinez, Assistant City Manager stated that this item is establishing the rate and policy for implementation, and added if this policy is not approved then the rate is not implemented. He discussed the nine (9) findings in the ordinance; the trip factors, street fee only account, residential property, non-residential property, billing and collection of the fee, recovery of unpaid fee, street maintenance fund, rules, disposition of fees and charges, exemptions, and the effective period. In addition, Mr. Martinez added that the discount program will be incorporated into the final ordinance and will include the exemption of federal

agencies.

Next, Mr. Martinez referred and discussed the contents of the Informal staff Report Memorandum sent to Council on February 22, 2013 specifically the three issues regarding the proposed rate design: 1) cap of building square footage, 2) master metering of commercial residential class, and 3) equity in commercial class. He stated that in reference to Item No. 1, lowering the cap to 20,000 square feet per meter, would result in 779 accounts being affected and will increase the proposed base rate from \$7.00 to \$7.44, and lowering the cap even further to 10,000 would affect 1,481 accounts and change the rate from \$7.00 to \$8.56. Or, increasing the cap to 40,000 square feet would decrease the rate from \$7.00 to \$6.66 and affect 398 accounts.

In reference to Item No. 2, Mr. Martinez stated that there are two options: a) move all commercial residential accounts to the residential section and charge each dwelling unit the flat fee as a family residence of \$7.00, or b) move all commercial residential accounts to the residential class and charge each dwelling the flat fee times a trip factor of 0.48 (\$3.36).

In reference to Item No. 3, Mr. Martinez stated there are two options available: a) issue a contract to an outside entity to research and identify the land use for each of the commercial properties and populate the City's data base. The estimated cost is between \$290,000 to \$380,000 and would take approximately 90 days to complete, or b) provide for an appeal process where commercial properties receiving the 4.60 trip factor could provide a Certificate of Occupancy which would reflect the actual land use.

Mr. Ron Olson, City Manager stated that the process would result in good policy and a plan to maintain roads. He stated that once the first reading ordinance is approved, the first reading ordinance would be posted on the Internet to allow for question and answer to occur so that citizens can digest the information, and also for staff to discuss with different groups. Mr. Olson stated that we have a twelve to fifteen year maintenance cycle for the use of the fee and that there is a plan for the first 3 years, but because of degrading of streets we do not have the next list of priority. He added that the City of Corpus Christi is not the first city to approach road maintenance and that this is a regulatory fee, not a tax or a user fee and asked for direction from the council to move forward.

Council Members discussed various issues and ask questions regarding the contract for an outside entity to research the land use, appeal and validation process, the trip factor, certificate of occupancy process, cap, exemption of charter schools, application costs related to certificate of occupancy, and data in the city's system.

Mayor Martinez asked for comments from the public. Tony Norrell commented on the exemptions, commercial office buildings, apartments, the trip factor, and expressed concern for businesses; Wilson Wakefield stated that road maintenance is the city's responsibility; Gloria Scott spoke about the implementation of the street fee; Eloy Salazar stated he supports a street fee but is concerned with the conditions that are set out and asked Council to table to allow staff to address the concerns, and commented on the impact to small businesses; Mike Staff, representing Apollo Towing supports the regulatory fee and suggested that they take a closer look at the larger vehicles,

and as an educational information that a sample billing be sent to citizens regarding the fee; Dave Resendez stated that the fee should be based on weight; Stewart Strayer spoke against the fee, and stated that the RTA should not be exempt; George Moore referred to the sales tax currently being collected and suggested applying the taxes collected to streets; Jack Solivey acknowledged that we need street repairs, suggested splitting the tax currently given to the RTA; and Abel Alonzo spoke of the important service provided by public transportation and stated that the RTA has over 6 million riders, of which approximately 5,000 are disabled.

Mayor Martinez stated that through an RTA board vote, they have increased their amount to \$1.1 million. After discussion by the Council, Mr. Martinez summarized the consensus of the council: update on legislation; maintain the \$7 rate for residential; consider revised legislation to ensure that RTA funding go to streets; formalize in the ordinance the discounts for low income; provide clarity for the exemptions, raise the cap to 100,000 square feet; that commercial residential is tied to a trip factor for commercial units; conduct a survey to ascertain accurate land use and attach a trip factor; and develop a validation process.

A motion was made by Council Member Magill, seconded by Council Member Scott to table the item for three weeks and passed with the following vote: Martinez, Allen, Garza, Leal, Loeb, McIntyre, Magill, Riojas, and Scott, voting "Aye".

31.

Second Reading Ordinance - Authorizing a loan and appropriating funds from the General Fund to the Public Health and Safety Fund to build out the second floor of the Public Safety Warehouse; amending the Capital Improvement Budget (1st Reading 2/26/13)

Ordinance advancing \$1,000,000 in cash from the No. 1020 General Fund and appropriating it in the No. 3350 Public Health & Safety Fund as a loan to fund the Police Public Safety Warehouse Project No. 140252; loan to be repaid from the No. 1061 Law Enforcement Trust Fund in the amount of \$250,000 per year for four years at a simple interest rate of 4% annually; and amending the FY2012-2013 Capital Improvement Budget adopted by Ordinance No. 029565 to increase expenditures by \$1,000,000.

The foregoing ordinance was passed and approved on first reading with the following vote:

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

Absent: 1 - Council Member Riojas

Abstained: 0

Enactment No: 029762

32.

Second Reading Ordinance - Amending easement rights to allow San Patricio Municipal Water District to install an additional potable

waterline across City owned land in San Patricio County (1st Reading 2/26/13)

Ordinance authorizing the City Manager or designee to execute an instrument which amends the original Waterline Right-of-Way Easement granted to Reynolds Metals Company, whose easement is now owned and operated by the San Patricio Municipal Water District (SPMWD), for the purpose of permitting SPMWD to install an additional potable waterline, not to exceed 12-inches in diameter, in the original easement and to permit realignment and centering of their original easement with the centerline of their existing 24-inch diameter waterline, all within the City's 8.646 acre tract located approximately 3 miles southwest of Odem, Texas.

The foregoing ordinance was passed and approved on first reading with the following vote:

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

Absent: 1 - Council Member Riojas

Abstained: 0

Enactment No: 029759

33. Second Reading Ordinance - Amending the Capital Improvement Budget; amending a professional services agreement to extend the East General Aviation Apron (1st Reading 2/26/13)

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to accelerate Project No. E12156B Construct East General Aviation Apron from Fiscal Year 2015 to 2013; increasing expenditures in the amount of \$250,000.00; and authorizing the City Manager or designee to execute Amendment No. 14 to a Professional Services Agreement with KSA Engineers, Inc. of Longview, Texas, in the amount of \$140,000.00 for the Design of the East General Aviation Apron Extension.

The foregoing ordinance was passed and approved 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

Enactment No: 029760

34. Second Reading Ordinance - Approving reimbursement agreement and appropriation for a water distribution main line for a proposed warehouse development (1st Reading 2/26/13)

Ordinance authorizing execution of a distribution main extension construction and reimbursement agreement ("agreement") with I5T Investments, LLC ("Developer"), for the construction of a distribution waterline and appropriating \$26,290.60 from the No. 4030 Water Distribution Main Trust Fund to reimburse the Developer in accordance with the agreement

The foregoing ordinance was passed and approved 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

Enactment No: 029768

- 35.** Second Reading Ordinance - Amending the Code of Ordinances to establish the process for managing the International Energy Conservation Code pertaining to inspection agencies, submission methods and submission time frames (1st Reading 2/26/13)

Ordinance amending the Code of Ordinances, Chapter 14, "DEVELOPMENT SERVICES," Article II, "City of Corpus Christi Technical Construction Codes," Division 4, "ENERGY CONSERVATION CODE," Section 14-251, "Energy conservation code," by adding provisions for approved inspection agencies, a submission method, and a submission time frame for test results; providing for severance, penalties, publication, and an effective date.

The foregoing ordinance was passed and approved 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

Enactment No: 029763

- 36.** Second Reading Ordinance - Amending the operating budget to rebate excess funds contributed for General Liability and Workers' Compensation; appropriating funds for construction of a safe shelter during emergencies (1st Reading 2/26/13)

Ordinance amending the Fiscal Year 2012-2013 Operating Budget adopted by Ordinance No. 029577 by adjusting expenditures and revenues in the General Fund and various Enterprise, Internal Service and Special Revenue Funds, by increasing expenditures by \$6,600,000 and increasing revenues by \$6,600,000 to rebate excess

funds contributed for General Liability and Workers' Compensation; and, appropriating \$600,000 of the unreserved fund balance in the General Fund as part of the Texas Safe Shelter Initiative, for the construction of a domed structure to be used by the City of Corpus Christi, Texas as a community safe room for protection from emergencies.

The foregoing ordinance was passed and approved 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

Enactment No: 029767

37.

Second Reading Ordinance - Appropriating State cable franchise funds for capital equipment related to Public, Education and Government Access Channels (1st Reading 2/26/13)

Ordinance appropriating \$142,645.50 from the State Cable Franchises issued by the Public Utility Commission of Texas in the No. 1031 Public, Education and Government Cable Fund for capital expenditures related to the Public, Education and Government Access Channels; changing the FY 2012-2013 Operating Budget adopted by Ordinance No. 029577 to increase appropriations by \$142,645.50.

The foregoing ordinance was passed and approved 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

Enactment No: 029766

N. REGULAR AGENDA: (38 - 41)

38.

Second Reading Ordinance - Amending City code to establish Tree Advisory Committee and list minimum standards for tree planting and management on public property (1st Reading 2/12/13)

Ordinance amending the City Code of Ordinances to establish the Tree Advisory Committee and include provision to address diseased trees.

The foregoing ordinance was passed and approved on second 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

Enactment No: 029756

- 39.** Resolutions supporting local affordable housing developments; acknowledging their applications for low income housing tax credits to State and local support for HOME funds (Related Items 39 - 41)

Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Woodland Creek Apartments to be developed by TG 110, Inc.

The foregoing resolution was passed and approved 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: 029757

- 40.** Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Lexington Manor Apartments to be developed by TG 110, Inc.

The foregoing resolution was passed and approved 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: 029758

- 41.** Resolution of the City Council of the City of Corpus Christi, Texas in support of the proposed affordable housing project known as Riverstone Apartments to be developed by MDS Housing Corpus Christi, Ltd.

The foregoing resolution failed with the following vote:

Aye: 1 - Council Member Loeb

Nay: 8 - Council Member Allen, Council Member Leal, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

Abstained: 0

O. FUTURE AGENDA ITEMS: (ITEMS 42 - 52)

42. Supply agreements for water treatment chemicals used for treatment of potable drinking water at the O. N. Stevens Water Treatment Plant

Motion approving supply agreements with the following companies, for the following amounts for water treatment chemicals in accordance with Bid Invitation No. BI-0050-13, based on lowest responsible bid for an estimated annual expenditure of \$522,502.00 of which \$261,251.00 is budgeted for the remainder of FY 2012-2013. The terms of the contract will be for one year with options to extend for up to three additional twelve month periods, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Water Department in FY 2012-2013.

Mosaic Crop Nutrition
Lithia, FL
Hydrofluorosilicic Acid
\$140,182.00

Polydyne Inc.
Riceboro, GA
Liquid Cationic Polymer
\$382,320.00

Grand Total: \$522,502.00

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-041

43. Service Agreement for wrecker services for City owned vehicles

Motion approving a service agreement with Apollo Towing, of Corpus Christi, Texas for wrecker service for City owned vehicles in accordance with Bid Invitation No. BI-0060-13 based on only bid for an estimated twelve month expenditure of \$93,852.50 of which \$39,105.21 is required for the remainder of FY 2012-2013. The term of the agreement 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 his designee. Funds have been budgeted by Maintenance Services and the Fire Department in FY 2012- 2013.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-042

44. Amending financial policies and providing financial policy direction on preparation of the annual budgets

Resolution amending financial policies adopted by resolution 029521 and providing financial policy direction on preparation of the annual budgets.

This Resolution was recommended by Staff to the Regular Agenda.

- 45.** Adopting the Corpus Christi Bayfront Master Implementation Plan and Schematic Design; adding a bond proposition for construction in November 5, 2013 election; approving professional services contract amendment and testing agreement for Destination Bayfront project (BOND 2008)

Resolution approving and adopting the Corpus Christi Destination Bayfront Master Implementation Plan and Schematic Design, including the phasing plan outlined in the Schematic Design, prepared by Hargreaves Associates (the Project); directing staff to add a bond proposition for construction in the November 5, 2013 Election; authorizing the City Manager or designee to execute a contract amendment for \$1,936,300.00 with Hargreaves Associates for design development of the Project; and authorizing the City Manager or designee to execute a contract amendment for \$102,500.00 with Rock Engineering & Testing Laboratory for testing for the Project. (BOND 2008)

This Resolution was recommended to consent agenda

- 46.** Construction contract for a waterline adjustment under the east bound On-Ramp at Carbon Plant Road and IH 37

Motion authorizing the City Manager, or designee, to execute a construction contract with Clark Pipeline Services, LLC of Taft, Texas in the amount of \$79,575.45 for the Base Bid of Bore and Case a 16-Inch Water Adjustment under the east bound On-Ramp for IH 37 at Carbon Plant Road and IH 37.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-043

- 47.** Amending consulting agreement to capture department and stakeholders input for future revised City Standard Specifications used in City construction contracts

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to a Small Architect/Engineer Consultant Agreement with Naismith Engineering Inc., of Corpus Christi, Texas in the amount of \$92,740.00 for a re-stated fee not to exceed \$142,390.00 for the City Standard Specifications Review.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-044

48. Construction agreement for lighting improvements along Aquarius Street to include medians and Commodores Drive median

Motion approving a Contribution-In-Aid-Of-Construction Agreement with American Electric Power (AEP) in the amount of \$ 89,974.42, for the installation of Aquarius Street Lighting Improvements.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-045

49. Professional services contract amendment no. 1 for 2 new pumps for the Staples Street Water Pumping Plant

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to the Contract for Professional Services with Urban Engineering of Corpus Christi, Texas in the amount of \$129,070.00, for a total restated fee not to exceed \$216,470.00 for Staples Street Pumping Plant New 10 MGD Pumps.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-046

50. Professional services contracts for wastewater collection system infrastructure repair/replacement in six wastewater plant service basins

Motion authorizing the City Manager or designee to execute contracts for the City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program ("Program" or "Project"): a construction contract with National Power Rodding Corp. of Chicago, Illinois in the amount of \$5,500,000.00; a contract for professional services with LNV, Inc. of Corpus Christi in the amount of \$162,950.00; a contract for professional services with Coym, Rehmet & Gutierrez, Engineering, L.P. of Corpus Christi in the amount of \$120,880.00; and a contract for professional services with Urban Engineering of Corpus Christi in the amount of \$120,880.00.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-047

51. Wastewater Line Construction and Reimbursement Agreement for property located at the south side of State Highway 44, east of Heinsohn Road and west of North Padre Island Drive

Motion approving the Sanitary Sewer Collection Line Construction and Reimbursement Agreement submitted by I5T Investments LLC

("Developer/Owner"), in the amount of \$63,794.00 for property located at the south side of State Highway 44; east of Heinsohn Road and west of North Padre Island Drive (SH 358), including all related appurtenances.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-048

52. Agreement for airport parking facilities management

Motion authorizing the City Manager, or designee, to enter into a parking Facilities Management Agreement with Republic Parking System, Inc. ("Republic") to manage, operate, maintain, and collect revenues for the City of Corpus Christi ("City") from parking facilities located at the Corpus Christi International Airport, in consideration of a management fee of \$9,583 per month to be paid to Republic by the City, for a term of five (5) years.

This Motion was recommended by Staff to the Consent Agenda.

Enactment No: M2013-049

P. CITY MANAGER'S COMMENTS:

*** Update on City Operations**

City Manager Olson thanked Oscar Martinez, Assistant City Manager and his Team for their work and expertise on the street maintenance fee.

Q. ADJOURNMENT

There being no further business to come before the Council, Mayor Martinez declared the meeting adjourned at 7:45 pm.