



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes City Council

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Tuesday, June 16, 2015

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

**B. Invocation to be given by Pastor Darryl Hurt, Immanuel Fellowship.**

Pastor Darryl Hurt gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Dan Grimsbo, Director of Development Services.**

Director of Development Services Dan Grimsbo led the Pledge of Allegiance.

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

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

(Note: Council Member Riojas arrived at 11:38 a.m.)

Charter Officers:

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

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

**E. Proclamations / Commendations**

None.

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

Mayor Martinez referred to City Manager's Comments. City Manager Olson spoke regarding the following topics:

**a. OTHER**

1) The Emergency Operations Center (EOC) was activated this morning at 4:00 a.m. due to bad weather from Tropical Storm Bill. The City is experiencing high tides and several beach access roads have been closed. An updated from the National Weather Services reported that Corpus Christi should expect to receive three (3) to six (6) inches of rain in the next two (2) days and Tropical Storm Bill will be making landfall near Galveston. 2) City Manager Olson announced that there will be no City Council meeting on June 30th and the next meeting is scheduled for July 14th.

**I. MINUTES:**

6. Regular Meeting of June 9, 2015 and Council Retreat of February 3, 2015.

Mayor Martinez deviated from the agenda and called for approval of the minutes. Council Member Rudy Garza made a motion to approve the minutes, seconded by Council Member Colleen McIntyre and passed unanimously.

**J. BOARD & COMMITTEE APPOINTMENTS: (NONE)****K. EXPLANATION OF COUNCIL ACTION:****L. CONSENT AGENDA: (ITEMS 7 - 24)****Approval of the Consent Agenda**

Mayor Martinez referred to the Consent Agenda. There were no comments from the Council or the public. Council Member McIntyre made a motion to approve the consent agenda items, seconded by Council Member Rosas. The consent agenda was passed by one vote as follows:

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**7. Purchase of Taser Equipment for the Police Department**

Motion approving the purchase of forty (40) Taser non-lethal weapons with ancillary equipment for the Corpus Christi Police Department in the amount of \$60,736.40 from TASER International, Inc., Scottsdale, Arizona based on sole source. Funds have been budgeted by the Police Department in FY 2014-2015.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-059

**8. Purchase of Breathing Apparatus for the Fire Department**

Motion approving the purchase of twenty (20) Breathing Apparatus for the Corpus Christi Fire Department in the amount of \$103,836.00 from Municipal Emergency Services, Inc., Houston, TX. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC). Funds are available through the General Fund.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-060

**9. Purchase of actuators for raw water valves at the O. N. Stevens Water Filtration Plant**

Motion approving the purchase of four actuators from Rexa, Inc., of West Bridgewater, Massachusetts based on sole source for a total amount of \$142,400.00. Funds have been budgeted by the Utilities Department in FY 2014-2015.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-061

**10. Supply Agreement for Firefighting Clothing**

Motion approving a supply agreement with Casco Industries Inc., Houston, Texas for firefighting clothing consisting of ninety sets of pants and coats, based on only bid, in accordance with Bid Event No. 6 for an estimated annual expenditure of \$159,915.60 of which \$53,305.20 is required for the remainder of FY2014 - 2015. The term of the agreement will be for twelve (12) months with an option 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 Fire Department in FY 2014-2015.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-062

**11. Supply Agreement for Cold Laid Asphalt & Pre-coated Aggregate**

Motion approving a supply agreement with Vulcan Construction Materials, San Antonio, Texas, for approximately 8,000 tons of cold mix-cold laid asphalt and approximately 2,000 tons of pre-coated aggregate, in accordance with Bid Event No. 16 based on only bid for an estimated annual expenditure of \$695,900 of which \$231,966.66 is

required for FY 2014 - 2015. The term of the contract will be for twelve (12) months with an option to extend for up to two (2) additional twelve month periods subject to the approval of the supplier and the City Manager or his designee. Funds are available in the Material Inventory Fund by the Street Operations Department in FY 2014 - 2015.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-063

12.

### **Supply Agreement for Hot Mix Asphalt**

Motion approving supply agreements with the following suppliers for the following amounts for hot mix asphalt, based on lowest responsible bid, awarding primary and secondary agreements, in accordance with Bid Event No. 5 for an estimated semi-annual expenditure of \$989,085 of which \$659,390 is required for FY 2014-2015. The term of the agreements shall be for six months with options to extend for up to five additional six month periods, subject to the approval of the suppliers and the City Manager or designee. Funds have been budgeted by Street Services in FY 2014-2015.

HAC MATERIALS, LTD.	Bay, LTD.
<u>Corpus Christi, Texas</u>	<u>Corpus Christi, Texas</u>
\$936,937.50	\$52,147.50
Primary Supplier	Secondary Supplier

Grand Total: \$989,085.00

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-064

13.

### **Supply Agreement for Crushed Limestone**

Motion approving a Supply Agreement with Vulcan Construction Materials, San Antonio, Texas, for approximately 16,000 tons of crushed limestone in accordance with Bid Event No. 15 based on low responsible bid, for an estimated annual expenditure of \$348,000 of which \$100,000 is required for FY 2014 - 2015. 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 his designee. Funds are available in the Material Inventory Fund by the Street Operations Department in FY 2014 - 2015.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-065

**14. Service Agreements for Custodial Services**

Motion approving service agreements for custodial services for Aviation and City Hall with the following companies for the following amounts in accordance with Bid Event No. 29, based on lowest responsible bid for an estimated annual expenditure of \$251,039.04, of which \$83,679.68 is required for the remainder of FY 2014-2015. The term of the contract will be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the Contractor and the City Manager or designee. Funds have been budgeted by Aviation and Facilities & Property Management Departments in FY 2014-2015.

<u>ABM Janitorial Services</u>	<u>ISS Facility Services, Inc.</u>
Corpus Christi, TX	Corpus Christi, TX
Aviation	City Hall
\$141,119.04	\$109,920.00

Grand Total \$251,039.04

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-066

**15. Submission of grant application for Body-worn Camera Pilot Implementation Program for the Police Department**

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$125,000 to the U.S. Department of Justice for funding eligible under the FY 2015 Body-Worn Camera Pilot Implementation Program with City in-kind match of \$50,000 and cash match of \$75,000 from the Law Enforcement Trust Fund for a total project cost of \$250,000.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 030523

**16. Amendment No. 1 to the Professional Services Contract to provide consultant services for technical assistance with projects and management**

Motion authorizing the City Manager, or his designee, to execute Amendment No. 1 to the Professional Services contract between the City of Corpus Christi and LNV, Inc. in the amount of \$215,000, for a

total restated fee not to exceed \$265,000, for staff augmentation to the Utility and Public Works Departments, including professional engineering services for projects management, programs management, and land development technical issues.

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-067

**17. Interlocal Agreement for the Regional Parkway Planning and Environmental Linkages (PEL) Feasibility Study project**

Resolution authorizing the City Manager, or designee, to execute all documents necessary to approve an Interlocal Agreement with the Metropolitan Planning Organization (MPO) regarding the participation in the local funding shares required for the planning project known as the Regional Parkway Planning and Environmental Linkages (PEL) Study ("PROJECT").

**This Resolution was passed on the Consent Agenda.**

Enactment No: 030524

**18. Design - Build Agreement for Ayers Street CNG Station**

Motion authorizing the City Manager, or designee, to execute a Design - Build Agreement with Zeit Energy, LLC. of Dallas, Texas in the amount of \$1,597,271.39 for the Ayers Street CNG Station Project for the Base Bid plus Contractor Proposed Pricing Options 1, 2 and 3

**This Motion was passed on the Consent Agenda.**

Enactment No: M2015-068

**19. Resolution amending City Council Policy No. 9**

Resolution amending City Council Policy No. 9, entitled Community Development Block Grant and HOME Programs by revising the language in section f.; and reaffirming the objectives and guidelines of the policy.

**This Resolution was passed on the Consent Agenda.**

Enactment No: 030525

**20. Second Reading Ordinance - Rezoning property located at 7321 South Staples Street (FM 2444)(Tabled on 5/26/15)(1st Reading**

**6/9/15)**

Case No. 0315-01 Doxa Enterprises, LP: A change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as 0.826 acres out of Lots 7 and 8, Section 6, Flour Bluff and Encinal Farm and Garden Tract, located west of South Staples Street (FM 2444) and south of Henderson Street.

Staff Recommendation: Approval of the rezoning to the "CG-2" General Commercial District (Requires 3/4 vote for approval).

Planning Commission Recommendation (March 25, 2015): Denial of the "CG-2" General Commercial District and, in lieu thereof, approval of the "CN-1" Neighborhood Commercial District

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Doxa Enterprises, LP ("Owner"), by changing the UDC Zoning Map in reference to 0.826 Acres out of Lots 7 and 8, Section 6, Flour Bluff and Encinal Farm and Garden Tract, from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 030526

**21.**

**Second Reading Ordinance - Engineering Construction Contract for Waldron Road from Caribbean to Glenoak (BOND 2014)(1st Reading 6/9/15)**

Ordinance amending the FY 2015 Capital Improvement Budget adopted by Ordinance No. 030303 by transferring \$1,495,352 to the Waldron Road from Caribbean Drive to Glenoak Drive Project and increasing expenditures in the amount of \$1,495,352; rejecting the low bid of Salinas Construction Technologies Ltd. of Pleasanton, Texas, in the interest of the public; determining the lowest responsible bidder to be the second lowest bidder, Berry Contracting LP dba Bay Ltd. of Corpus Christi, Texas; making findings of fact; and authorizing the City Manager, or designee, to execute a construction contract with Berry Contracting, LP dba Bay Ltd. of Corpus Christi, Texas in the amount of \$2,580,631.90 for the Waldron Road from Caribbean Drive to Gelnoak Drive Project (BOND 2014).

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

Enactment No: 030527

**22. Second Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for construction of a wastewater collection line located south along Slough Road, east of Rodd Field Road and south of Amethyst Drive (1st Reading 6/9/15)**

Ordinance authorizing execution of a wastewater collection line extension construction and reimbursement agreement ("Agreement") with Grangefield Development, LLC. ("Developer"), for the construction of a wastewater collection line and appropriating \$153,270.00 from the No. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

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

Enactment No: 030528

**23. Second Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line, located south along Slough Road, east of Rodd Field Road and south of Amethyst Drive. (1st Reading 6/9/15)**

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with Grangefield Development, LLC ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$16,574.50 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

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

Enactment No: 030529

**24. Second Reading Ordinance - Amending City Code regarding Island Strategic Action Committee Election of Officers (1st Reading 6/9/15)**

Ordinance Amending City Code of Ordinances Regarding Island Strategic Action Committee Election of Officers

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

Enactment No: 030530

**M. PUBLIC HEARINGS: (ITEM 25)**

**25. Public Hearing and First Reading Ordinance - Rezoning property**



**located at 10113 Up River Road (Tabled on 5/19/15)**

Case No. 0415-05 AAF-Vantage at Corpus Christi: A change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District, resulting in a change to the Future Land Use Plan from commercial and medium density residential to medium density residential. The property is described as being 19.74 acres out of the remainder of a 20.26 acre tract described as Parcel 5, in a Special Warranty Deed from William E. McKinzie, Jr. to William E. McKinzie, Jr. Family Limited Partnership, located on the south side of Up River Road between Deer Run Drive and Carbon Plant Road.

Planning Commission and Staff Recommendation (April 22, 2015): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by AAF-Vantage at Corpus Christi, Inc. ("Owner"), by changing the UDC Zoning Map in reference to 19.74 acres out of the remainder of a 20.26 acre tract described as Parcel 5, in a Special Warranty Deed from William E. McKinzie, Jr. to William E. McKinzie, Jr. Family Limited Partnership, 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.

**Mayor Martinez referred to Item 25, a request for rezoning from AAF-Vantage at Corpus Christ. City Secretary Huerta informed the City Council that the City has received notification of 36% opposition to the zoning change. Per the Unified Development Code, passage of the ordinance as presented requires a three-fourths vote of the full Council, seven (7) votes. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for the development for an approximately 288-unit apartment complex. Mr. Grimsbo said the Planning Commission and staff recommend approval of the zoning change. Mayor Martinez opened the public hearing. Dr. Sue Nelson, Superintendent of Tuloso-Midway Independent School District, thanked the City Council for tabling the item to allow the developer to meet with the community and thanked Council Member Vaughn for being present at the meeting. Dr. Nelson said the developer has reached out to the school district to help refigure the park lot to address traffic. Dr. Nelson explained that the school board has not approved the parking lot and Memorandum of Understanding (MOU) and requested that no action be taken until after the next school board meeting scheduled for July 13, 2015. John Condit, representing the developer, addressed: the traffic study, the willingness to pay for the school's parking lot and restriping of the adjacent streets, and concession made for compactor location and drainage. Mr. Condit requested approval of the zoning change. Caesar Torres spoke about: the traffic study not taking into account a new 104-home neighborhood, the number of students at the school, and a safety study. Mayor Martinez closed**

the public hearing.

Council members spoke regarding the following topics: the applicant's willingness to address and fund traffic and safety improvements expressed by residents; drainage from the proposed apartment complex; the traffic study limitations; the street improvements that improve the traffic capacity to support the project; the need for additional housing in the northwest area; and consideration to table the second reading to allow Tuloso-Midway School Board the opportunity to discuss the issue and Memorandum of Understanding agreements with the developer. Council Member Garza made a motion to approve the ordinance, seconded by Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

Council Member Vaughn made a motion to table the second reading of the Ordinance until the two Memorandums of Understanding, as discussed, are created, seconded by Council Member McIntyre, and passed unanimously.

**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 deviated from the agenda and called for comments from the public. Joan Veith spoke about the American GI Forum's Scholarship Event and asked the City Council to consider a way to honor the late Police Chief Floyd Simpson. Shirley Thornton spoke regarding the Citizens' Collection Center for Flour Bluff/Padre Island and raised several questions about: the property considerations; the cost of the property; the use of certificates of obligation for Solid Waste projects; and code enforcement for the area. Ms. Thornton said she will not support the location of a dump located near a neighborhood. In response to questions by Council Member McIntyre, Assistant City Manager Gus Gonzalez provided the distinction between a landfill and a collection center and Executive Director of Public Works Valerie Gray provided a list of other properties that were evaluated for the Citizens' Collection Center. Pastor Rick Milby thanked the City Council for their service and asked that the City Council encourage the Ethics Commission to update the Ethics Ordinance. Pastor Milby provided an update on the code violations for his church and requested that the City review the Code Enforcement Division. Judy Telge spoke in support of Item 41, an update on Homeless Solutions and thanked the City for including her in the discussions. Ms. Telge explained the critical need to address affordable housing. Warren Andrich spoke on behalf of the Corpus Christi Association of Realtors (Association) and a Joint Task Force between the Association and the Homebuilders' Association regarding the Plan CC 2035. Mr. Andrich thanked the City Council

and staff for recent meetings on the issue and encouraged slowing down the approval process. Mr. Andrich said his representation would like to engage in discussions, on behalf of property owners, to make this plan as comprehensive as possible for property owners, taxpayers and citizens in Corpus Christi.

**M. PUBLIC HEARINGS: (ITEMS 26 - 28)**

**26. Public Hearing and First Reading Ordinance - Rezoning property located at 3602, 3606, 3610, and 3614 Laguna Shores Road**

Case No. 0515-03 Kapavik Builders, Inc: A change of zoning from the "RS-6" Single-Family 6 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 1, 2, 17 and 18, Block 10, Laguna Vista Shores, located along the west side of Laguna Shores Road between Courtland Drive and Riviera Drive.

Planning Commission and Staff Recommendation (May 20, 2015): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Kapavik Builders, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Lots 1, 2, 17 and 18, Block 10, Laguna Vista Shores, from the "RS-6" Single-Family 6 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 26. Director of Development Services Dan Grimsbo stated that the purpose of this item is to allow for the development of single-family residences with reduced setback requirements that are more consistent with smaller lot sizes. Mr. Grimsbo said that the Planning Commission and staff are in favor of the zoning change. Mayor Martinez opened the public hearing. There were no comments from the Council or the public. Mayor Martinez closed the public hearing and acknowledged the applicant, Dave Kapavik, for being present in the audience. Council Member Garza made a motion to approve the ordinance, seconded by Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**27. Public Hearing and First Reading Ordinance - Rezoning property located at 14, 15, 16, and 17 Country Club Place**

Case No. 0515-04 Magellan Terminals Holdings, L.P.: A change of zoning from the "RS-6" Single-Family 6 District to the "ON" Office District, resulting in a change to the Future Land Use Plan from low density residential uses to professional office uses. The property is described as Lots 14, 15, 16, and 17, Country Club Place, located on the north side of Interstate Highway 37 Access Road, south of Tribble Lane and west of Poth Lane.

Planning Commission and Staff Recommendation (May 20, 2015): Approval of the change of zoning from the "RS-6" Single-Family 6 District to "ON" Office District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Magellan Terminals Holdings, L.P. ("Owner"), by changing the UDC Zoning Map in reference to Lots 14, 15, 16, and 17, Country Club Place, from the "RS-6" Single-Family 6 District to the "ON" Office District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item 27. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for the construction of an office building. Mr. Grimsbo said that the Planning Commission and staff are in favor of the zoning change. Mayor Martinez opened the public hearing. There were no comments from Council or the public. Mayor Martinez closed the public hearing. Council Member Magill made a motion to approve the ordinance, seconded by Council Member McIntyre. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 9 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 0

**28. Public Hearing and First Reading Ordinance - Rezoning property located at 309, 311 and 341 South Shoreline Boulevard**

Case No. 0515-05 Bayfront Medical Plaza, L.P.: A change of zoning from the "CR-1" Resort Commercial to the "CI" Intensive Commercial District, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as being a 0.98 acre tract of land out of a portion of Lots 1 through 11, Jones Shoreline Business Lots, a portion of Share 7, Tract B, W.S. Harney Tract, a portion of lands reclaimed by the Bay Front Protection Work, and a portion of Lot 1,

Water Block 3, Central Wharf & Warehouse Co.'s Subdivision, located along the west side of Shoreline Boulevard between Kinney Street and Born Street.

Planning Commission and Staff Recommendation (May 20, 2015):  
Approval of the change of zoning from the "CR-1" Resort Commercial District to the "CI" Intensive Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Bayfront Medical Plaza, L.P. ("Owner"), by changing the UDC Zoning Map in reference to a 0.98 acre tract of land out of a portion of Lots 1 through 11, Jones Shoreline Business Lots, a portion of Share 7, Tract B, W.S. Harney Tract, a portion of lands reclaimed by the Bay Front Protection Work, and a portion of Lot 1, Water Block 3, Central Wharf & Warehouse Co.'s Subdivision, from the "CR-1" Resort Commercial District to the "CI" Intensive Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item 28. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for construction of a hotel with a reduced street yard setback to zero feet to accommodate an urban building design. Mr. Grimsbo stated that the Planning Commission and staff are in favor of the zoning change. City Secretary Huerta announced that Council Member Scott was abstaining on this item. Mayor Martinez opened the public hearing. There were no comments from the public. Mayor Martinez closed the public hearing. Council Member McIntyre expressed support to rezone the property to allow for the reduced setback to zero feet and encouraged staff to look at the feasibility of an overlay for the downtown area, with feedback from the Downtown Management District and other stakeholders. Council Member Magill made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

**Abstained:** 1 - Council Member Scott

## **H. EXECUTIVE SESSION: (ITEMS 1 - 5)**

**Mayor Martinez deviated from the agenda and referred to the day's executive sessions. The Council went into executive session.**

- 1. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal requirements of the Texas Local Government Code and other Texas laws regarding annexation and regulation of entities in the extraterritorial jurisdiction, including**

Texas Local Gov't Code 43.001, et.seq., 30 Texas Administrative Code 291.14, and Texas Local Gov't Code Chapter 212.

**City Secretary Huerta announced that Council Member Magill recused himself from the discussion on Item 1. The E-Session Item was discussed in executive session.**

2. **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning the Texas Local Government Records Retention Act, the Texas Open Meetings Act, and the Texas Public Information Act.  
  
**The E-Session Item was discussed in executive session.**
  
3. **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning litigation and other legal matters related to related to payday lending regulations, including *CSAT, et al vs. City of Dallas, TitleMax, et al vs. City of Austin, CSAT, et al vs. City of Denton, ACE Cash, et al vs. City of Denton, and CSAT vs. City of San Antonio.*  
  
**The E-Session Item was discussed in executive session.**
  
4. **Executive session pursuant to Section 551.074 of the Texas Government Code**, to deliberate the evaluation of the City Auditor, with possible discussion and action in open session.  
  
**Mayor Martinez referred to Item 4 and the following motion was discussed in executive session:**  
  
**Motion to increase the base salary of the City Auditor by 2.5% to be effective on May 20, 2015 or the pay period subsequent to it, further subject to further services of the City Auditor pursuant hereto.**  
  
**Council Member Scott made a motion to approve the motion, seconded by Council Member Magill. This Motion was passed in executive session and approved with the following vote:**  
  
**Aye:** 8 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn  
  
**Absent:** 1 - Council Member Garza  
  
**Abstained:** 0  
  
Enactment No: M2015-058
  
5. **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining negotiations and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters Association

and/or Corpus Christi Police Officers' Association.

The E-Session Item was discussed in executive session.

**N. REGULAR AGENDA: (ITEMS 29 - 31)**

**29. Third Party Administrator, Stop Loss Insurance and Self-Insured Employee Health Benefits**

Resolution authorizing the City Manager or designee to negotiate and execute a contract with UnitedHealthcare, Houston, Texas, for the provision of third-party administration of the City of Corpus Christi's self-funded employee health and dental plans, for providing and administering a provider network, and for the provision of stop-loss insurance coverage in accordance with Request for Proposal Event Number 41; and authorizing the City Manager or his designee to negotiate and execute a contract with Express Scripts, Inc., Saint Louis, Missouri for the provision of the pharmacy benefit management portion of the City of Corpus Christi's self-funded employee health plan in accordance with Request for Proposal Event Number 41.

**Mayor Martinez referred to Item 29. Benefits Manager Steven Viera stated that the purpose of this item is to authorize the City Manager or designee to negotiate and execute a contract with UnitedHealthcare for third-party administration of the City's self-funded employee health and dental plans, and stop-loss insurance; and with Express Scripts, Inc. for pharmacy benefit management. There were no comments from the public or the Council. Council Member McIntyre made a motion to approve the resolution, seconded by Council Member Magill. This Resolution was passed and approved with the following vote:**

**Aye:** 8 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Absent:** 1 - Council Member Garza

**Abstained:** 0

Enactment No: 030531

**30. Second Reading Ordinance - Adopting the Corpus Christi Property Maintenance Code (CCPMC) and approving licensing agreement with the International Code Council (1st Reading 4/14/15) (Tabled 4/21/15)**

Ordinance amending the Corpus Christi Code of Ordinances Chapter 13, Article II to repeal the adoption of the Southern Standards Housing Code, 1973 Edition and to adopt the Corpus Christi Property Maintenance Code; amending Chapter 13, Article II to extend the time to appeal Building Standard Board decisions and allow for the

recoupment of title search expenses; amending Chapter 13, Article II, Division II to modify the definition and procedures for junk vehicles; amending §13-3002 to add the definition of hearing officer; repealing Chapter 13, Article IV in its entirety; repealing in its entirety Ordinance No. 12826 regarding fire breaks; authorizing the City Manager or his designee to execute a licensing agreement with the International Code Council for copyright use of the International Property Maintenance Code; providing for severance; providing for penalties; providing for publication; and providing for effective date.

**Mayor Martinez referred to Item 30. Interim Police Chief Mike Markle stated that the purpose of this item is to amend the City's Code of Ordinances, Chapter 13 to adopt the Property Maintenance Code, replacing the existing 1973 Edition of the Southern Standards Housing Code. The Property Maintenance Code is based on the 2009 Edition of the International Property Maintenance Code and reflects local requirements of the City of Corpus Christi. Interim Chief Markle said Code Enforcement staff attended four (4) neighborhood meetings to discuss the various changes and is presenting several floor amendments for consideration based on public input from those meetings. Mayor Martinez called for comments from the public. Henry Williams made two suggestions: 1) the second reading of the ordinance be postponed and tabled to a future date to allow a second meeting between the Code Enforcement Division and the Citizens' Alliance for Fairness and Progress and 2) the City establish an ombudsman position as a liaison between Code Enforcement and the public, especially to assist the poor and elderly. Captain David Blackmon said he understands Mr. Williams's concerns regarding the elderly and the poor, however, in order to effectively help these groups, there are standards that need to be identified by a clear precise code. Errol Summerlin expressed concerns about: there being no procedure for notification; not having the ability to print the code in any form; the right of entry; overcrowding language; and clarification on Section 13-22 procedures and informing citizens of the right to petition the Building Standards Board.**

Council members spoke regarding the following topics: identifying residents in need of assistance; assistance for residents that are not able to pay for code violations; interaction between residents and code enforcement officers; the process for issuing citations; methods of notification advising property owners to contact the Code Enforcement Division if assistance is needed; how code violations are reported; improving communications with citizens that are in need of help via the web page or utility bill inserts; how the maximum occupancy level of a residential dwelling was determined; the difference between provisions related to code violations and substandard conditions; continuous improvements to the Property Maintenance Code; and next steps. Council Member Magill requested that Mr. Summerlin and Mr. Williams be invited to meetings regarding future revisions to the code.

Council Member McIntyre made a motion to amend the ordinance to include the floor amendment presented by staff for Section 404.5 and include the following language at the end of the last sentence "and one-hundred (100) square feet for each subsequent person", seconded by Council Member Scott and passed unanimously.



Council Member Scott made a motion to amend the ordinance to include the floor amendment presented by staff for Section 101.5 and include the following language "sexual orientation or gender identity", seconded by Council Member McIntyre and passed unanimously.

Council Member McIntyre made a motion to amend the ordinance to include the floor amendment presented by staff for Sections 107.2 and 107.3, removing the word "legal" from the first sentence in Section 107.2 (2), seconded by Council Member Riojas and passed unanimously.

Council Member McIntyre made a motion to amend the ordinance to include the remaining floor amendments presented by staff for Sections 104.3 and 106.3, seconded by Council Member Scott and passed unanimously.

Council Member McIntyre made a motion to approve the ordinance as amended, seconded by Council Member Scott. This Ordinance was passed on second reading as amended and approved with the following vote:

**Aye:** 8 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Absent:** 1 - Council Member Garza

**Abstained:** 0

Enactment No: 030532

**31. Second Reading Ordinance - Amending City Code to add Chapter 41 titled "Public Works" related to contractor debarment, and ineligibility (Tabled on 5/12/15)(1st Reading 6/9/15)**

Ordinance amending the Code of Ordinances by adding Chapter 41 titled "Public Works"; adding provisions related to contractor debarment; adding provisions related to the effective administration of the procurement of public works contracts; providing for severance; and providing for an effective date.

Mayor Martinez referred to Item 31. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to amend the Code of Ordinances to add Chapter 41, Public Works related to debarment. Ms. Gray said the ordinance includes the amendment made to Section 41-115 during first reading and presented a revised flowchart to reflect the amendment. There were no comments from the Council or the public. Council Member McIntyre made a motion to confirm that the flowchart reflects the amendment made to Section 41-115 on the first reading, seconded by Council Member Vaughn and passed unanimous. Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Vaughn. This Ordinance was passed on second reading and approved with the following vote:

**Aye:** 8 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Absent:** 1 - Council Member Garza

Abstained: 0

Enactment No: 030533

**O. FIRST READING ORDINANCES: (ITEMS 32 - 35)**

**32. First Reading Ordinance - Appropriating funds for the Summer Food Service Program**

Ordinance appropriating a \$150,000 grant from the Texas Department of Agriculture in the No. 1067 Parks and Recreation Grants fund to operate a Summer Food Service Program for Summer Recreation participants ages one to eighteen.

**Mayor Martinez referred to Item 32. Interim Director of Parks and Recreation Stacie Talbert stated that the purpose of this item is to accept a grant and appropriate funding for the Summer Food Service Program. There were no comments from the Council or the public. Council Member Scott made a motion to approve the ordinance, seconded by Council Member Rosas. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 7 - Mayor Martinez, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Absent:** 2 - Council Member Garza and Council Member Magill

**Abstained:** 0

**33. First Reading Ordinance - Amending the Budget for the 1115 Waiver Program**

Ordinance amending the FY2014-2015 operating budget adopted by Ordinance No. 030294 by reducing revenues and expenditures by \$1,291,492 for the 1115 Waiver Program in the General Fund No. 1020; and any remaining excess funds will be placed in a Special Revenue account created for the 1115 Waiver in FY 2015-2016.

**Mayor Martinez referred to Item 33. Director of Public Health Annette Rodriguez stated that the purpose of this item is to amend the FY2014-2015 Operating Budget by reducing the budget by \$1,291,492 for the 1115 Waiver Program. There were no comments from the Council or the public. Council Member Scott made a motion to approve the ordinance, seconded by Council Member Rubio. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 8 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Absent:** 1 - Council Member Garza

**Abstained:** 0

**34. First Reading Ordinance - Appropriating Funds to Cover Cost for Early Completion of Area Development Plan**

Ordinance appropriating a total of \$293,472 from the unreserved fund balance in the No. 1020 General Fund for costs related to early completion of the Downtown Area Development Plan, which is currently ahead of original schedule; and changing the FY 2014-2015 operating budget adopted by Ordinance No. 030294 by increasing expenditures by \$293,472.

**Mayor Martinez referred to Item 34. City Secretary Huerta announced that Council Member Scott would be abstaining from this item. Director of Development Services Dan Grimsbo stated that the purpose of this item is to appropriate funding to cover costs related to the early completion of the Downtown Area Development Plan. There were no comments from the Council or the public. Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Rosas. In response to Council Member Magill, Mr. Grimsbo confirmed that since the work was completed before the anticipated schedule, the allocation is being made from next year's budget to this year's budget. This Ordinance was passed on first reading and approved with the following vote:**

**Aye:** 7 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

**Absent:** 1 - Council Member Garza

**Abstained:** 1 - Council Member Scott

**35. First Reading Ordinance - Appropriating funds for six (6) hybrid sedans and one (1) light and air truck for the Fire Department**

Ordinance appropriating \$507,190 from the unreserved fund balance in the No. 1020 General Fund for the purchase of six Ford Fusion hybrid sedans and one light and air truck; amending the FY2014-2015 Operating Budget adopted by Ordinance No. 030294 to increase expenditures by \$507,190; approving the purchase of the six sedans from Caldwell Country Chevrolet, of Caldwell, Texas, and the purchase of the light and air truck from Siddons-Martin Emergency Group, of Denton, Texas, each purchase based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative, for a total amount of \$507,190.

**Mayor Martinez referred to Item 35. Interim Procurement Manager Gabriel Maldonado stated that the purpose of this item is to appropriate funds for the purchase of Fire Department equipment. There were no comments from the public. In response to Council Member Magill, Fire Chief Robert Rocha explained that the funding is being appropriated from the Unreserved Fund Balance due to a cost savings realized in last year's budget. Council Member Magill made a motion to approve the ordinance, seconded by Council Member Vaughn. This Ordinance was passed on first reading and approved with the**

following vote:

**Aye:** 7 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

**Absent:** 2 - Council Member Garza and Council Member Scott

**Abstained:** 0

**P. FUTURE AGENDA ITEMS: (ITEMS 36 - 38)**

**Mayor Martinez referred to Future Agenda Items. City Manager Olson stated that staff did not have any planned presentations. Council members asked for information on items 36 and 38.**

**36. Service Agreements for Mowing of Parks, Rights-of-way, Medians, and Wastewater Treatment Plants**

Resolution finding the lowest responsible bidder for mowing services by grouped acreage in response to Bid Event No. 12; awarding a service agreement to the lowest responsible bidder for each acreage group; and authorizing the City Manager or designee to execute a service agreement with the lowest responsible bidder for each acreage group.

Maldonado Nursery & Landscape, Inc.	Tuff Cut Lawn & Landscape
San Antonio, TX	Corpus Christi, TX
\$77,854.09	\$88,169.99

Total: \$166,024.08

The Resolution was recommended to the consent agenda.

**37. Grant Application and Interlocal Agreement for the Edward Byrne Memorial Justice Grant (JAG) Program FY 2015 Local Solicitation**

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$168,613 to the U.S. Department of Justice, Bureau of Justice Assistance for funding eligible under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2015 Local Solicitation with 50% of the funds to be distributed to Nueces County under the Interlocal Agreement; and authorizing the City Manager or designee to execute Interlocal Agreement between the City of Corpus Christi and Nueces County to establish terms for the sharing of the Edward Byrne Memorial Justice Grant (JAG) Program FY 2015 Local Solicitation.

The Resolution was recommended to the consent agenda.

**38. Engineering Construction Contract for City-Wide Lift Station**

### **Repairs Section 4 and Lift Station Odor Control located at Whitecap Boulevard and Park Road 22**

Motion authorizing the City Manager or designee to execute a construction contract with J.S. Haren Company of Athens, Tennessee in the amount of \$196,000 for the City-Wide Lift Station Repairs Section 4 Lift Station Odor Control for the total Base Bid.

The Motion was recommended to the consent agenda.

#### **Q. BRIEFINGS: (ITEMS 39 - 41)**

##### **39. Golf Course Annual Update**

Mayor Martinez referred to Item 39 and stated that this item was postponed to next week's Council meeting.

##### **40. Communication Department Update**

Mayor Martinez referred to Item 40. Director of Communication, Media Relations & E-Government Kim Womack stated that the purpose of this item is to provide a brief update on the Communication Department since undergoing a reorganization in August 2014. The reorganization process began with an evaluation of the foundation and adjusting the mission elements. The Communication Department has developed a Three-Year Strategic Communication Plan that is incorporated into the business plan and 100-day plans. Ms. Womack provided an overview of the organizational structure and the key communication function areas: Multimedia, Media Relations, and the Customer Call Center. Ms. Womack stated that initial results reflect positive results in citizen, employee and media engagement. The Communication Department will continue working on projects to increase media broadcasts, expand social media presence; and develop Phase 2 of the communication plan. Ms. Womack thanked the Communication Department staff for their work and acceptance of the various changes. Council members spoke regarding the following topics: the economic benefit of improving communications; the timing of website development; expanding media broadcasting to include the Planning Commission and Type A Board meetings; including "how to" instructions for applications; improving public awareness; and identifying ways to make the website more user friendly.

##### **41. Homeless Solutions Update**

Mayor Martinez referred to Item 41. Assistant City Manager Susan Thorpe stated that the purpose of this item is to provide an update on Homeless Solutions. Ms. Thorpe reported that since the initial presentation to City Council in May 2014, City staff has taken various actions and engaged community partners and stakeholders to provide input, develop strategies and update the vision statement. Ms. Thorpe presented the results of a Point-in-Time survey to provide a better understanding of the number of the homeless. Ms. Thorpe provided information on the types of homelessness and the major factors that contribute to homelessness. Ms. Thorpe reported on the five strategies identified to achieve solution and the next steps to move the strategies forward. Council members spoke regarding the following topics: an

explanation of the concept to identify a location for future homeless services coordination; whether the team has conducted tours in locations other than Haven for Hope in San Antonio; increases in the homeless population and aggressive panhandling; moving forward on this issue focusing on compassion and enforcement; expressing respect for homeless providers; the concept of a Sobriety Center; and consideration that an emphasis be made that funding be provided to families and veterans that are making a choice to get out of homelessness.

**R. LEGISLATIVE UPDATE:**

Mayor Martinez referred to the Legislative Update. Council Member McIntyre announced that Governor Abbott has signed into law Windstorm Reform. Mayor Martinez said the next legislative update is scheduled for the July 14th meeting.

**S. ADJOURNMENT**

The meeting was adjourned at 6:31 p.m.