



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, June 14, 2016

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order at 11:30 a.m.

B. Invocation to be given by Reverend John Fletcher, Kelsey Memorial United Methodist Church.

Revered John Fletcher gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Sandra Thaxton, Assistant Director of Strategic Management.

Assistant Director of Strategic Management Sandra Thaxton 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 City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

Acting City Manager Margie C. Rose, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

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

E. Proclamations / Commendations

1. Proclamation declaring June 17, 2016, "Hi-Fairnessee Girls Club Week - 85th Anniversary and Ex-Member Reunion".
Proclamation declaring June 18, 2016, "CreativeMinds Go Skateboarding Day".
Presentation of the "IT'S TIME TEXAS, Community Challenge Recognized Community 2016" from Governor Abbott.
Presentation of the United States Flag and Certificate from the USS

City of Corpus Christi.

Mayor Martinez presented the proclamations and made the presentations.

- 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 choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.**

Mayor Martinez referred to comments from the the public. Chair of the Island Strategic Action Committee (ISAC) Libby Edwards, 14158 Cutlass, stated that 75% of Island businesses polled support a ban on plastic bags on the Island; and that the Watershore Beach Advisory Committee voted in support of a ban on plastic bags as well. A council member requested that the City Attorney provide the council with a legal update on banning plastic bags. Richard Milby, 4412 High Ridge Drive, spoke regarding progress on the large cross to be erected in Corpus Christi and in opposition to the rainbow flag being displayed on the Harbor Bridge, requesting that the American flag be displayed instead. Rob Bailey, 4602 Jarvis Street, spoke in opposition to the rainbow flag being displayed on the Harbor Bridge and requested that the American flag be displayed instead. Benjamin Davalina, 7430 Sydney Street, spoke about witnessing a Corpus Christi Police officer engaging in distracted driving and recommended that Corpus Christi's police officers also be held accountable for distracted driving. Jose Villarreal, 3100 Santa Fe Street, discussed the recent water quality issues in Corpus Christi and South Texas for the Greater Good, a newly-formed community organization. Neil McQueen, 4213 Estate Drive, spoke in support of the plastic bag ban on the Island. Isabel Araiza, 326 Poenisch, spoke in support of the rainbow flag on the Harbor Bridge and discussed water and wastewater issues and South Texas for the Greater Good. John Kelley, 3621 Austin, spoke regarding his interview of Ron Olson; infrastructure issues; and term limits for city council members. Raymond Ames, 7 Virginia Hills, congratulated Foresight Golf for their operation of and the condition of the City's golf courses and in support of additional improvements. Norma Nantel, 4421 Mistletoe Drive, spoke regarding the negative impact of residents parking cars in their front yards and tires and trash being allowed to accumulate in residents' front yards. Robert Simmons, 4025 Violet Road, spoke in opposition to the rainbow flag being displayed on the Harbor Bridge and requested that the American flag be displayed instead. Stacy Palacios, 710 Caddo, stated that she is not offended by the rainbow flag being displayed on the Harbor Bridge, thanked Council Member Vaughn for posing for photos with animals to be adopted and encouraged other council members to participate. Huxley Smith, 1913 Thames, spoke regarding Uber and Council Member McIntyre not running for re-election.

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

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

a. OTHER

1. Standard & Poors upgraded the City's bond rating from AA- to AA;
2. Canopies over the covered parking spaces have been replaced and the parking lots have been restriped and are re-opened at the Corpus Christi International Airport;
3. The appeals process relating to the recently released Preliminary Flood Insurance Rate Maps runs through July 26, 2016. Staff will provide the city council with a presentation regarding appeals prior to the end of the July 26, 2016 appeal period;
4. The City is working to maintain City-owned properties and to educate the public regarding compliance with the City's regulations relating to tall weeds and grass; and
5. The Bay Jammin concert and movie series runs now through August 18, 2016. More information can be found at: www.ccparkandrec.com.

H. MINUTES:

2. Special Meeting (Retreat) of March 22, 2016 and Regular Meeting of May 31, 2016.

Mayor Martinez referred to approval of the minutes.

Council Member Magill made a motion to approve the minutes, seconded by Council Member Garza and passed unanimously.

I. BOARD & COMMITTEE APPOINTMENTS:

3. Civil Service Commission
Civil Service Board
Corpus Christi Regional Transportation Authority
Human Relations Commission
Island Strategic Action Committee
Library Board

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

Civil Service Commission

Council Member McIntyre made a motion to reappoint Rixio Medina, seconded by Council Member Magill and passed unanimously.

Civil Service Board

Council Member Magill made a motion to reappoint Rixio Medina, seconded by Council Member Rubio and passed unanimously.

Corpus Christi Regional Transportation Authority

Council Member McIntyre made a motion to reappoint George Clower, Thomas Dryer (Transportation Disadvantaged), Conrado Garcia, Edward Martinez, and Mary Saenz, seconded by Council Member Scott.

Council Members discussed the following topics: the importance of boards; the board appointment and selection process; an interview process for applicants for boards; defining which boards are "high profile"; best practices in other cities. Mayor Martinez requested that City Secretary Rebecca Huerta determine best practices in other cities and report that information back to the city council.

Council members discussed the following additional topics: the use of a applicant questionnaire; council members' responsibility to obtain information about applicants; tabling this item; the Corpus Christi Regional Transportation Authority's need to continue to conduct its business; and that some board member's terms expire at the end of June 2016.

The motion failed with the following vote: Council Members Rubio, Vaughn, Garza, Hunter and Magill voting No and Council Members Martinez, McIntyre, Rosas and Scott voting Aye.

Council Member McIntyre made a motion to reappoint George Clower, seconded by Council Member Hunter and passed unanimously.

Council Member Magill made a motion to reappoint Conrado Garcia, seconded by Council Member Hunter and passed unanimously.

Council Member Rosas made a motion to reappoint Edward Martinez, seconded Council Member Scott and passed unanimously.

Council Member Magill made a motion to appoint Larry D. Young, seconded by Council member Vaughn and passed unanimously.

Council member Magill made a motion to appoint A. R. "Butch" Escobedo (Transportation Disadvantaged), seconded by Council Member Garza and passed unanimously.

Human Relations Commission

Mayor Martinez made a motion to reappoint Linda A. Cantu (Regular Member), Melody T. Guerrero (Youth), Roy E. Stock (Regular Member) and Saherish Surani (Youth), and appoint William "Mickey" Kramer, Jr., chair, seconded by Council Member Scott and passed unanimously.

Mayor Martinez made a motion to appoint Zoya S. Surani (Youth), Bilaye R. Benibo (Regular) and Maria G. Rodriguez (Regular), seconded by Council Member McIntyre and passed unanimously.

Island Strategic Action Committee

Council Member McIntyre made a motion to appoint Kendra L. Kinnison (Person who resides on Mustang Island or who is an Employee of a Mustang

Island Property Owner), seconded by Council Member Scott and passed unanimously.

Library Board

Council Member Magill made a motion to appoint Alice Nixon (La Retama Club), seconded by Council Member McIntyre and passed unanimously.

Council Member Magill made a motion to appoint Margaret Jane Epley Kratzig (Regular), seconded by Council Member Garza and passed unanimously.

J. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 7)

Approval of the Consent Agenda

Mayor Martinez referred to the Consent Agenda. There were no comments from the public.

A council member requested that Item 5 be pulled for individual consideration.

A motion was made by Council Member Garza, seconded by Council Member Magill, to approve the Consent Agenda. The consent agenda items were approved by one vote as follows:

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

Absent: 1 - Council Member Scott

Abstained: 0

4. Contract amendments to Mind Exercise Nutrition Do it (MEND) Childhood Obesity Program Service Agreements

Motion authorizing the Director of the Public Health District or designee to execute contract amendments with Advanced Cheer Athletics LLC; Apex Personal Training and Nutrition; Benavides Fitness, LLC; and Twisted Cheer Company to provide additional services and funding pursuant to existing MEND Childhood Obesity Program service agreements for a total expenditure not to exceed \$770,000. Funds have been budgeted by Corpus Christi-Nueces County Public Health District (CCNCPHD) in the 1115 Transformation Waiver Fund.

Advanced Cheer Athletics, LLC	Apex Personal Training and Nutrition, LLC
6801 Weber Road	4117 South Staples Suite 260
Corpus Christi, Texas	Corpus Christi, Texas
\$250,000	\$150,000

Benavides Fitness, LLC	Twisted Cheer Company
1504 Redbird Drive	3010 Old Kingsville Road
Rockport, Texas	Alice, Texas
\$170,000	\$200,000

This Motion was passed on the Consent Agenda.

Enactment No: M2016-059

6. Construction contract for Street Preventative Maintenance Program - Seal Coats

Motion authorizing the City Manager or designee, to execute a construction contract with J. Carroll Weaver, Inc. of Sinton, Texas in the amount of \$1,987,973.61 each for bid Part 1, Part 2 & Part 3, for a total fee of \$5,963,920.83 for the Street Preventative Maintenance Program 2015 (Year 2) Remaining and 2016 (Year 3) Seal Coat project.

This Motion was passed on the Consent Agenda.

Enactment No: M2016-061

7. Construction contract for Whitecap Wastewater Treatment Plant Ultra-Violet System Upgrade

Motion authorizing the City Manager or designee to execute a construction contract with J.S. Haren Company of Athens, Tennessee in the amount of \$5,266,997.75 for the Whitecap Wastewater Treatment Plant Ultra-Violet System Upgrade for the Base Bid.

The Motion was passed on the Consent Agenda.

Enactment No: M2016-062

5. Construction contract for Collier Pool Renovation Rebid- Part B (Restroom and Office Building) (Bond 2012 Proposition 4 - Aquatic Facilities)

Motion authorizing the City Manager, or designee, to execute a construction contract with Cruz Maintenance & Construction, Inc. of Corpus Christi, Texas in the amount of \$598,874 for the Collier Pool Renovations Rebid - Part B (Restroom and Office Building) project for replacement of the existing building. (Bond 2012 Proposition 4 - Aquatic Facilities)

Mayor Martinez referred to Item 5, the construction contract for the Collier Pool Renovation Rebid. Interim Director of Parks & Recreation Stacie Talbert Anaya responded to council members' questions and confirmed that city staff will work with the contractor to identify deductive change orders regarding this

project; and discussed the square footage of the old and new pools.

A council member discussed the disproportionate amount of bond funds dedicated to this project as compared to the total bond funds available.

Council Member Garza made a motion to approve the motion, seconded by Council Member Rosas. This Motion was passed and approved with the following vote:

Aye: 6 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Rubio and Council Member Rosas

Nay: 1 - Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 1 - Council Member Hunter

Enactment No: M2016-060

R. BRIEFINGS: (ITEM 30)

30. Assessment of the Efficiency and Effectiveness of the City of Corpus Christi Financial Services

Mayor Martinez deviated from the agenda and referred to Item 30. Assistant Director of Strategic Management Sandra Thaxton stated that the purpose of this item is to present the results of the assessment of the efficiency and effectiveness of the City of Corpus Christi's Financial Services Department. Assistant Director Thaxton provided an overview covering the following topics: an overview of the assessment, including its purpose and recommendations; prior assessments; the scope and objectives of this assessment; a schedule; and budget.

Alyssa Martin and Daniel Graves of Weaver & Tidwell, L.L.P. (Weaver) provided a presentation covering the following topics: the procedures performed; organization and support of Financial Services; staffing levels; financial policies; financial performance reporting; preparation of the Comprehensive Annual Financial Report (CAFR); and divisional operations.

Director of Financial Services Constance Sanchez provided the director's response which covered the following topics: offering thanks to the staff of the Financial Services Department; major issues, health and safety issues; staffing; lack of reporting with new software; utility meter and billing issues; compliance with the Texas Prompt Payment Act; financial policies; Financial Services' concurrence with nearly all recommendations in the Weaver report; an implementation plan; and that 20% of the recommendations have been implemented.

Council members discussed the following topics: long-term fixes; changing a culture; the cost of leased employees versus city employees; congratulating the Financial Services Department for implementing recommendations along the way; the need to address Infor integration issues and the high usage of leased employees; meter reading; that the Audit Committee should conduct a 6- or 9-month follow up to report back to the city council regarding implementation of the recommendations contained in the Weaver Report; roof

repairs needed at the City's Warehouse; recurring automated payments online for utility bills; CAFR software; vacant positions; automated meter reading flagging of usage anomalies at occurrence and before reaching billing; contacting customers regarding such anomalies before sending customers their monthly bills; requesting an update from Acting City Manager Rose regarding the work order backlog in Utility Field Operations; and the importance of the City effecting prompt payment of vendors' invoices, particularly with respect to small contractors.

Acting City Manager Rose stated that there are critical items identified in the report that will be discussed during the this year's budget process and that a long-term plan is needed.

M. PUBLIC HEARINGS: (ITEM 12)

12. Public Hearing and First Reading Ordinance - Rezoning property located at 3142 Masterson Drive and 6201 Kostoryz Road

Case No. 0516-01 Paisano Contractors, LLC: A change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. The property is described as being 3.1 acres out of Lot 3, Section 8, Bohemian Colony Lands, and Lot 1B, Block 1, Crestmont Unit 11 (0.76 acres), located on the northwest corner of Masterson Drive and Kostoryz Road.

Planning Commission and Staff Recommendation (May 18, 2016): Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Paisano Contractors, LLC ("Owner"), by changing the UDC Zoning Map in reference to 3.1 acres out of Lot 3, Section 8, Bohemian Colony Lands, and Lot 1B, Block 1, Crestmont Unit 11 (0.76 acres), from the "RS-6" Single-Family 6 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.

Mayor Martinez deviated from the agenda and referred to Item 12. Interim Director of Development Services Daniel McGinn stated that the purpose of this item is to rezone the subject property to allow general commercial uses and that a project has not been identified. Interim Director McGinn stated 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 public. Mayor Martinez closed the public hearing.

Council members spoke regarding the following topics: installation of a traffic light at the intersection of Masterson Drive and Kostoryz Road; that a project has not been identified for this parcel of land; and the consistency of the

zoning being requested with surrounding zoning.

In response to a question from a council member, Interim Director McGinn stated that no objections were received in response to notifications mailed to surrounding property owners.

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

Abstained: 0

N. REGULAR AGENDA: (ITEM 13)

13. External Audit Firm Service Agreement

Motion authorizing the City Manager or his designee to execute a service agreement with Padgett Stratemann & Co. L.L.P. ("PS&Co.") of San Antonio, Texas, to provide professional auditing services for a total contract value of \$601,000, inclusive of an allowance of \$36,000 for bond examination reports/statements and comfort letters that may be requested by the City during the term of this Agreement in accordance with Request for Qualifications No 66. The agreement is established for a three year period, subject to the approval of the City Manager or designee and the contractor.

Mayor Martinez referred to Item 13. Director of Financial Services Constance Sanchez stated that the purpose of this item is to execute a service agreement with Padgett Stratemann & Co. L.L.P. of San Antonio, Texas, to provide professional auditing services and that Section 21, regarding key personnel, was added per the Motion of Direction provided by city council during the city council meeting of May 31, 2016.

There were no comments from the public.

In response to a council member, City Attorney Miles Risley stated that the reason key individual professionals' names are cited in the newly added Section 21 and not the name of specific subcontractor in order to allow the contractor to exercise the proper degree of control over its subcontractor.

Council Member Garza made a motion to approve the motion, seconded by Council Member Rosas. This Motion was passed and approved with the following vote:

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

Abstained: 0

Enactment No: M2016-063

L. EXECUTIVE SESSION: (ITEMS 8 - 11)

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

- 8. Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining matters, (including litigation) between the City of Corpus Christi and the Corpus Christi Firefighters Association.

This E-Session Item was discussed in executive session.

- 9. Executive Session pursuant to Section Texas Gov't Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to industrial districts and the requested deannexation of land in the vicinity thereof.

This E-Session Item was discussed in executive session.

- 10. Executive Session pursuant to Section Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to water and utility regulatory matters, including, but not limited to, TCEQ standards and enforcement actions.

This E-Session Item was discussed in executive session.

- 11. 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 issues related to conveyance, lease, and sale of City property and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the purchase, exchange, lease, and value of real property located at 521 Josephine Street known as Ben Garza Park when deliberation in open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

This E-Session Item was postponed to the city council meeting of June 21, 2016.

BRIEFINGS: (ITEMS 30 & 35)

- 31. *Approximate Time 3:30 pm***

Charter Review Ad Hoc Committee Final Report

Mayor Martinez deviated from the agenda and referred to Item 31. Chair of the Charter Review Ad Hoc Committee (Charter Committee) John Bell stated that

the purpose of this item is present the Charter Committee's Final Report.

Chair Bell recognized the members of the Charter Committee and provided a presentation covering the following topics:

Proposition 1 - Establishing a dedicated fund to be used solely for residential street reconstruction and authorizing the city council to levy, assess and collect a property tax not to exceed six cents (\$0.06) per one hundred (\$100.00) of assessed value for the purpose of residential street reconstruction, said taxes to be maintained in this dedicated fund and used solely for the purpose of residential street reconstruction, and said taxes to be gradually implemented at a rate of not more than two cents (\$0.02) per one hundred dollars (\$100.00) per year.

Chair Bell discussed the following topics: that this tax would be outside the property tax cap; the amount the tax would raise; its gradual implementation; and its deductability on federal income taxes versus user or maintenance fees not being deductible.

Council members and Chair Bell discussed the following topics: using property taxes versus fees to raise monies; funding street repairs by various means and not solely via property taxes; that city council must still vote on tax increases in future years; this tax being subject to property tax rollback; and the potential for automatic rollback legislation at the state level.

City Secretary Rebecca Huerta stated that property tax rollback elections are not relegated to being held on uniform election dates.

Council members and Chair Bell discussed the following additional topics: the intent of Proposition 1 is to create a lock box for reconstruction; the definition of reconstruction; the federal definition of reconstruction; the distinction between maintenance and reconstruction; that Proposition 1 is a pay-as-you-go program; the use of bond monies; contractor capacity considerations; and whether monies from this tax should be used for maintenance and operations, debt service, architectural or engineering fees or overhead costs.

MOTION OF DIRECTION

Council Member McIntyre made a motion of direction directing staff to bring back language to the city council to exclude the use of this fund for debt service, maintenance and operations exepenses, but allowing for architectural and engineering costs associated with residential street reconstruction projects.

Council members and Chair Bell discussed the following topics: whether the fund should be used to fund project management costs; that the intent of this fund is for residential street reconstruction; the cost of utilities; that this fund is one component of various funding sources for reconstruction of streets; and what language should be included in the City Charter.

This Motion of Direction passed unanimously.

Council members and Chair Bell also discussed the cost of utilities on commerical, arterials and residential streets. In response to a question from a council member, City Attorney Miles Risley stated that, as currently written, the

language in Proposition 1 would cover residential street reconstruction costs, but not associated utility costs. A council member suggested adding the term, "and associated utility costs" to the Proposition. In response to a question from a council member, City Attorney Risley stated that the addition of such language, regarding utility costs, would broaden the scope of what could be spent out of the Street Fund to include utility costs, but would not mandate expenses related to utilities.

Council members then discussed the following topics: the added flexibility of including "and associated utility costs" language in Proposition 1; and the need for additional revenue sources, even if such language is included.

MOTION OF DIRECTION

Council Member McIntyre made a motion of direction directing city staff to add, "and associated utility costs" to Proposition 1, seconded by Council Member Scott and passed unanimously.

A council member and Chair Bell discussed that the amount of money to be raised through Proposition 1; and that approximately \$3.4 million dollars is projected to be raised each year so that the total amount projected to be raised in year three, and each year thereafter, will total approximately \$10 million.

Chair Bell went on to present the remaining propositions as follows:

Proposition 2 - Providing that the mayor pro tem shall be the council member elected at-large who received the highest number of votes. Chair Bell stated that this addresses the stability needed in a mayor pro tem; that ceremonial functions could be shared; and that it addresses the issue of disability of the mayor.

Proposition 3 - Adjusting total annual compensation for the mayor to \$24,000 and total annual compensation for each council member to \$18,000, and eliminating all other forms of compensation, to be effective with the city council elected in 2022. Chair Bell stated that the city council's current compensation was set in 1975; this would eliminate the mayor's and city council members' car allowances and health insurance coverage; no other compensation would be allowed; and is designed to allow more people the opportunity to serve on the city council.

Proposition 4 - Allowing for procurement of contracts for independent auditor with terms up to five years, up from the current three-year limit.

Proposition 5 - Providing for the appointment of two alternate members to the Civil Service Board. Chair Bell stated that this will be in addition to the three members currently appointed to the Board; will assist in timely scheduling of cases and allow replacements if conflicts arise.

Proposition 6 - Eliminating the prohibition on city employees fiing for nomination or election to municipal public office to comply with Texas Local Government Code Section 150.041 due to state law having changed, disallowing such prohibition.

Proposition 7 - Providing authority to issue bonds in accordance with the laws

of the State of Texas, in compliance with Texas laws created to provide authority to borrow funds.

Proposition 8 - Clarifying the approval process for leases, updating the statutory reference, and eliminating the waiting periods for leases and lease amendments which do not exceed 5 years, which maintains the referendum requirement for leases over 5 years; updates statutory reference for petitions; and eliminates the waiting period if under 5 years.

Proposition 9 - Repealing an unnecessary provision regarding untreated water supply contracts because separate authority for untreated water supply contracts is not needed.

Proposition 10 - Updating legal references in the general powers section and clarifying the general powers.

Proposition 11 - Clarifying the procedures regarding purchases and contracts to be in conformity with state law because the Charter language is out of date as state laws have changed to allow different types of competitive procurements.

Chair Bell also addressed the city council's charge to the Charter Commission to review the mayor's and city council members' terms of office. Chair Bell stated that three-year terms were problematic regarding off-years; a four-year term for only the mayor was considered; as well as four-year terms for all council members. However, Chair Bell stated that any term longer than two years would require an amendment to the Texas Constitution because not all members of the city council are elected by a majority vote. Chair Bell also discussed staggered terms and the challenges they would present. In conclusion, Chair Bell stated that a consensus was not reached among Commission Members regarding any change.

City Secretary Rebecca Huerta announced that a public hearing will be held during the June 21, 2016 city council meeting to discuss and consider the proposed Charter Amendments for the November 8, 2016 Special Election.

35.

Foresight Golf Annual Update

Mayor Martinez deviated from the agenda and referred to Item 35. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to present the Foresight Golf Annual Update. Interim Director Anaya introduced the Chief Executive Officer of Foresight Golf, Dan Pedrotti who introduced the following Foresight employees: Chief Operating Officer Ed Miller, Area Manager Peter Palacios, and Golf Operations' Mike Wylan.

Interim Director Anaya provided a presentation covering the following topics: lease timeline; financial highlights, financial review; 2015 recap; 2016 financial goals, 2016 course improvement plans; foot golf opportunities and learn-to-play-golf outreach opportunities.

Ed Miller explained the learn-to-play-golf program.

Council members discussed the following topics: the term of the existing contract with Foresight Golf; the capital improvement program; the golf surcharge; the current fund balance; that \$1.50 per round of golf is collected

and goes into the Capital Fund; elimination of the existing negative fund balance; that the surcharge is not applied toward the fund balance; the need for improvements to parking lots; and thanks to Foresight Golf.

O. FIRST READING ORDINANCES: (ITEMS 14 - 20)

14. First Reading Ordinance - Adopting International Fire Code with local amendments

Ordinance adopting the International Fire Code, 2015 Edition, with local amendments, as the Fire Code of the City of Corpus Christi; and providing for severance, publication, penalty, and an effective date.

Mayor Martinez deviated from the agenda and referred to Item 14. Fire Chief Robert Rocha stated that the purpose of this item is to adopt the International Fire Code with amendments.

There were no comments from the public.

Council members discussed the following topics: changes to sprinkler system requirements in commercial buildings; the cycle on which changes to the Fire Code and other Codes will come to city council; and the fire code requirements for certain home daycares.

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: 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

Absent: 1 - Council Member Hunter

Abstained: 0

15. First Reading Ordinance - Naming the park located at Coves of Lago Vista subdivision

Ordinance naming the park located at Coves of Lago Vista subdivision as Barclay Park.

Mayor Martinez referred to Item 15. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to name the park located at Coves of Lago Subdivision Barclay Park. Interim Director Anaya stated that, through an administrative error, this .8-acre parcel of donated land was omitted from the Parks and Recreation Department's inventory of parkland; this is a niche park which calls for benches, trees and trails; that the local Homeowners' Association has been maintaining this parcel of land and wishes to continue to do so; that it is to be named for local resident Dan Martin's grandfather- and grandmother-in-law; and the name change recommendation before city council has been approved by the Parks & Recreation Advisory Committee.

Council members discussed the following topics: whether there were any other administrative errors; the City's and Dan Martin's financial commitment to this project; that this park will continue to be maintained by the Homeowners' Association; that the City's commitment of \$12,000 is for trees, benches and a trail; whether the Nueces County San Juan Park that lies within the city limits is in the Parks & Recreation Department's inventory; the time table and process for the 2017 Parks & Recreation Department's Master Plan; thanks to the Homeowners' Association and Dan Martin; the process regarding parks that have recently been closed and left open; and signage for the park.

There were no comments from the public.

Council Member Garza 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 Garza, Council Member Hunter, Council Member Magill, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 2 - Council Member McIntyre and Council Member Scott

Abstained: 0

16.

First Reading Ordinance - Accepting and appropriating a State grant for the Oso Bay Wetlands Preserve and Learning Center

Ordinance authorizing the City Manager or designee to execute documents to accept a Community Outdoor Outreach Program grant from the Texas Parks and Wildlife Department in amount of \$48,033.00 for the Observing Science Outdoors Summer Guardians 2016 with City matching funds of \$4,950 and an in-kind match of \$8,391, for total program funds of \$61,371; appropriating the \$48,033.00 grant in the No. 1067 Parks Grants fund and authorizing the transfer of \$4,950 from the No. 1020 General Fund to the No. 1067 Parks Grant fund and appropriating the same for the Observing Science Outdoors Summer Guardians 2016.

Mayor Martinez referred to Item 16. Interim Director of Parks & Recreation Stacie Talbert Anaya stated that the purpose of this item is to execute documents to accept a Community Outdoor Outreach Program grant from the Texas Parks and Wildlife Department in the amount of \$48,033.00 for the Observing Science Outdoors Summer Guardians 2016, with City matching funds of \$4,950 and an in-kind match of \$8,391, for total program funds of \$61,371.

There were no comments from the public.

Council members discussed: being in favor of this item and asked Interim Director Anaya to ensure the facility is well publicized.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Magill. This Ordinance was passed on first reading and approved with the following vote:

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

Abstained: 0

17. First Reading Ordinance - Lease agreement for the 2016 Arts Alive! Event

Ordinance authorizing the City Manager or designee to execute an agreement with the Arts Community Center of Corpus Christi, Inc. to allow use of area generally bounded by current and former N. Shoreline Blvd., between Coopers Alley and Williams Street, for the Arts Alive! Event and related activities on September 1 through September 5, 2016.

Mayor Martinez referred to Item 17. Interim Director of Parks & Recreation Stacie Talbert stated that the purpose of this item is to execute an agreement with the Arts Community Center of Corpus Christi, Inc. to allow use of the area generally bounded by current and former N. Shoreline Blvd., between Coopers Alley and Williams Street, for the Arts Alive! Event and related activities from September 1 through September 5, 2016.

There were no comments from the public.

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

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

Abstained: 0

18. First Reading Ordinance - Amending State Speed Limit in Certain Zones Along Shoreline Drive and Ennis Joslin Road

Ordinance amending the Code of Ordinances, Chapter 53, Article VIII, Section 53-254 Schedule V, Increase of State Speed Limit in Certain Zones by adding Ennis Joslin from Wooldridge Road to Holly Road and updating North and South Shoreline Boulevard and amending Section 53-255 Schedule VI, Decrease of State Law Maximum Speed by removing East Shoreline Boulevard

Mayor Martinez referred to Item 18. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to increase the state speed limit in certain zones by adding Ennis Joslin from Wooldridge Road to Holly Road and updating North and South Shoreline Boulevard and amending Section 53-255 Schedule VI, Decrease of State Law Maximum Speed by removing East Shoreline Boulevard. Executive Director Gray said this recommendation was

approved by the Transportation Advisory Commission at their April 25, 2016 meeting.

In response to a council member's question, Executive Director Gray stated that this item is intended to ensure the posted speed limits in these areas match the speed limits set out in the City's Code of Ordinances and that Traffic Engineering conducted a traffic study in the subject area. City Attorney Risley stated that speed limits are to be based on speed studies and the 85th percentile.

There were no comments from the public.

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

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

Abstained: 0

19. First Reading Ordinance - Interlocal Agreement Amendment for County Road 52 Extension Phase 1B

Ordinance amending the FY 2016 Capital Budget to add Project No. E16303 County Road 52 Phase 1B, appropriating \$100,000 of anticipated revenue from Nueces County, Texas; approving Amendment No. 1 to an Interlocal Agreement with Nueces County, Texas; and authorizing the City Manager, or designee, to execute Change Order No. 2 with Haas Anderson Construction of Corpus Christi, Texas in the amount of \$649,017.80 for the County Road 52 project Phase 1B for final surface treatment and completion of project. (BOND 2008)

Mayor Martinez referred to Item 19. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to approve Amendment No. 1 to an Interlocal Agreement with Nueces County and an ordinance amending the capital budget appropriating \$100,000 of anticipated revenue from Nueces County and for the execution of Change Order No. 2 with Haas Anderson Construction for the final surface treatment and completion of County Road 52 Phase 1B. This project was approved by the Nueces County Commissioners at their June 8, 2016 meeting.

There were no comments from the Council or the public.

Council Member Vaughn 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: 8 - Mayor Martinez, Council Member Garza, Council Member Hunter, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

20. First Reading Ordinance - Authorizing the Issuance of Utility System Revenue Refunding Bonds

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Utility System Junior Lien Revenue Refunding Bonds, Series 2016" in an amount not to exceed \$84,735,000; making provisions for the payment and security thereof by a junior and inferior lien on and pledge of the net revenues of the City's Utility System on a parity with certain currently outstanding utility system revenue obligations; stipulating the terms and conditions for the issuance of additional Revenue Bonds on a parity therewith; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Bonds; including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrars agreement, an escrow agreement, and a purchase contract; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the bonds, and providing an effective date.

Mayor Martinez referred to Item 20. Director of Financial Services Constance Sanchez stated that the purpose of this item is a refunding opportunity for the City's utility system revenue bonds of up to \$84,735,000 for a net present value savings of \$13.1 million or 16.65% to be realized, if all eligible outstanding bonds are refunded at today's interest rates, with the actual amount to be refunded to be determined at the time of pricing. Related to this item is Item 29 on the Future Agenda, which would appoint M. E. Allison & Co. as the City's financial advisor for the Issuance of Utility System Revenue Refunding bonds.

There were no comments from the Council or the public.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Hunter. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Scott

Abstained: 0

P. FUTURE BOARD MEETING: (ITEM 21)

21. Special Board Meeting of the Corpus Christi Housing Finance Corporation

Mayor Martinez referred to Item 21 and stated that a special board meeting of the Corpus Christi Housing Finance Corporation will be held on June 21, 2016.

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

Mayor Martinez referred to Future Agenda Items. Acting City Manager Margie Rose stated that staff had a presentation on Item 26.

22. Resolution authorizing submission of grant application for a Federal grant and Interlocal Agreement for grant funds

Resolution authorizing the City Manager, or designee, to submit a grant application in the amount of \$163,004 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 2016 Local Solicitation with 50% of the funds to be distributed to Nueces County under the established 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 Assistance Grant (JAG) Program FY 2016 Local Solicitation.

This Resolution was recommended to the consent agenda.

23. Resolution awarding Service Agreements for Bayfront and Medians Turf and Grounds Maintenance and Stormwater Improved Rights-of-Way Mowing

Resolution finding the lowest, responsive, responsible bidder for mowing services by grouped acreage in response to Bid Event No. 104, 110, 111, 112, 113, 114 and 115; awarding a service agreement to the lowest, responsive, responsible bidder for each acreage group; and authorizing the City manager or designee to execute a service agreement with the lowest, responsive, responsible bidder for each acreage group for a total cost of \$288,905.73 of which \$72,226.43 is required for the remainder of FY 2015-2016. Agreements will be for one year with an option to extend for up to four additional one year terms, subject to the approval of the Contractor and the City Manager or designee. Funds have been budgeted by the Parks and Recreation Department in FY 2015-2016.

Cut Masters Lawn Service
Corpus Christi, Texas
\$13,692.00

Dorame General Repair & Lawn
Corpus Christi, Texas
\$139,349.13

Texas Gulf Coast Contracting
dba Gulf Coast Maintenance
Corpus Christi, Texas

La Med Facility maintenance, Inc.
San Antonio, Texas
\$37,483.60

\$98,381.00

This Resolution was recommended to the consent agenda.

24. Supply Agreement for chemical used for the treatment of potable drinking water at the O.N. Stevens Water Treatment Plant

Motion approving a Supply Agreement with Carus Corporation, Peru, Illinois, for approximately 720,000 wet pounds of Sodium Permanganate in accordance with Bid Invitation No. 118, based on the lowest, responsive and responsible bid for a not to exceed amount of \$878,400.00 of which \$219,600.00 is required for the remainder of FY 2015-2016. The term of the agreement shall be for one year with an option to extend for up to two one year terms, subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the Water Department in FY 2015-2016.

This Motion was recommended to the consent agenda.

25. Engineering Design Contract Amendment No. 3 for the Programmed Water Line Service Life Extension for City-Wide Distribution Repair and Replacement - Indefinite Delivery/Indefinite Quantity (IDIQ) Procurement

Motion authorizing the City Manager, or designee, to proceed with delivery order preparation by executing Amendment No. 3 to the Engineering Design Contract with Urban Engineering of Corpus Christi, Texas in the amount of \$328,350, for a total restated fee not to exceed \$645,790 for the Programmed Water Line Service Life Extension for City-Wide Distribution Repair and Replacement - Indefinite Delivery/Indefinite Quantity (IDIQ) Procurement.

This Motion was recommended to the consent agenda.

26. Construction Contract and Materials Testing Agreement for Kostoryz Road from Brawner Parkway to Staples Street (Bond 2012, Proposition 1)

Motion authorizing the City Manager, or designee, to execute a construction contract with Reytec Construction Resources, Inc. of Houston, Texas in the amount of \$8,796,224.60 and a construction materials testing agreement with Rock Engineering and Laboratory, Inc. in the amount of \$64,924.00 for Kostoryz Road from Brawner Parkway to Staples Street. (BOND 2012 Proposition 1)

This Motion was recommended to the consent agenda.

27. Engineering Design Contract for Sea Town (aka S.E.A. District) Pedestrian Improvements (Bond 2012, Proposition 8)

Motion authorizing the City Manager, or designee, to execute an Engineering Design Contract with LJA Engineering, Inc. of Corpus Christi, Texas in the amount of \$157,806.71 for the SeaTown (aka S.E.A. District) Pedestrian Improvements project for engineering design services. (Bond 2012, Proposition 8).

This Motion was recommended to the regular agenda.

28. Service Agreement for Lindale Senior Center Roof Repair

Motion authorizing the City Manager, or designee, to execute a service agreement with South Texas Metal Roofing of Corpus Christi, Texas, for the roof repair of Lindale Senior Center, in accordance with Bid Event No. 96 based on the lowest, responsive and responsible bid for a base cost of \$174,850 and an additional 10% project contingency in the amount of \$17,485 for unforeseen repairs.

This Motion was recommended to the consent agenda.

29. Appointing Financial Advisor for Issuance of Utility System Revenue Refunding Bonds

Motion authorizing the appointment of and approving the contract for M. E. Allison, & Co., as Financial Advisor for the issuance of the "City of Corpus Christi, Texas Utility System Junior Lien Revenue Refunding Bonds, Series 2016", in an amount not to exceed \$84,735,000.

This Motion was recommended to the regular agenda.

R. BRIEFINGS: (ITEMS 30 - 35)

32. Drinking Water Treatment: The Basics And Drinking Water Short Term Action Plan

Mayor Martinez deviated from the agenda and referred to Item 32. Interim Director of Water & Utilities Dan Grimsbo stated that the purpose of this item is to provide two presentations: one on Water Basics, the other on the short-term action plan. Interim Director Grimsbo introduced Dr. William Becker of Hazen & Sawyer.

Dr. Becker provided the Water Basics presentation which covered the following topics: acronyms used; death rate decline chart for typhoid fever and control of waterborne diseases; disinfection by-products; the Stage 2 Disinfection By-Products (DBP) Rule; regulatory challenges; types of disinfectant systems; sources of natural organic matter; DBP formation; DBP control in the water system; the typical conventional water filtration plant process; the coagulation process; the flocculation process; the sedimentation process; DBP control options; the history of chloramines; what are chloramines; how chloramine is formed; treatment options, including: advanced natural organic matter removal and activated carbon; annual cost of compliance technology options; and next steps.

Council members and Dr. Becker discussed the following topics: the linear nature of the City's water distribution system; use of a water distribution tree system; problems associated with a grid system; the use of localized chlorine "burns"; whether there is flouride in the City's water system; if flouride is a carcinogen or if it hastens the corrosion of pipes in the water distribution system; the estimated \$150 - \$200 million dollar cost of an active carbon treatment system; an explanation of the process of active carbon treatment; the need for a 1-year pilot study of active carbon treatment; the time to bid will be approximately 2 years; that the construction period will be an additional 2 years to move to free-chlorine on a regular basis; and other states' regulations in comparison to those in Texas.

Interim Director Dan Grimsbo provided a presentation on the Short-Term Action Plant at the water treatment plant and in the water distribution system.

33. Discussion and Direction - Vehicle for Hire / Taxi Ordinance

Mayor Martinez referred to Item 33. Interim Assistant City Manager Jay Ellington stated that the purpose of this item is to update the Council on the status of the Vehicle-for-Hire ordinance.

Interim Assistant City Manager Ellington provided a presentation that covered the following topics: a timeline; costs associated with removing City taxi vehicle inspections; additional comments from taxi companies and an example of zones and placards.

Council members, Interim Assistant City Manager Ellington and Police Captain William Breedlove discussed the following topics: setting the street rental fee at a reasonable amount; whether the amount can be the same for Transportation Network Companies (TNC) and Vehicles-for-Hire (VFH); whether the street rental fee should be a percentage or a flat fee, and tiered; the amount of regulations for the VFH industry; the differences between the TNC and VFH industries and how to address those difference in the City's ordinances; a tiered approach that is scalable up and down; and a desire that changes should be revenue-neutral.

MOTION OF DIRECTION

Mayor Martinez made a motion directing staff to discuss with TNCs, whether they prefer the 2% fee or a flat fee that is tiered and revenue neutral, seconded by Council Member McIntyre and passed unanimously.

Council members, Interim Assistant City Manager Ellington and Captain Breedlove further discussed the following topics: the need for the City to be reasonable in setting the fee; not wanting the City to subsidize VFH companies; conducting a survey of taxi and limousine businesses, asking for their total revenues; that from information to date, taxi companies indicate that the 2% fee would be much higher than what they are now paying via the street user fee; a desire to reduce regulation on the industry and ensure the ordinance is simple; the comments from the Corpus Christi Airport Board; considering a quarterly or annual payment at the Airport; and the transferability of the Airport fee to another vehicle.

34. Corpus Christi-Nueces County Public Health District Response to

ZIKA

Mayor Martinez referred to Item 34. Director of the Health Department Annette Rodriguez stated that the purpose of this item is to provide an update on the Corpus Christi-Nueces County Public Health District's response to Zika. Director Rodriguez introduced Dr. William W. Burgin, Local Health Authority, Dr. Dante Gonzalez, Public Health Administrator and Police Captain Christopher White with the City's Vector Control Program.

Director Rodriguez provided a presentation that covered the following topics: Zika symptoms; Zika virus cases in Texas and Nueces County; effects on pregnancy; treatments; prevention; the City's Vector Control response to detection of the Zika, Dengue, Yellow Fever and Chickungunya viruses; the Health District's efforts; and the Health District's recommendations to reduce the risk of exposure.

Council members and staff discussed the following topics: the correct way to rectify high weeds, standing water or tires; reporting options for problematic addresses/locations; how Zika can be transmitted; that symptoms appear in the third or fourth day and the virus is live for 7-10 days; after having had the virus one becomes immune to contracting the virus again; that there are not currently any cases of Zika in Nueces County; the use of mineral oil to treat standing water in order to kill mosquito larvae; and the importance of wearing mosquito repellent, most particularly when traveling to foreign countries where the Zika virus is present so as not to bring the virus back to the United States.

S. ADJOURNMENT

The meeting was adjourned at 8:29 p.m.