



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, June 10, 2014

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.

B. Invocation to be given by Pastor Linda Morrow, St. Peter's by the Sea United Methodist Church.

Pastor Linda Morrow gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Valerie Gray, Director of Street Operations.

Director of Street Operations Valerie Gray 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 stated that a quorum of the Council and the required Charter Officers were present to conduct the meeting. City Secretary Huerta announced that Council Member Leal has been granted a leave of absence.

Charter Officers:

Deputy City Manager Margie Rose, Assistant City Attorney Lisa Aguilar, and City Secretary Rebecca Huerta.

(Note: City Manager Ron Olson arrived at 12:57 p.m.)

Present: 8 - Mayor Nelda Martinez, Council Member Kelley Allen, Council Member Rudy Garza, Council Member David Loeb, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Mark Scott

Absent: 1 - Council Member Priscilla Leal

E. Proclamations / Commendations

1. Proclamation declaring June 9-15, 2014 as, "Men's Health Week"
Proclamation declaring June 13, 2014 as, " Antonia Medina 'Grandma Toni' Day of Remembrance"
Proclamation declaring June 21, 2014 as, "CreativeMinds Go

Skateboarding Day"

Proclamation declaring June 22, 2014 as, "Ms. Coastal Bend Senior Pageant Day"

Presentation of June Green & Clean Award

Mayor Martinez presented the proclamations.

- F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.**

Mayor Martinez called for comments from the public. Jack Gordy spoke regarding city employees using city issued credit cards for personal use. Susie Luna Saldana spoke in support of building Fire Station No. 18, which was approved by the voters in the Bond 2008 Election. Denise Thomas requested information regarding a prohibition on discussing information on Fire Station No. 18 while in litigation. Major Terry Reid with The Salvation Army spoke in appreciation of the City showing interest and discussing the homelessness issue.

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

Mayor Martinez referred to City Manager's Comments.

a. City Performance Report - Animal Care

Police Commander Todd Green, Supervisor of Animal Control Services, provided a briefing on the operations, mission and goals of the Animal Care Division of the Police Department.

b. Other

Deputy City Manager Margie Rose announced that the Plan Corpus Christi Comprehensive Plan 2035 project workshops in the five Council districts begin this week, with a Citywide Forum scheduled on Saturday, June 28th from 9:00 a.m. to 1:00 p.m. at the American Bank Center. After the series of public meetings, staff will develop a shared vision for the City and identify priorities based on the input received. Ms. Rose added that more information can be found at www.plancc2035.com.

I. MINUTES:

7. Regular Meeting of May 27, 2014

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

J. BOARDS & COMMITTEE APPOINTMENTS:

8. Corpus Christi Regional Transportation Authority
Senior Companion Program Advisory Committee

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

Corpus Christi Regional Transportation Authority:

Council Member Loeb made a motion to reappoint Thomas E. Dreyer, George B. Clower, Tony Elizondo, Mary J. Saenz, and Jeffrey Pollack, seconded by Council Member Scott and passed unanimously.

Senior Companion Program Advisory Committee:

Council Member McIntyre made a motion to reappoint Shirley Tipton, Maria (Isabel) Odeh, and Monica Rodriguez, seconded by Council Member Magill and passed unanimously. Council Member Loeb made a motion to appoint Sherry L. Dubois, seconded by Council Member McIntyre and passed unanimously.

K. EXPLANATION OF COUNCIL ACTION:**L. CONSENT AGENDA: (ITEMS 9 - 18)****Approval of the Consent Agenda**

Mayor Martinez referred to the consent agenda. There were no comments from the public. Council Member Magill requested that Item 12 be pulled for individual consideration. The consent agenda was passed by one vote as follows:

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

Absent: 1 - Council Member Leal

Abstained: 0

9. Resolution approving submission of grant applications for the Highway Safety Improvement Program

Resolution supporting the submission of multiple grant applications with the Texas Department of Transportation (TxDOT) Highway Safety Improvement Program (HSIP) for projects to improve and interconnect traffic signals at selected locations throughout the City of Corpus Christi.

This Resolution was passed on the Consent Agenda.

Enactment No: 030187

10. Resolution supporting submission of a grant application for the Harbor Bridge Livable Community Plan

Resolution supporting submission of a grant application to the United States Department of Transportation for a "Transportation Investment Generating Economic Recovery" (TIGER) Discretionary Grant for the Harbor Bridge Livable Community Plan; in the amount of \$1,000,000.

This Resolution was passed on the Consent Agenda.

Enactment No: 030188

11. Engineering design contract for Municipal Communication Studio facility renovation

Motion authorizing the City Manager, or designee, to execute a Design Services Contract with Russ Berger Design Group, Inc. from Addison, Texas in the amount of \$59,300 for the City of Corpus Christi Municipal Communication Studio Facility Renovation.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-068

13. Second Reading Ordinance - Rezoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, on property located at 7801 Slough Road (1st Reading 5/27/14)

Case 0414-06 Grangefield Development, LLC: A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District, not resulting in a change to the Future Land Use Plan. The property is described as being a 19.704-acre tract of land out of Lot 6, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Slough Road, approximately 350 feet east of Freds Folly Drive.

Planning Commission and Staff Recommendation (April 23, 2014): Approval of the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Grangefield Development, LLC ("Owner"), by changing the UDC Zoning Map in reference to a 19.704-acre tract of land out of Lot 6, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

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

Enactment No: 030189

14. **Second Reading Ordinance - Rezoning from the "CR-2" Resort Commercial District and "CR-2/IO" Resort Commercial District with an Island Overlay to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay on property located at 14313-14361 Nemo Court (1st Reading 5/27/14)**

Case No. 0414-05 Upper Padre Partners, LP: A change of zoning from the "CR-2" Resort Commercial District and "CR-2/IO" Resort Commercial District with an Island Overlay to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay. The property is described as being a 7.24-acre tract of land out of all of Lots 11 through 23, Block 46, Padre Island - Corpus Christi, Island Fairway Estates, and a portion of Lot 27D, Padre Island - Corpus Christi, Island Fairway Estates, located along the west side of Nemo Court, approximately 250 feet west of South Padre Island Drive (PR 22) and north of Whitecap Boulevard.

Planning Commission and Staff Recommendation (April 23, 2014): Approval of the change of zoning from the "CR-2" Resort Commercial District and "CR-2/IO" Resort Commercial District with an Island Overlay to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Upper Padre Partners, LP, and Bryan R. Gulley ("Owners"), by changing the UDC Zoning Map in reference to a 7.24-acre tract of land out of all of Lots 11 through 23, Block 46, Padre Island - Corpus Christi, Island Fairway Estates, and a portion of Lot 27D, Padre Island - Corpus Christi, Island Fairway Estates, from the "CR-2" Resort Commercial District and "CR-2/IO" Resort Commercial District with an Island Overlay to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 030190

15. **Second Reading Ordinance - Request for a Special Permit Time Extension, on property located at 8801 State Highway 44 (1st Reading 5/27/14)**

Case No. 0313-01 Thomas Petroleum, LLC: A request for a Special Permit time extension for an additional two years. The property requiring the Special Permit time extension is described as Lot 1, Block 1, Thomas Petroleum Subdivision, located on the south side of State Highway 44, approximately 670 feet east of South Clarkwood Road.

Planning Commission and Staff Recommendation (April 23, 2014): Denial of the applicant's requested two-year time extension and approval of a one-year time extension.

Ordinance

Ordinance amending Ordinance No. 029841, upon request by Thomas Petroleum, LLC ("Owner"), by adding a one-year time extension to the special permit time limit initially approved; 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: 030191

16. Second Reading Ordinance - Accepting and appropriating grant funds for Stonegarden Grant Program (1st Reading 5/27/14)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$262,595 from Nueces County for funding eligible under the FY2013 Department of Homeland Security Grant Program Operation Stonegarden to reimburse fuel, overtime, fringe benefits, and equipment expenditures for the Police Department's collaborative enforcement efforts with Nueces County along routes of ingress and egress to include (but not limited to) U. S. Highway 77 and State Highway 44; and appropriating the \$262,595 in the No. 1061 Police Grants Fund.

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

Enactment No: 030192

17. Second Reading Ordinance - Approving an agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located north along Saratoga Boulevard (SH 357), east of Ayers Street (1st Reading 5/27/14)

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with Spear Consolidated, Ltd., ("Developer"), for the construction of a water arterial transmission and

grid main line and appropriating \$84,536.35 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: 030193

18. Second Reading Ordinance - Type A Grant for the Del Mar College Process and Instrumentation (1st Reading 5/27/14)

Ordinance approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Del Mar College Foundation ("Del Mar") to provide a grant of up to \$1,390,071, to expand Del Mar College's Process and Instrumentation Technology Program by purchasing a Process Technology Base Unit and Glycol Distillation Unit with ancillary equipment/software and a Process Control Learning System and authorizing the City Manager, or designee, to execute a Business Incentive Project Service Agreement with the Type A Corporation regarding implementation and administration of the Del Mar Business Incentive Agreement; and appropriating \$1,390,071 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for said business incentive grant from the Type A Corporation to Del Mar and changing the FY 2013-2014 operating budget, adopted by Ordinance No. 029915, by increasing proposed expenditures by \$1,390,071.

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

Enactment No: 030194

12. Agreement for Bond Counsel Services

Motion authorizing the City Manager to enter into an agreement with Fulbright & Jaworski, LLP of San Antonio, Texas to perform bond counsel services for the City of Corpus Christi.

Mayor Martinez referred to Item 12. Council Member Magill thanked Director of Financial Services Constance Sanchez for taking the time to review the contract and address his concerns. There were no comments from the public.

This Motion was passed and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2014-069

M. PUBLIC HEARINGS: (ITEM 19)**19. Public Hearing and First Reading Ordinance regarding the City of Corpus Christi's proposed FY2014-2015 Consolidated Annual Action Plan**

Ordinance to adopt the fiscal year (FY) 2014-2015 Consolidated Annual Action Plan (CAAP), for the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships (HOME) Programs; to authorize the City Manager or designee to submit the FY2014-2015 CAAP to the U.S. Department of Housing and Urban Development (HUD), and to amend if required by HUD; to authorize the City Manager or designee to execute all documents necessary to accept and appropriate upon receipt the grants from HUD into the Grant Fund No. 1059 for the approved FY2014-2015 CAAP projects and further to execute funding agreements and all other documents necessary to implement the FY2014-2015 CAAP with organizations for approved projects.

Mayor Martinez referred to Item 19. Director of Housing and Community Development Eddie Ortega stated that the purpose of this item is to hold a public hearing and approve the first reading of the proposed FY2014 Consolidated Annual Action Plan (CAAP) for the CDBG, ESG, and HOME programs. Mr. Ortega provided an overview of the CDBG staff recommendations.

Council Member Magill made a motion to open the CDBG public hearing, seconded by Council Member McIntyre and passed. Elizabeth Contreras with TG303, Inc. thanked the Council for consideration of funding the Casa De Manana Apartments. Harvey Manning with The Deaf & Hard of Hearing Center thanked the Council for consideration of funding a grant for a new building. Bert Quintanilla, CASA of the Coastal Bend, thanked the Council for consideration of funding a grant for CASA. Council Member Garza made a motion to close the public hearing, seconded by Council Member McIntyre and passed.

Mr. Ortega provided the recommendations for the ESG programs. Community Development Administrator Rudy Bentancourt responded to council members questions regarding the following topics: the ranking outcomes; how the four ranking criteria are measured; federal experience; agency experience; the type of data collected at the end of the year required by HUD; budget and financial management; what constitutes a match of funds; the requirement of a Dun & Bradstreet number; how the rankings received determine funding; the percentage of homeless prevention and rapid re-housing; the budget that each entity is required to present; and Recovery Contacts funding.

Council Member McIntyre made a motion to reduce the funding from ESG-Recovery Contacts, Inc. from \$20,000 to \$11,000, seconded by Council Member Allen and passed unanimously.

Council Member McIntyre made a motion to increase funding for ESG-Metro

Ministries by \$5,000 for a total amount of \$30,000, seconded by Council Member Scott and passed unanimously.

Council Member Riojas made a motion to split the remaining \$4,000 and increase the funding for ESG-Mary McLeod Bethune Day Nursery and ESG-South Texas Substance Abuse Recovery Services, seconded by Council Member Loeb and passed unanimously.

Council Member McIntyre made a motion to open the ESG public hearing, seconded by Council Member Scott and passed. There were no comments from the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Scott and passed.

Mr. Ortega presented the staff recommendations for the HOME program. Council Member Scott made a motion to open the public hearing, seconded by Council Member Magill and passed. There were no comments from the Council or the public. Council Member Garza made a motion to close the public hearing, seconded by Council Member Scott and passed. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

FIRST READING ORDINANCES: (ITEM 26, 28 and 29)

N. REGULAR AGENDA: (NONE)

26. First Reading Ordinance - Type A Grant for Texas A&M University Electrical Engineering of \$1,000,000

Approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Texas A&M University - Corpus Christi to provide a grant of \$1,000,000 to expand its undergraduate degrees in electrical engineering and authorizing the City Manager, or designee, to execute a Business Incentive Project Service Agreement with the Type A Corporation regarding implementation and administration of the Texas A&M University - Corpus Christi Business Incentive Agreement; and appropriating \$1,000,000 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for said business incentive grant from the Type A Corporation to Texas A&M University - Corpus Christi and changing the FY 2013-2014 operating budget, adopted by Ordinance No. 029915, by increasing proposed expenditures by \$1,000,000.

Mayor Martinez deviated from the agenda and referred to Item 26. Mike Culbertson, Corpus Christi Regional Economic Development Corporation,

stated that the purpose of this item is to approve a Type A grant for Texas A&M University - Corpus Christi (TAMU-CC) to expand their electrical engineering program. Dr. Jim Lee, TAMU-CC, presented information on the number of TAMU-CC graduates; the funding provided to the University from the City and the return on investment; the mechanical engineering earning impact; the projected impact of the engineering program; the Coastal Bend labor market outlook; and the wage estimate for electrical engineers. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

28. First Reading Ordinance - Fixed rate bonds for Mary Rhodes Pipeline, Phase 2 (Related Items 29 & 43)

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Utility System Junior Lien Revenue Improvement Bonds, Series 2014A", in an amount, when combined with other City Utility System Revenue Obligations authorized on the date hereof, not to exceed \$155,000,000; 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; 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/registrar 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 the Mayor and certain members of the City staff to execute certain documents relating to the sale of the bonds; and providing an effective date.

Mayor Martinez deviated from the agenda and referred to Item 28. Director of Financial Services Constance Sanchez stated that Items 28, 29, and future agenda Item 43 are related to the issuance of \$155,000,000 for the Mary Rhodes Pipeline, Phase 2. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

29. First Reading Ordinance - Variable rate bonds for Mary Rhodes

Pipeline, Phase 2 (Related Items 28 & 43)

Ordinance authorizing the issuance of "City of Corpus Christi, Texas Utility System Variable Rate Junior Lien Revenue Improvement Bonds, Series 2014B", when combined with other City Utility System Revenue Obligations authorized on the date hereof, not to exceed \$155,000,000; 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; 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 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 the Mayor and certain members of the City staff to execute certain documents relating to the sale of the bonds; and providing an effective date.

This item was discussed during Item 28. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

H. EXECUTIVE SESSION: (ITEMS 2 - 6)

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

- 2.** Executive Session pursuant to Section 551.074, Texas Government Code, to consider the evaluation performance and employment of the City Manager, with possible action and discussion in open session

The Council returned from executive session. Mayor Martinez referred to Item 2 and stated that the following motion was discussed in executive session for Council consideration:

Motion to increase City Manager Ron Olson's base salary to \$231,850 a year.

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

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2014-065

- 3.** Executive Session pursuant to Texas Government Code Section 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys on annexation, with possible action and discussion in open session.

Mayor Martinez referred to Item 3 and stated that the following motion was discussed in executive session for Council consideration. Council Member Magill recused himself from the discussion.

Motion directing the City Manager and staff to continue with annexation proceedings.

Council Member Loeb made a motion to approve the motion as presented, seconded by Council Member Allen. The Motion was passed and approved with the following vote:

Aye: 7 - Mayor Martinez, Council Member Allen, Council Member Garza, Council Member Loeb, Council Member McIntyre, Council Member Riojas and Council Member Scott

Absent: 1 - Council Member Leal

Abstained: 1 - Council Member Magill

Enactment No: M2014-066

- 4.** Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code to consult with attorneys regarding Cause No. 2012DCV-1667-D, styled Luther Broadus and Angela Broadus v. City of Corpus Christi, for discussion and possible action in open session

Mayor Martinez referred to Item 5 and stated that the following motion was discussed in executive session for Council consideration:

Motion directing the City Manager or his designee to execute a settlement agreement regarding Cause No. 2012DCV-1667-D, styled Luther Broadus and Angela Broadus v. City of Corpus Christi.

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

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: M2014-067

5. Executive session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding fire collective bargaining negotiations with possible discussion and action in open session

Mayor Martinez referred to Item 5 and stated that the following resolution was discussed in executive session for Council consideration:

Resolution regarding the matter of the 2014 negotiation process between the City of Corpus Christi Professional Firefighters' Association Local Union 936.

Council Member McIntyre made a motion to approve the resolution as presented, seconded by Council Member Scott. This Resolution was passed and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

Enactment No: 030195

6. Executive Session pursuant to Texas Government Code Section 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys on desalination water supply contract matters, with possible action and discussion in open session.

This E-Session Item was discussed in executive session.

O. FIRST READING ORDINANCES: (ITEMS 20 - 25 and 27)

24. **First Reading Ordinance - Amendment to lease agreement and assignment to World Duty Free Group for additional news and gift concession space at the airport**

Ordinance authorizing the City Manager, or designee, to execute a First Amended Long Term Lease Agreement ("Lease") with World Duty Free Group US, Inc. ("WDFG") to provide for additional space for the operation of a news and gift concession located at the Corpus Christi International Airport ("Airport") at a rental rate which may change each fiscal year in accordance with airline rates and charges: providing for publication.

Mayor Martinez referred to Item 24 and stated that this item was withdrawn from consideration.

20. **First Reading Ordinance - Appropriating state grant for the 2014 Parks and Recreation Summer Food Program**

Ordinance appropriating a \$250,000 grant from the Texas Department

of Agriculture in the No. 1067 Parks and Recreation grant fund to operate a summer food service program for summer recreation participants ages one to eighteen.

Mayor Martinez referred to Item 20. Director of Parks and Recreation Michael Morris stated that the purpose of this item is to operate the summer food program. There were no comments from the Council or the public. 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 Scott, Council Member Allen, Council Member Garza and Council Member Loeb

Absent: 2 - Council Member Riojas and Council Member Leal

Abstained: 0

21. First Reading Ordinance - Closing a portion of a 10-foot wide easement located south of Glenoak Drive and west of Waldron Road.

Ordinance abandoning and vacating a portion of a 10-foot wide utility easement out of Lot 8, Section 50, Flour Bluff & Encinal Farm & Garden Tract, located south of the Glenoak Drive public right-of-way, and located west of the Waldron Road public right-of-way; and requiring the owner, Flour Bluff Independent School District, to comply with the specified conditions.

Mayor Martinez referred to Item 21. Interim Director of Development Services Barney Williams stated that the purpose of this item is to abandon and vacate a utility easement out of Lot 8, Section 50, Flour Bluff & Encinal Farm & Garden Tracts; and requiring the owner, Flour Bluff Independent School District, to comply with the specified conditions. Mr. Williams stated that staff recommended support of this item. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 2 - Council Member Leal and Council Member Riojas

Abstained: 0

22. First Reading Ordinance - Appropriating State reimbursement funds for purchase of cargo van

Ordinance authorizing the City Manager to appropriate \$25,878.78 reimbursement received from the Texas State Library and Archives Commission for participation in Project Loan into the Libraries Grant Fund No. 1068, Project No. 807714L, Miscellaneous Library Grants, for purchase of a cargo van for library services.

Mayor Martinez referred to Item 22. Director of Libraries Laura Garcia stated

that the purpose of this item is to appropriate a \$25,878.78 reimbursement received from the Texas State Library and Archives Commission for the purchase of a cargo van. There were no comments from the Council or the public. 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 Scott, Council Member Allen, Council Member Garza and Council Member Loeb

Absent: 1 - Council Member Leal

Abstained: 0

23. First Reading Ordinance - Appropriating royalties from the Estate of William T. Neyland for technology services

Ordinance authorizing the City Manager to appropriate \$3,216.96 from royalties from oil, gas, and mineral interests bequeathed to the City from the Estate of William T. Neyland into the Libraries Grants Fund No. 1068, Project No. 807713L, Neyland Royalties, to be used for technology services.

Mayor Martinez referred to Item 23. Director of Libraries Laura Garcia stated that the purpose of this item is to appropriate \$3,216.96 from the Estate of William T. Neyland to be used for technology services. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

25. First Reading Ordinance - Amending City Code to change the annual audit plan deadline

Ordinance amending Chapter 12 ½ of the City Code of Ordinances regarding timeline for submission of annual audit plan.

Mayor Martinez referred to Item 25. City Auditor Arlena Sones stated that the purpose of this item is to change the deadline for the Annual Audit Plan from fiscal year to calendar year. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

27. First Reading Ordinance - Amending City Code of Ordinances regarding personal leave

Ordinance to amend Chapter 39 of the City Code of Ordinances, Personnel, regarding personal leave.

Mayor Martinez referred to Item 27. Director of Human Resources Yasmine Chapman stated that the purpose of this item is to amend the Code of Ordinances regarding Personal Leave to offer prorated personal leave for new employees hired after August 1 and change the language regarding the use of personal leave to July 31st. There were no comments from the Council or the public. This Ordinance was passed on first reading and approved with the following vote:

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

Absent: 1 - Council Member Leal

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 30 - 43)

Mayor Martinez referred to the Future Agenda Items. City Manager Olson stated that staff had planned presentation on Items 33, 38 and 42. A council member commented on Item 31.

30. Resolution for special Community Development Block Grant (CDBG) code enforcement activities

Resolution of the City Council of the City of Corpus Christi accepting the determination that certain areas of the City are deteriorating areas and designating these areas for special code enforcement activities in Community Development Block Grant Program.

This Resolution was recommended to consent agenda.

31. Interlocal Agreement for use of body cameras

Resolution authorizing the City Manager or his designee to execute an Interlocal Agreement with Nueces County to allow the Police Department use of seventy-eight (78) body cameras acquired by the County as part of a grant for Violence Against Woman for a period of one year.

This Resolution was recommended to consent agenda.

32. Agreement renewal for art donation for Hans Suter Park

Motion authorizing the City Manager, or designee, to execute an agreement with the South Texas Alliance of Indigenous People for the

donation and acceptance of the bronze sculpture by David McGary commemorating the Native Americans in Corpus Christi to be placed at Hans Suter Park.

This Motion was recommended to consent agenda.

33. Decommissioning of Parks as identified in the Parks, Recreation and Open Space Master Plan

Resolution finding, upon public hearing, that certain parcels of real property owned by the City and designated as park lands have no feasible and prudent use as park lands and that all reasonable planning efforts have been made to minimize harm to the city's park lands as a result of the sale or disposal of the specified parcels.

This Resolution was recommended to consent agenda.

34. Resolution authorizing request to Texas General Land Office for continued financial assistance for beach cleaning and maintenance

Resolution authorizing the City Manager or designee to execute all documents necessary to request continued financial assistance for beach cleaning and maintenance on North Padre Island and Mustang Island during FY 2014-2015 under the Texas General Land Office's Beach Cleaning and Maintenance Assistance Program.

This Resolution was recommended to consent agenda.

35. Advance funding agreement for Schanen Hike and Bike Trail from Yorktown Boulevard to Saratoga Boulevard (Bond 2008/2012)

Resolution authorizing the City Manager, or designee, to execute an Advance Funding Agreement with the Texas Department of Transportation (TXDOT) for Schanen Hike and Bike Trail from Yorktown Boulevard to Saratoga Boulevard with the City's participation in the amount of \$207,340. (Bond 2008/2012)

This Resolution was recommended to consent agenda.

36. Amendment No. 1 to work plan and budget agreement to correspond with the City's revised fiscal year

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the FY 2014 work plan and budget agreement with the Nueces River Authority in the amount of \$16,666, for a total restated fee not to exceed \$116,666 to provide water planning, protection, development, and data management services for the two additional months of the revised fiscal year.

This Motion was recommended to consent agenda.

37. Amendment No. 30 for the Runway 13-31 Extension/Displacement and Connecting Taxiway

Motion authorizing the City Manager, or designee, to execute Amendment No. 30 with KSA Engineers, Inc. from Longview, Texas in the amount of \$2,724,339.60 for a total restated fee of \$6,665,109.71 for the Corpus Christi International Airport Runway 13-31 Extension/Displacement and Connecting Taxiway Project for construction administration phase and close out services.

This Motion was recommended to consent agenda.

38. Upgrade the existing software and hardware for the Multi User Flight Information Display System (MUFIDS) currently installed at Corpus Christi International Airport (CCIA)

Motion authorizing the City Manager, or designee, to execute an agreement for the purchase of system upgrades for the current Multi User Flight Information Display System (MUFIDS) at Corpus Christi International Airport from INFAX, Duluth, Georgia for total amount of \$138,348.

This Motion was recommended to consent agenda.

39. Supply agreement for sodium hypochlorite solution for use at wastewater treatment plants and pump station

Motion approving a supply agreement with Brenntag Southwest, Inc., Houston, Texas for approximately 2,514,511 gallons of sodium hypochlorite solution in accordance with Bid Invitation No. BI-0151-14 based on lowest responsible bid for an estimated twelve month expenditure of \$1,271,849.61 of which \$423,949.87 is required for FY 2013-2014. The term of the supply agreement will be for twelve months with an option to extend for up to two additional twelve-month periods subject to the approval of the supplier and the City Manager or designee. Funds are available in the Utilities Operations Budget in FY 2013-2014.

This Motion was recommended to consent agenda.

40. Service agreement for Mary Rhodes Pipeline easement mowing

Motion approving a service agreement with Diamond M Field Services, Schertz, Texas for Mary Rhodes Pipeline Easement Mowing in accordance with Bid Invitation No. BI-0115-14, based on only bid for an estimated annual expenditure of \$125,600.00, of which \$52,333.33 is required for the remainder of FY 2013-2014. The term of the

contract will be for twelve (12) months with options to extend for up to four (4) additional twelve-month periods, subject to the approval of the Contractor and the City Manager or designee. Funds have been budgeted by the Utilities Department in FY 2013-2014.

This Motion was recommended to consent agenda.

41. Approving Contract for Microsoft License Renewal

Motion authorizing the City Manager, or designee, to execute a contract with Software House International (DIR-SDD-2503) for \$1,121,023.50. The purchase will be paid with three annual payments of \$373,674.50 (\$1,121,023.50 total).

This Resolution was recommended to consent agenda.

42. Resolution regarding the City of Corpus Christi Water Management Plan 2015-2050

Resolution of the City of Corpus Christi, Texas regarding the City's Water Management Plan 2015-2050.

This Resolution was recommended to consent agenda.

Enactment No: 030200

43. Appointment of financial advisor for the funding of Mary Rhodes Pipeline, Phase 2 (Related Items 18 & 19)

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the issuance of "City of Corpus Christi, Texas Utility System Junior Lien Revenue Improvement Bonds, Series 2014A and Series 2014B" in an aggregate amount not to exceed \$155,000,000.

This Motion was recommended to consent agenda.

Q. BRIEFINGS TO CITY COUNCIL: (NONE)

R. ADJOURNMENT

The meeting was adjourned at 6:42 p.m.