



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes City Council

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Tuesday, September 16, 2014

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

**B. Invocation to be given by Reverend Yul Ibay, Holy Cross Catholic Church.**

Reverend Yul Ibay gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Police Commander Todd Green.**

Police Commander Todd Green 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.

(Council Member Scott arrived at 11:35 a.m.)

**Charter Officers:**

**Deputy City Manager Margie Rose, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.**

**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 (NONE)**

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

Mayor Martinez deviated from the agenda and referred to City Manager's Comments. Deputy City Manager Rose stated that there were no comments.

a. **Other**

None.

I. **MINUTES:**

3. Regular Meeting of September 9, 2014

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

J. **BOARD & COMMITTEE APPOINTMENTS: (NONE)**

K. **EXPLANATION OF COUNCIL ACTION:**

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

**Approval of the Consent Agenda**

Mayor Martinez referred to the Consent Agenda. Council Member McIntyre requested that Item 9 be pulled for individual consideration. The remaining consent agenda items were 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

4. **Approving the purchase of four hundred (400) AV 3000 HT Masks for the Fire Department**

Motion approving the purchase of four hundred (400) AV 3000 HT Mask from Municipal Emergency Services Inc., Houston, Texas in accordance with Bid Invitation No. BI-0234-14 based on the lowest responsible bid for a total expenditure of \$83,556.00. Funds are available in the General Fund Budget FY 2013- 2014.

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

Enactment No: M2014-115

5. **Approving supply agreements for food items for the Elderly Nutrition Program (ENP)**

Motion approving supply agreements with the following companies for the following amounts in accordance with the Coastal Bend Council of

Governments Bid Invitation No. CBCOG-14-3 for food items which include canned and frozen fruit and vegetables; meats and condiments, for an estimated six month expenditure of \$235,260.88, of which \$117,630.43 is required for the remainder of FY 2013-2014. The terms of the contracts shall be for six months with options to extend for up to three additional months, subject to the approval of the Coastal Bend Council of Governments, the suppliers, and the City Manager or designee. Funds are available through the Meals on Wheels Grant.

LaBatt Food Service  
Corpus Christi, Texas

181 Line Items  
\$125,653.64

Performance Food Group  
Victoria, Texas

113 Line Items  
\$109,607.24

Grand Total: \$235,260.88

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

Enactment No: M2014-116

**6. Approving the purchase of the Community Development and Regulation (CDR) module of Infor for the Health Department**

Motion authorizing the City Manager or designee to execute all documents necessary to approve the purchase of additional licenses and consulting hours provided sole source from Infor (US), Inc., Alpharetta, GA, for a total expenditure of \$76,263. Funds are available in the Health Department FY2013-2014 budget.

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

Enactment No: M2014-117

**7. Approving an interlocal agreement for local emergency response planning**

Resolution authorizing the City Manager, or his designee, to execute a renewal of an Interlocal Cooperation Agreement for a term of five (5) years for the Local Emergency Response Planning Specific to Extremely Hazardous Substances with Nueces County, City of Corpus Christi, and Port of Corpus Christi Authority.

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

Enactment No: 030276

**8. Authorizing an interlocal agreement with West Oso School District for prevention and intervention services from the Juvenile Assessment Center**

Resolution authorizing the City Manager, or designee, to execute an interlocal cooperation agreement with West Oso Independent School District regarding prevention and intervention programs.

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

Enactment No: 030277

**10. Approving the renewal of a joint funding agreement for maintaining accurate records of all inflows and releases in the City's water reservoir**

Motion authorizing the City Manager or his designee to renew an annual Joint Funding Agreement for Water Resources Investigation with the United States Geological Society (USGS), U.S. Department of the Interior, for automated river gauging stations to gather and maintain accurate records of all inflows and releases in the City's water reservoir, with the City's cost to be \$140,860.

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

Enactment No: M2014-118

**11. Approving an engineering design contract for interim sludge management improvements at O. N. Stevens water treatment plant**

Motion authorizing the City Manager or designee to execute the engineering contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$119,600 for the O.N. Stevens Water Treatment Plant Interim Sludge Management Improvements for design, bid and construction phase services.

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

Enactment No: M2014-119

**12. Approving amendment no. 4 of an engineering monitoring contract for the Watershed Monitoring Program**

Motion authorizing the City Manager or designee to execute Amendment No. 4 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$98,439, for a total restated fee of \$555,081 Nueces River Water Quality, Oso Creek Water Level & City of Corpus Christi Meteorological Monitoring 2014-2015.

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

Enactment No: M2014-120

**13. Authorizing a design services contract for the Police Vehicle Impound Yard and Garage Phase 2 project (Bond 2012)**

Motion authorizing the City Manager, or designee, to execute a Design Services Contract with Freese and Nichols from Corpus Christi, Texas in the amount of \$110,168 for the Police Vehicle Impound Yard and Garage Phase 2 for the design, bid, and construction phase services (Bond 2012).

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

Enactment No: M2014-121

**14. Approving an engineering services contract for groundwater monitoring and related services at the JC Elliott Municipal Landfill**

Motion authorizing the City Manager, or designee, to execute an engineering contract with Tolunay-Wong Engineers of Corpus Christi, Texas in the amount of \$133,700.00 for Groundwater Monitoring and Related Services at J.C Elliott Landfill.

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

Enactment No: M2014-122

**15. Approving an engineering services contract for groundwater monitoring and related services at Cefe Valenzuela Landfill**

Motion authorizing the City Manager, or designee, to execute an engineering contract with Tolunay-Wong Engineers of Houston, Texas in the amount of \$138,280.00 for Groundwater Monitoring and Related Services at Cefe Valenzuela Landfill.

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

Enactment No: M2014-123

**16. Amending the Corpus Christi Downtown Management District agreement to align with the City's fiscal year**

Resolution authorizing the City Manager or designee to amend the Interlocal Cooperation Agreement with the Corpus Christi Downtown Management District to align with the City's new fiscal year.

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

Enactment No: 030279

**17. Second Reading Ordinance - Accepting and appropriating grant funds for the Edward Byrne Memorial Justice Assistance Grant (JAG)(1st Reading 9/9/14)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant from the U. S. Department of Justice, Bureau of Justice Assistance, in the amount of \$168,613 for the FY 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and Appropriating the \$168,613 in the No. 1061 Police Grants Fund to fund the enhancement of law enforcement efforts by the Police Department and Nueces County under an established interlocal agreement which provides that 50% of the funds be distributed to Nueces County.

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

Enactment No: 030280

**18. Second Reading Ordinance - Accepting and appropriating grant funding for the Senior Companion Program (SCP)(1st Reading 9/9/14)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant awarded by the Corporation for National and Community Service in the amount of \$264,007 for the Senior Companion Program with a City match of \$76,903; and appropriating the \$264,007 grant in the No. 1067 Parks and Recreation Grants Fund for the Senior Companion Program.

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

Enactment No: 030281

**19. Second Reading Ordinance - Accepting and appropriating grant funds for the Elderly Nutrition Program (ENP)(1st Reading 9/9/14)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a \$427,397 final grant from the Area Agency on Aging of the Coastal Bend in the No. 1067 Parks and Recreation grants fund for the FY 2014 Senior Community Services, Elderly Nutrition Program.

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

Enactment No: 030282

**20. Second Reading Ordinance - Accepting and appropriating grant funds for the Retired Senior Volunteer Program (RSVP)(1st Reading 9/9/14)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$47,934.00 grant awarded by the Corporation for National and Community Service for the Retired Senior Volunteer Program; appropriating the \$47,934.00 grant in the

No. 1067 Parks and Recreation Grants Fund.

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

Enactment No: 030283

**21. Second Reading Ordinance - Accepting and appropriating a continued services "Bundle" grant from the Texas Department of State Health Services for continued clinical services (1st Reading 9/9/14)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a total grant amount of \$722,821 from the Texas Department of State Health Services in the Health Grants Fund No. 1066 to provide continued clinical services for the contract period of September 1, 2014 through August 31, 2015; and to ratify acceptance of the grants to begin as of September 1, 2014.

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

Enactment No: 030284

**22. Second Reading Ordinance - Rezoning from the "RE" Residential Estate District to the "CG-2" General Commercial District, on property located at 822 Graham Road (Public Hearing held 7/22/14)(Tabled 7/29/14) (Postponed 8/26/14)(1st Reading 9/9/14)**

Case No. 0614-03 CCSemloh Partnership, Ltd.: A change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District. The property to be rezoned is described as a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Compton Road between the intersections with First National Boulevard and Waldron Road.

Staff Recommendation:

Denial of the change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District and, in lieu thereof, approval of a Special Permit for a boat storage facility subject to ten conditions.

Planning Commission Recommendation:

Approval of the change of zoning from the "RE" Residential Estate District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by CCSemloh Partnership, Ltd. ("Owner"), by changing the

UDC Zoning Map in reference to a 10.861-acre tract of land out of Lot 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, from the "RE" Residential Estate District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 030285

**23. Second Reading Ordinance - Amending the board composition for Reinvestment Zone Number Three (1st Reading 9/9/14)**

Amending Ordinance No. 027996, adopted on December 16, 2008, which designated a certain area within the jurisdiction of the City of Corpus Christi as a tax increment financing district known as "Reinvestment Zone Number Three, City of Corpus Christi, Texas" (the "Reinvestment Zone"), which was amended by Ordinance No. 028136 on April 28, 2009 and Ordinance No. 029403 on March 2, 2012, to correct the Board appointment procedure to comply with state law on tax increment participation; providing for severance; and providing for publication.

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

Enactment No: 030286

**9. Approving a process of notification for the sale of parks and use of proceeds for parks sold subject to the 2014 election ballot proposition**

Resolution dedicating the proceeds from the sale of park lands exclusively for the improvement of existing parks; requiring notification to property owners within 500 feet of a park land to be sold; and providing for an effective date.

**Mayor Martinez referred to Item 9. Council Member McIntyre made a motion to amend the resolution to require a sign to be posted in the parks 10 days prior to sale as well as notification to property owners, seconded by Council Member Scott and passed unanimously. This Resolution was passed and approved as amended 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: 030278

**M. PUBLIC HEARINGS:(NONE)**

**N. REGULAR AGENDA: (ITEM 24)****24. Adopting the Fiscal Year 2014 Property Tax Rate**

Ordinance setting a property tax rate of \$0.585264 per \$100 valuation which is effectively a 7.71% increase over the effective tax rate; and declaring an emergency.

**Mayor Martinez referred to Item 24. Director of Financial Services Constance Sanchez stated that the purpose of this item is to set the property tax rate of \$0.585264 per \$100 valuation which is a 7.71% increase over the effective tax rate. Ms. Sanchez stated that recommended tax rate is the same rate as the prior year. Mayor Martinez called for comments from the public. Susie Luna Saldana asked the City Council to consider that even if the tax rate stays the same as last year, taxes will still increase because of the increase in appraised values.**

**Council Member Loeb made a motion that the property tax rate be increased by the adoption of a tax rate of \$0.585264 per \$100 valuation, which is effectively a 7.71% increase in the tax rate, seconded by Council Member Garza and passed unanimously. This Ordinance was passed on emergency 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: 030287

**O. FIRST READING ORDINANCES: (ITEMS 25 - 28)****25. First Reading Ordinance - Accepting and appropriating grant and reimbursement funds from Texas State Library and Archives Commission for special library services**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept grants from the Texas State Library and Archives Commission ("TSLAC") in the amount of \$8,373 for the Impact Grant, in the amount of \$37,226 for the Special Projects Grant, in the amount of \$4,822 for the Edge Implementation Reimbursement Program, and in the amount of \$3,000 for the Texas Reads Grant; and appropriating \$53,421 from TSLAC in the Library Grants Fund No. 1068.

**Mayor Martinez referred to Item 25. Director of Libraries Laura Garcia stated that the purpose of this item is to accept and appropriate grants from the Texas State Library and Archives Commission in the amount of \$53,421. 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 - Approving the Southside FM2444 Annexation**

Ordinance annexing Laureles Farm Tracts adjacent to the City limits located along and on both sides of FM 2444, areas south of FM 2444 and west of County Road 41, commonly referred to as a portion of the Chapman Ranch and a portion of the proposed APEX Wind Farm; providing for a Municipal Services Plan for the annexed tracts of land; providing that the owner and inhabitants are entitled to all rights, privileges, and burdens of other citizens and property owners of the City of Corpus Christi and are subject to and bound by the City Charter, Ordinances, Resolutions and Rules; providing for amendment of the official maps of the City of Corpus Christi; designating area to be added to City Council District number 5; providing for severance; and providing an effective date.

Mayor Martinez referred to Item 28. City Secretary Huerta announced that Council Member Magill would abstain from the discussion and vote on this item. Executive Director of Utilities Mark Van Vleck stated that the purpose of this item is to have the first reading on the annexation ordinance for Southside FM 2444. Mr. Van Vleck presented the annexation schedule, a map of the proposed wind farm and annexation area; the area profile; and services. Mayor Martinez called for comments from the public. Susie Luna Saldana and Jack Gordy spoke in opposition to the annexation. Abel Alonzo and Prasant Chhotu spoke in support of the annexation. Council members spoke regarding the effects that wind turbines could place on air traffic safety, the military presence, and the ability to receive signals for television and radio communications; the Joint Land Use Study with the Navy; and the schedule for the second reading of the ordinance. 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 McIntyre, Council Member Riojas and Council Member Scott

**Absent:** 1 - Council Member Leal

**Abstained:** 1 - Council Member Magill

**26. First Reading Ordinance - Accepting and appropriating amendment no. 2 of the Federal Aviation Administration grant for upgrading security and perimeter road systems at the airport**

Ordinance appropriating \$92,864 from the Federal Aviation

Administration Grant No. 3-48-0051-048-2011, Amendment No. 2, in the No. 3020 Airport Capital Improvement Fund to upgrade security and perimeter road systems at Corpus Christi International Airport; changing the FY 2013-2014 capital budget adopted by Ordinance No. 029916 by increasing revenues and expenditures by \$92,864.

**Mayor Martinez referred to Item 26. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate funding for airport projects associated with the Federal Aviation Administration Grant 48, Amendment 2 in the amount of \$92,864 to upgrade security and perimeter road systems at the Corpus Christi International Airport. 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 - Appropriating Federal Aviation Administration grant funds for taxiway improvements at the airport**

Ordinance appropriating \$6,500,000 from the Federal Aviation Administration Grant No. 3-48-0051-051-2014 in the No. 3020 Airport Capital Improvement Fund to rehabilitate Taxiways B, B1, B2, B3, B4 and B5 at Corpus Christi International Airport; changing the FY 2013-2014 capital budget adopted by Ordinance No. 029916 by increasing revenues and expenditures by \$6,500,000.

**Mayor Martinez referred to Item 27. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate funding for airport projects associated with Federal Aviation Administration Grant No. 51 in the amount of \$6,500,000 to be used to rehabilitate various taxiways at the Corpus Christi International Airport. 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

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

Mayor Martinez deviated from the agenda and called for comments from the public. Jack Gordy requested that the Code Enforcement Department be investigated for not enforcing code violations. Susie Luna Saldana spoke regarding the increases in City fees and the burden to taxpayers. Linda Walters stated that the lights on Interstate 37, Exit 2 have been out for three months and requested that the lights be repaired for safety reasons. Mariah Lauridzen recommended that the Council consider changing downtown streets from one-way to two-way as a project to revitalize the downtown area. John Helm and Skip Butler thanked the Council for supporting the annexation on the southside. Juan Ariaza spoke regarding taking the politics out of City policy and read portions of the City's Code of Ethics. Carrie Robertson Meyer spoke in opposition to the proposed annexation and suggested delaying action until hearing comments from the Navy regarding this issue. Cindi Mutchler expressed appreciation to the City Council for their work and thanked them for their service.

**H. EXECUTIVE SESSION: (ITEMS 1 - 2)**

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

1. Executive session pursuant to 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.  

This E-Session Item was discussed in executive session
2. Executive Session pursuant to Section 551.071 of the Texas Government Code for consultation with attorneys regarding legal issues related to uninterruptible water rates and potential production of uninterruptible waterwith possible discussion and action in open session.  

This E-Session Item was discussed in executive session. City Secretary Huerta announced that Council Member Riojas recused herself from the discussion on this item.

**FIRST READING ORDINANCES: (ITEM 29)**

- 29. First Reading Ordinance - Amending the Capital Improvement Budget to accelerate funding for Mary Rhodes Pipeline Phase 2 due to change in fiscal year**

Ordinance amending the FY 2014 Capital Improvement Budget

adopted by Ordinance No. 029916 by accelerating funding for the Mary Rhodes Pipeline Phase 2 in the amount of \$14,000,000 from Fiscal Year 2015 to Fiscal Year 2014; and increasing expenditures in the amount of \$14,000,000.

**Mayor Martinez referred to Item 29. Director of Financial Services Constance Sanchez stated that the purpose of this item is to amend the FY2014 Capital Improvement Budget by increasing expenditures by \$14,000,000 to accelerate the funding 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:** 7 - Mayor Martinez, Council Member Garza, Council Member Loeb, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Scott

**Absent:** 2 - Council Member Allen and Council Member Leal

**Abstained:** 0

### **SPECIAL BUDGET RELATED ITEMS (ITEMS 30 - 32)**

#### **30. First Reading Ordinance - Adopting the Proposed FY 2014-2015 Operating Budget**

Ordinance adopting the City of Corpus Christi budget for the ensuing fiscal year beginning October 1, 2014; to be filed with the County Clerk; appropriating monies as provided in the budget; and providing for severance.

**Mayor Martinez referred to Item 29. Assistant Manager of Management and Budget Eddie Houlihan stated that the purpose of this item is to adopt the first reading of the proposed FY2014-2015 Operating Budget, with the proposed revenues of \$832,787,546 and proposed expenditures of \$830,117,690. Mr. Houlihan stated that the amendment sheet includes the water rate option discussed last week to use the revenue fund balance by \$8.6 million to reduce the rates and a correction to the golf capital reserves.**

**Council Member McIntyre made a motion to amend to reduce the revenue by \$8.6 million in the Water fund as per the amendment sheet, seconded by Council Member Scott and passed unanimously.**

**Council Member Scott made a motion to decrease revenue by \$50,000 and increase expenditures by \$50,000 in the Golf Capital Reserve Fund, seconded by Council Member McIntyre and passed unanimously.**

**Council Member Scott made a motion to amend the budget to include funding for the peer review and Assistant Auditor position in the amount of \$18,500 from reserve appropriations, seconded by Mayor Martinez and passed unanimously.**

**Council Member McIntyre made a motion directing the City Manager to place the amendment for 13 additional officers to the Crime Control and Prevention District budget on the October 14, 2014 City Council agenda for consideration,**

seconded by Council Member Loeb and passed unanimously.

Council Member Loeb made a motion to amend the budget by \$200,000, with no project exceeding \$50,000, from the Convention Center Maintenance Fund to create a fund for improvements to public spaces involving tourism, seconded by Council Member McIntyre. A brief discussion ensued regarding the funding in the reserves for the Hotel Occupancy Tax (HOT) fund and the project list for convention center maintenance. Council Member Loeb amended the motion to take the funds out of reserves, seconded by Council Member McIntyre and passed unanimously. 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

Enactment No: 030287

**31. First Reading Ordinance - Adjusting Water, Wastewater and Gas Rates**

Ordinance amending the Code of Ordinances, Chapter 55, regarding water, gas and wastewater rates and fees; water laboratory charges; compressed natural gas rates and charges; providing for publication, providing for severance, and providing effective date.

Mayor Martinez referred to item 31. Assistant Manager of Management and Budget Eddie Houlihan stated that the purpose of this item is to adjust the water, wastewater and gas rates that will support the proposed budget. Mr. Houlihan said the rates reflect the reduction that was presented as an option at the last meeting. 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

Enactment No: 030288

**P. FUTURE AGENDA ITEMS: (ITEMS 32 - 45)**

Mayor Martinez referred to Future Agenda Items. Deputy City Manager Rose stated that staff had a presentation on Item 36 and Items 37-45 would be presented under one presentation.

**32. Approving new rental and recreational use fees for fiscal year 2014-2015**

Resolution adding new rental and recreational use fees for fiscal year 2014-2015 and providing for publication; effective date; and severance of the same.

This Resolution was recommended to consent agenda

**33. Development Agreements for Property Owners with Exemptions in the Southside FM 2444 Annexation Area**

Resolution granting a Development Agreement for properties in the Proposed Southside FM 2444 Annexation Area where the property contains an agricultural, wildlife management, or timber land exemption established by the Nueces County Appraisal District and where the property owner has requested the City grant a development agreement in lieu of annexation on their qualifying property; providing for a 15 year time limit; providing that the City will not annex land that is the subject of a Development Agreement; providing that the development agreement authorizes the City to enforce all regulations and planning authority of the municipality provided the authority does not interfere with the use of the area for agriculture, wildlife management, or timber land uses; providing that the area under the Development Agreement is considered adjacent or contiguous to the city; providing that the agreement is automatically terminated if the landowner files any type of subdivision plat or related development document regardless of how the property is appraised by the Nueces County Appraisal District; providing that the agreement will be filed with the Nueces County Clerk; providing for severance; and providing an effective date.

This Resolution was recommended to consent agenda

**34. Approving engineering contract amendment no. 2 for water program management**

Motion authorizing the City Manager or designee to execute Amendment No. 2 to the engineering contract with URS Corporation of Corpus Christi, Texas in the amount of \$250,000 for a total restated fee not to exceed \$550,000 for Water Program Management.

This Motion was recommended to consent agenda

**35. Approving amendment no. 1 to the engineering services contract for the Nueces Bay System Salinity and Freshwater Inflow Monitoring 2014-2015**

Motion authorizing the City Manager or designee to execute Amendment No. 1 to the monitoring services contract with the Conrad Blucher Institute at Texas A&M University-Corpus Christi in the amount of \$97,687, for a total restated fee of \$192,292 for the Nueces

Bay System Salinity and Freshwater Inflow Monitoring 2014-2015.

**This Motion was recommended to consent agenda**

**36. Resolution to acknowledge the Homeless Housing and Service Program funding from TDHCA to the Mother Teresa Shelter, Inc.**

Resolution to acknowledge the current FY2014-2015 funding allocation of \$199,843 provided by the Texas Department of Housing and Community Affairs to Mother Teresa Shelter, Inc. for the Homeless Housing and Services Program; and to have each City Council member submit a TDHCA "Uniform Previous Participation Form".

**This Resolution was recommended to consent agenda**

**SPECIAL VEHICLE PURCHASES (ITEMS 37 - 45)**

**37. Purchase of two (2) Police Interceptor sedans**

Motion approving the purchase of two (2) police interceptor sedans from Caldwell Country Chevrolet, Caldwell, Texas for a total amount of \$55,172.00. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds have been budgeted in FY 2013-2014.

**This Motion was recommended to consent agenda**

**38. Purchase of thirty-one (31) Police Vehicles**

Motion approving the purchase of thirty-one (31) police vehicles from Sames Ford, Corpus Christi, Texas in accordance with Bid Invitation No. BI-0224-14, based on lowest responsible bid for a total expenditure of \$794,185.49. Funds have been budgeted in FY 2013-2014.

**This Motion was recommended to consent agenda**

**39. Purchase of four (4) Tahoe Police Special Service Vehicles**

Motion approving the purchase of four (4) Tahoe police special service vehicles from Caldwell Country Chevrolet, Caldwell, Texas for a total expenditure of \$133,088.00. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds have been budgeted in FY 2013-2014.

**This Motion was recommended to consent agenda**

**40. Purchase and Lease Purchase of Backhoes five (5) in total**

Motion approving the purchase of two (2) Series III Tractor Loader Backhoes and Lease Purchase of three (3) Series IV Tractor Loader Backhoes from Doggett Machinery of Corpus Christi, Texas, based on lowest responsible bid in accordance with Bid Invitation BI-0237-14 for a total amount of \$364,353. The backhoe will be used by the Gas, Park & Recreation, Water and Wastewater Department. These units are replacement to the fleet. Funds for the purchase of (2) two tractor loader backhoes are available in the FY 2013-2014 Capital Outlay Budget of the Maintenance Services. Funds for the lease purchase of three (3) tractor loader backhoes will be provided through the City's lease/purchase financing program.

**This Motion was recommended to consent agenda**

**41. Purchase and Lease Purchase of five (5) CNG Vehicles, one (1) Hybrid Vehicle and four (4) Heavy Trucks**

Motion approving the purchase two (2) CNG vehicles, one (1) hybrid vehicle, four (4) heavy trucks and the lease-purchase of two (2) CNG Vans and one (1) heavy trucks from Caldwell Country Chevrolet, Caldwell, Texas for a total amount of \$403,915.23. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funds for the purchase of the vehicles have been budgeted in FY 2013-2014. Financing for the lease-purchase of the vehicles will be provided through the City's lease-purchase financing contractor.

**This Motion was recommended to consent agenda**

**42. Purchase of one (1) Wheel Loader and one (1) Skid Steer Loader**

Motion approving the purchase of one (1) Wheel Loader and one (1) Skid Steer Loader from Waukesha - Pearce Industries Inc., Corpus Christi, Texas for the total amount of \$97,519.53. The award is based on the cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative (TLGPC). Funding for the purchase of the loaders is available in the Fleet Maintenance Services Fund in FY 2013- 2014.

**This Motion was recommended to consent agenda**

**43. Purchase and Lease Purchase of six (6) Mowers, three (3) Tractors and seven (7) Heavy Trucks (CNG)**

Motion approving the purchase five (5) mowers, three (3) tractors, four (4) heavy trucks (CNG), and the lease-purchase of one (1) mower, and three (3) heavy trucks (CNG) from the following companies for the following amounts for a total amount of \$1,593,206.52. The award is based on the cooperative purchasing agreement with the Houston

Galveston Area Council (H-GAC). Funding for the purchase of mowers, tractors and heavy trucks are available in the Capital Outlay Budget of the Maintenance Service Fund and the Municipal Information System Fund. Financing for the lease-purchase of mower and heavy trucks will be provided through the City's lease-purchase financing contractor.

<u>John Deere Company Corp.</u>	<u>Houston Freightliner</u>	<u>Kubota Tractor</u>
Cary, NC	Houston, TX	Torrance, CA
Items 1, 2, & 3	Items 4, 5, 6, 7, 8 & 9	Items 10 & 11
\$118,389.52	\$1,391,583.00	\$83,234.00

Grand Total: \$1,593,206.52

**This Motion was recommended to consent agenda**

**44. Purchase and Lease of five (5) Excavators**

Motion approving the purchase of four (4) excavators and the lease purchase of one (1) excavator from Doggett Machinery, Corpus Christi, TX for the total amount of \$221,674.00. The award is based on the lowest responsible bid in accordance to Bid Invitation BI-0223-14. Funding for the purchase of excavators is available in the Fleet Maintenance Services Fund in FY 2013-2014. Funds for the lease purchase of excavator will be provided through the City's lease purchase financing program.

**This Motion was recommended to consent agenda**

**45. Purchase of one (1) Forklift**

Motion approving the purchase of one (1) Forklift from American Material Handling, Inc. Watkinsville, GA for the total amount of \$58,863.00. The award is based on the lowest responsible bid in accordance with Bid Invitation BI-0226-14. Funding for the purchase of the forklift is available in Fleet Maintenance Services Fund in FY 2013- 2014.

**This Motion was recommended to consent agenda**

**Q. BRIEFINGS TO CITY COUNCIL: (ITEMS 46 - 48)**

**46. Establishment and Implementation of an Airport Zoning Commission**

Mayor Martinez referred to Item 46. Director of Aviation Fred Segundo stated that the purpose of this item is to familiarize the City Council with the proposed establishment and implementation of an Airport Zoning Commission.

Mr. Segundo referred to a powerpoint presentation including the authority for establishing the Airport Zoning Commission and Joint Airport Zoning Board; the differences between the Airport Zoning Commission and Joint Airport Zoning Board; the Airport Zoning Commission proposed structure; the Airport Zoning Commission flow chart; the two types of airport zoning regulations; the controlled compatible land use area; the controlled compatible land use area for all designated and proposed runways within the city limits; the controlled compatible land use area that is designated for high usage; the reduced compatible use areas; and the implementations schedule.

Council members spoke regarding the following topics: the City's efforts to show support for the military presence in the area; the comments made regarding the Navy's opinion on the annexation on the southside; and the Joint Land Use Study.

#### **47. Corpus Christi Downtown Management District Update**

Mayor Martinez referred to Item 47. Executive Director of the Downtown Management District (DMD) Terry Sweeney stated that the purpose of this item is to provide an update on the activities of the Downtown Management District (DMD). Mr. Sweeney presented information on the DMD's year-to-date highlights including the creation of the clean team, development of a cleaning and safety partnership, volunteer programs, and construction mitigation; and the three-year strategic plan, priority areas, and next steps.

Council members spoke regarding the following topics: the leadership at the DMD, additional funding from the City to the DMD; the public comment made at today's meeting to change one-way streets to two-way streets; the status of the Chaparral project, the project punch list, and estimated completion date; the creation of the three-year strategic plan; and the construction mitigation.

Council Member Loeb made a motion directing the City Manager to partner with the DMD to execute the DMD's three year plan and to return with proposals and agenda items as necessary to accomplish this partnership, seconded by Mayor Martinez and passed unanimously.

#### **48. State legislative policy priorities for 84th Regular Session of the Texas Legislature in 2015**

Mayor Martinez referred to Item 48. Director of Intergovernmental Relations Tom Tagliabue stated that the purpose of the item is to discuss the state legislative policy priorities for the 84th Regular Session of the Texas Legislature. Mr. Tagliabue referred to a powerpoint presentation including the key dates for the 84th legislature; the City's support for general legislative guidelines; items the City will likely oppose; the prioritization levels of importance; policy topics on transportation, appropriations for seawater desalination, the Texas Military Preparedness Commission, funding for TXDOT projects, and continued investment in Texas tourism promotion, natural resources, municipal authority, and higher education,

Council members spoke regarding the following topics: securing a portion of the state hotel occupancy tax for bay beach cleaning; local funding options and resources to address transportation; legislation on windfarms for the City to have local control on its extraterritorial jurisdiction; the appropriation for seawater desalination and natural resources; making the workforce a priority

for education; and discussion on adopting an ordinance regarding payday lenders.

**R. ADJOURNMENT**

Mayor Martinez provided an update on Council Member Priscilla Leal's health and thanked her for continuing to be part of the Council family.

The meeting was adjourned at 3:52 p.m.