



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, April 14, 2015

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 Chaplain Lynne Blackler, CHRISTUS Spohn Health System.

Chaplain Lynne Blackler gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Stacie Talbert-Anaya, Interim Director of Parks and Recreation.

Acting Director of Parks and Recreation Stacie Talbert Anaya led the Pledge of Allegiance.

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

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

Charter Officers:

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

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

E. Proclamations / Commendations

1. Proclamation declaring April 14, 2015, "Ben Mostafa Memorial Mural Day"
Proclamation declaring April 15, 2015, "80th Anniversary of the CITGO Corpus Christi Refinery Day"
Proclamation declaring April 12-18, 2015, "The Week of the Young Child"
Proclamation declaring April 17-18, 2015, "1st Annual Fiesta de la Flor"

Weekend"

Proclamation declaring April, "Distracted Driving Awareness Month"

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 referred to comments from the public. Sandra Heatherley thanked the City Council for their service to the community and extended an invitation to attend a forum on the Management of Fresh Water in South Texas. Thursday, April 16, 2015 from 5:30 p.m. to 8:00 p.m. at the Del Mar Center for Economic Development, Room 106. Greg Smith informed the City Council of two (2) resolutions approved by the Island Strategic Action Committee (ISAC): a recommendation to change ISAC membership requirements and to research alternatives for grant funding for Access Road 2A. Mary Lou Huffman encouraged the City Council to consider Agnes Street for redevelopment. Ms. Huffman spoke on changing the name of Code Enforcement to Code Compliance and allowing more time for residents to address code violations. Erica Kemm and Carl Yowell spoke regarding Item 36, Residential/Local Street Reconstruction - Funding Options and the need for street and drainage improvements in the Lindale Subdivision. Council Member McIntyre requested information regarding the regulation of heavy trucks on local streets. Jack Gordy spoke regarding the City hiring outside attorneys that do not live in Corpus Christi. Kevin Hill spoke regarding the realignment of Shoreline Boulevard. Luis Gutierrez was upset that the upcoming "Fiesta de la Flor" event was sold out and stated that he feels the Corpus Christi Convention and Visitors Bureau falsely advertised the ability to purchase tickets at the door. Mr. Gutierrez feels the event was focused more on visitors than residents. Jim Gold, Chris Mitchell, Robert Cagle, Evonna Howard, Dr. Glen Kost, Abel Alonzo and Ernest and Yvonne Gutierrez spoke in support of Item 20, rezoning for The Salvation Army.

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

Mayor Martinez referred to City Manager's Comments. City Manager Olson reported on the following topics:

a. OTHER

1) The Council has recently considered moving forward with a Request For Proposal (RFP) for the design-build construction for Bayshore Park. City Manager Olson stated that part of the process will include public comment so that interested citizens, including Mr. Kevin Hill, can provide input to the designers and the Park and Recreation Advisory Board regarding the park area. 2) City Manager Olson informed the City Council of the upcoming activities: "Wings Over South Texas" Blue Angels Show April 18-19, 2015; "Fiesta de la Flor" April 17-18, 2015; Texas America Waterworks Conference beginning April 15, 2015 through the end of the week; and the Corpus Christi Hooks will be playing at home every night from April 16-21, 2015. 3) The

Emergency Operations Center (EOC) was activated this morning due to the severe storm and was prepared to handle any issues. City Manager Olson said this morning's event helped the EOC practice in the event an emergency disaster strikes. The storm produced flooding, electricity outages and downed trees and staff is currently assessing the damage. Mr. Olson announced that any citizen that needs help or wants to report an issue can contact the City's Call Center at 826-2489(CITY). In response to Council Member McIntyre, City Manager Olson said staff is still evaluating the extent of the damage to validate the need for any additional brush pickup.

I. MINUTES:

3. Regular Meeting of March 31, 2015

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

J. BOARD & COMMITTEE APPOINTMENTS:

**4. Airport Board
Island Strategic Action Committee
Parking Advisory Board**

Mayor Martinez referred to Board and Committee appointments. The following appointments were made:

Airport Board

Council Member McIntyre made a motion to reappoint Dana Gunter and Kelly Harlan, seconded by Council Member Riojas. The motion failed with the following vote: Martinez, McIntyre, and Riojas voting "Aye"; Garza, Magill, Rosas, Rubio, and Vaughn voting "No"; Scott was absent. Council Member McIntyre made a motion to reappoint Dana Gunter, seconded by Council Member Magill and passed unanimously. Council Member Magill made a motion to appoint Joseph C. Wise, Jr., seconded by Council Member McIntyre and passed unanimously. Council Member Magill made a motion to appoint Karl A. Tomlinson, seconded by Council Member Garza and passed unanimously.

Island Strategic Action Committee

Council Member McIntyre made a motion to realign Rick Sowash to the category of At-Large and Carter L. Tate to the category of Realtor, seconded by Council Member Scott and passed unanimously.

Parking Advisory Committee

Council Member Magill made a motion to accept the Corpus Christi Convention and Visitors Bureau's recommendation for the new appointment of Erica Lozano, seconded by Council Member Rubio and passed unanimously.

K. EXPLANATION OF COUNCIL ACTION:**L. CONSENT AGENDA: (ITEMS 5 - 17)****Approval of the Consent Agenda**

Mayor Martinez referred to the Consent Agenda. Mayor Martinez called for comments from the public. Kevin Hill spoke regarding Items 7 and 8, regarding the realignment of Shoreline Boulevard, and addressed improvements needed at crosswalks located at Ocean Drive and Ayers Street, Coopers Alley, and the sidewalk located at Kinney Street and Park Avenue. Council Member Scott requested that Items 8 and 10 be pulled for individual consideration. The consent agenda items were approved by one vote as follows:

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

Abstained: 0

5. Purchase of Patterson Pump Rotor Assembly

Motion approving the purchase of one (1) Patterson pump rotor assembly from The Scruggs Co., Houston, Texas based on sole source for a total amount of \$73,655.00. Funds have been budgeted by the Utilities Department in FY 2014-2015.

This Motion was passed on the Consent Agenda.

Enactment No: M2015-032

6. Approving the submission of a grant application to the Texas Department of Transportation Aviation Division for airport maintenance

Resolution authorizing the submission of a grant application in the amount of \$50,000 to the Texas Department of Transportation, Aviation Division, with a matching amount of \$50,000 for funding of airport maintenance at Corpus Christi International Airport; and authorizing the City Manager or designee to accept, reject, alter, or terminate the grant and execute all related documents.

This Resolution was passed on the Consent Agenda.

Enactment No: 030467

7. Approving Change Order No. 13 for Bayfront Development Plan, Phase 3 (Bond 2008) - Shoreline Boulevard Realignment

Motion authorizing the City Manager or designee to execute Change Order No. 13 with Bay, Ltd. of Corpus Christi, Texas in the amount of \$373,337.25 for a total restated fee of \$7,540,461.64, for the Bayfront Development Plan, Phase 3, Shoreline Boulevard Realignment project (Bond 2008).

This Motion was passed on the Consent Agenda.

Enactment No: M2015-033

9. Second Reading Ordinance - Accepting and appropriating the Houston High Intensity Drug Trafficking Area (HIDTA) grant (1st Reading 3/31/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant award in the amount of \$168,200 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for the salary and benefits of a full-time program coordinator, one administrative assistant, overtime for 4 Corpus Christi Police Officers, and 4 lease vehicles; and appropriating the \$168,200 in the No. 1061 Police Grants Fund.

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

Enactment No: 030468

11. Second Reading Ordinance - Accepting and appropriating grant for the Latchkey After School Snack Program (1st Reading 3/31/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$166,173 from the Texas Department of Agriculture; appropriating grant in the No. 1067 Parks and Recreation Grants Fund for the Latchkey After School Snack Program.

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

Enactment No: 030470

12. Second Reading Ordinance - Accepting and appropriating the Texans Feeding Texans Grant funds for the Home Delivered Meals Program (1st Reading 3/31/15)

Ordinance authorizing the City Manager or designee to ratify the execution of all documents necessary to accept and appropriate a \$49,795.82 grant from the Texas Department of Agriculture Texans Feeding Texans Program in the No. 1067 Parks and Recreation Grants Fund for the FY 2015 Senior Community Services - Texans

Feeding Texans.

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

Enactment No: 030471

13. Second Reading Ordinance - Accepting and appropriating grant amendment for additional funding to the Oso Bay Wetland Preserve Restoration project (1st Reading 3/31/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$3,000 grant awarded by the Texas General Land Office Coastal Management Program for the Oso Bay Wetland Preserve Habitat Restoration project; appropriating the \$3,000 grant in the No. 1067 Parks and Recreation Grants Fund for the Oso Bay Wetland Preserve Habitat Restoration project.

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

Enactment No: 030472

14. Second Reading Ordinance - Accepting and appropriating grant funds for the Senior Companion Program (SCP) (1st Reading 3/31/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$5,756 grant awarded by the Corporation for National and Community Service and appropriating grant in the No. 1067 Parks and Recreation Grants Fund for the Senior Companion Program; transferring \$76,903 from the No. 1020 General Fund to the No. 1067 Parks and Recreation Grants Fund as City matching funds for the Senior Companion Program and appropriating the \$76,903 in the No. 1067 Parks and Recreation Grant fund.

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

Enactment No: 030473

15. Second Reading Ordinance - Amending City Code relating to the Transportation Advisory Board (1st Reading 3/31/15)

Ordinance amending Chapter 2, ARTICLE IV, Division 9. TRANSPORTATION ADVISORY BOARD of the Corpus Christi Code in its entirety; providing for severance; and providing an effective date.

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

Enactment No: 030474

16. Second Reading Ordinance - Appropriating additional Federal grant funds for upgrades to security and perimeter road systems at the airport (1st Reading 3/31/15)

Ordinance appropriating \$33,250 from Federal Aviation Administration Grant No. 3-48-0051-048-2011 Amendment No. 3 in the No. 3020 Airport Capital Improvement Fund to upgrade security and perimeter road systems at Corpus Christi International Airport; and changing the FY2014-2015 Capital Budget adopted by Ordinance No. 030303 by increasing both revenues and expenditures by \$33,250.

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

Enactment No: 030475

17. Second Reading Ordinance - Assignment of Trinity Towers Skywalk and Improvements Lease (1st Reading 3/31/15)

Ordinance approving the assignment of the Skywalk and Improvements Lease Agreement regarding City property interests located along Carancahua Street and Tancahua Street near Coopers Alley, from NH Texas Properties Limited Partnership to BKD Shoreline, LLC; consenting to the sublease of Trinity Towers Limited Partnership; and authorizing the City Manager or designee, to execute all documents related to the assignment and assumption agreement.

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

Enactment No: 030476

8. Approving Change Order No. 14 for Bayfront Development Plan, Phase 3 (Bond 2008) - Shoreline Boulevard Realignment

Motion authorizing the City Manager or designee to execute Change Order No. 14 with Bay, Ltd. of Corpus Christi, Texas in the amount of \$351,776.51 for a total restated fee of \$7,892,238.16, for the Bayfront Development Plan, Phase 3, Shoreline Boulevard Realignment project (Bond 2008).

Mayor Martinez referred to Item 10. Council Member Scott asked questions regarding the punch list of items the Council asked staff to address on the Shoreline Boulevard Realignment Project including the lack of ramps, speed bumps, patches and utilities. Executive Director of Public Works Valerie Gray said staff will provide the City Council with a punch list. There were no comments from the public. This Motion was passed and approved with the following vote:

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

Abstained: 0

Enactment No: M2015-034

10. Second Reading Ordinance - Accepting and appropriating grant funds for the Retired Senior Volunteer Program (RSVP)(1st Reading 3/31/15)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a \$21,671 State grant awarded by the Corporation for National and Community Service for the Retired and Senior Volunteer Program; appropriating the \$21,671 State grant in the No. 1067 Parks and Recreation Grants Fund; transferring \$79,173 from the No. 1020 General Fund to the No. 1067 Parks and Recreation Grant Fund as City matching funds for the Retired Senior Volunteer program and appropriating the \$79,173 in the No. 1067 Parks and Recreation Grant fund.

Mayor Martinez referred to Item 10. Council Member Scott pulled Item 10 to acknowledge the volunteers with the Senior Community Services Programs. Council Members Scott, Riojas, McIntyre, and Mayor Martinez commented on their experiences when spending time with the seniors participating in senior programs. There were no comments from the public. This Ordinance was passed on second reading and approved with the following vote:

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

Abstained: 0

Enactment No: 030469

M. PUBLIC HEARINGS: (ITEMS 18 - 20)

20. Public Hearing and First Reading Ordinance - Rezoning for a Special Permit for a Transitional Housing Facility at 1508 Leopard Street

Case No. 0215-01 The Salvation Army: From the "CI" Intensive Commercial District to the "CI/SP" Intensive Commercial District with a Special Permit for a transitional housing facility. The property to be rezoned is described as Lots 1 thru 9, Block 2, West End Addition and portion of alley, between Antelope and Leopard Streets and between Mexico and Josephine Streets.

Planning Commission and Staff Recommendation (March 11, 2015): Approval of the change of zoning from the "CI" Intensive Commercial District to the "CI/SP" Intensive Commercial District with a Special Permit for a transitional housing facility, subject to 11 conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon

application by The Salvation Army ("Owner"), by changing the UDC Zoning Map in reference to Lots 1 thru 9, Block 2, West End Addition and portion of alley, from the "CI" Intensive Commercial District to the "CI/SP" Intensive Commercial District with a Special Permit for a transitional housing facility; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 20. Director of Development Services Dan Grimsbo stated that the purpose of this item is to rezone the subject property to allow for a transitional housing facility for homeless families and veterans called "Center of Hope". Mr. Grimsbo stated that the Planning Commission and Staff are in favor of the zoning change with a Special Permit subject to the stated conditions. Mayor Martinez opened the public hearing. Justin Elizondo, Chairman of the Homeless Issues Partnership (HIP) and Major Terry Ray, Regional Coordinator for the Salvation Army, spoke in support of the project. Mayor Martinez closed the public hearing. Council Members asked questions regarding the condition to enter into an Adopt-a-Park agreement for Lovenskiold Park if possible and requested that staff clarify this condition and the number of units allocated for veterans. Council Member Scott made a motion to approve the ordinance, seconded by Council Member Magill. This Ordinance was heard on public hearing and passed on first reading and approved with the following vote:

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

Abstained: 0

18. Public Hearing and First Reading Ordinance - Closing a portion of an undeveloped and unsurfaced 20-foot wide public right-of-way, located south of and adjacent to Williams Drive and north of Holly Road.

Ordinance abandoning and vacating an undeveloped and unsurfaced 11,420-square foot portion (0.262 acres) of a 20-foot wide public right-of-way, out of Lot 1, Block 1, Oso River Estates Unit 2.

Mayor Martinez referred to Item 18. Director of Development Services Dan Grimsbo stated that the purpose of this item is to abandon and vacate a portion of a 20-foot wide public right-of-way in conjunction with the development of Lot 1, Block 1, Oso River Estates Unit 2. Mr. Grimsbo said staff recommends that payment of the fair market value be waived. Mayor Martinez opened the public hearing. There were no comments from the public. Council Member Magill requested that location maps for Items 18, 20, and 25 be included in the packet for second reading. Council Member Rubio asked what the specified time frame was to comply with all the conditions. Mr. Grimsbo said he would provide that information. Council Member Magill made a motion to approve the ordinance, seconded by Council Member McIntyre. This Ordinance was passed on first reading and approved with the following vote:

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

Abstained: 0

19. Public Hearing and First Reading Ordinance - Closing a portion of a public right-of-way, located south of Williams Drive and north of Holly Road.

Ordinance abandoning and vacating an undeveloped and unsurfaced 39,530-square foot portion (0.91 acres) of a 20-foot wide public right-of-way, out of Lots 23-24, Section 28, Flour Bluff & Encinal Farm & Garden Tracts.

Mayor Martinez referred to Item 19. Director of Development Services Dan Grimsbo stated that the purpose of this item is to abandon and vacate a portion of a 20-foot wide public right-of-way in conjunction with development of the Oso River Estates Unit 2. Mr. Grimsbo said staff recommends that payment of the fair market value be waived. Mayor Martinez opened the public hearing. Kevin Hill asked if the property is being given to the adjacent property owner. Mr. Grimsbo stated that the property is going back to the owner for development because the City has determined that the property has no value to the City. Mayor Martinez closed the public hearing. Council Member Garza made a motion to approve the ordinance, seconded by Council Member McIntyre. This Ordinance was passed on first reading and approved with the following vote:

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

Abstained: 0

H. EXECUTIVE SESSION: (ITEM 2)

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

- 2. Executive session pursuant to Texas Government Code § 551.071 for consultation with attorneys regarding collective bargaining negotiations, the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters Association and/or Corpus Christi Police Officers' Association, with possible discussion, resolution(s), and other actions in open session concerning any matters related thereto.**

This E-Session Item was discussed in executive session.

M. PUBLIC HEARINGS: (ITEM 21)

21. Public Hearing and First Reading Ordinance - Amending the Wastewater Collection System Master Plan

Ordinance amending the Wastewater Collection System Master Plan, an element of the Comprehensive Plan of the City of Corpus Christi, Texas, by relocating approximately 17 acres of land from the Wooldridge II Lift Station 48 service area as identified in the Wastewater Collection System Master Plan, Oso W.R.P. Service Area, Area 1, to the Wooldridge Lift Station 61 service area as identified in the Master Sanitary Sewer Plan for the Southern Portion of Corpus Christi, Texas 1983; amending related elements of the City's Comprehensive Plan; providing for severance; and providing for publication.

Mayor Martinez referred to Item 21. Director of Development Services Dan Grimsbo stated that the purpose of this item is to amend the City's Wastewater Collection System Master Plan by allowing approximately 17 acres to be relocated from the Wooldridge II Lift Station 48 service area to the Wooldridge Lift Station 61 service area. Mr. Grimsbo said the Planning Commission and staff are in favor of the amendments. Mayor Martinez opened the public hearing. There were no comments from the Council or the public. Mayor Martinez closed the public hearing. Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:

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

Abstained: 0

N. REGULAR AGENDA: (NONE)

O. FIRST READING ORDINANCES: (ITEMS 22 - 27)

22. First Reading Ordinance - Appropriating funds from back filing of E911 fees from Vonage

Ordinance appropriating \$39,533.05 in General Fund No. 1020 from the back filing of E911 fees from Vonage; and changing the FY 2014-2015 Operating Budget adopted by Ordinance No. 030294 by increasing revenue and expenditures in the General Fund No. 1020 by \$39,533.05 each.

Mayor Martinez referred to item 22. Police Chief Floyd Simpson stated that the purpose of this item is to appropriate funds that were previously not paid for by Vonage for 911 service fees in the amount of \$39,533.05. There were no comments from the Council or the public. Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Magill. This Ordinance was passed on first reading with the following vote:

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

Abstained: 0

23. First Reading Ordinance - Adopting the Corpus Christi Maintenance Code (CCPMC) and approving licensing agreement with the International Code Council

Ordinance amending the Corpus Christi Code of Ordinances Chapter 13, Article II to repeal the adoption of the Southern Standards Housing Code, 1973 Edition and to adopt the Corpus Christi Property Maintenance Code; amending Chapter 13, Article II to extend the time to appeal Building Standard Board decisions and allow for the recoupment of title search expenses; amending Chapter 13, Article II, Division II to modify the definition and procedures for junk vehicles; amending §13-3002 to add the definition of hearing officer; repealing Chapter 13, Article IV in its entirety; repealing in its entirety Ordinance No. 12826 regarding fire breaks; authorizing the City Manager or his designee to execute a licensing agreement with the International Code Council for copyright use of the International Property Maintenance Code; providing for severance; providing for penalties; providing for publication; and providing for effective date.

Mayor Martinez referred to Item 23. Police Chief Floyd Simpson stated that the purpose of this item is to amend the City Code of Ordinances, to repeal the adoption of the Southern Standards Housing Code, 1973 Edition and adopt the Corpus Christi Property Maintenance Code based on the International Property Maintenance Code, 2009 Edition. Chief Simpson said the Property Maintenance code reflects the local conditions and traditional local requirements of the City of Corpus Christi. The Ordinance is also requesting the approval of a licensing agreement with the International Code Council for copyright use of the International Property Maintenance Code. Chief Simpson stated that staff decided to proceed with the adoption of the 2009, as opposed to the current 2012 version, to be in line with other departments and will be updated to the 2012 version in the next eighteen months. There were no comments from the public. Council members spoke regarding the following topics: consideration to have Development Services and the Fire Department approve a licensing agreement for access to the International Codes; how to address "overlap" citations received in the interim; the amount of time to comply with violations; addressing absentee landlord issues; concerns with issuing citations to citizens for unreasonable, unusable sidewalks requiring the property owner to replace sidewalks; and informing the public of the new Property Maintenance Code. Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Magill. This Ordinance was passed on first reading with the following vote:

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

Abstained: 0

24. First Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located south along Holly Road, east of Rodd Field Road and west of Paul Jones Avenue

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, LP ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$49,980.11 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Mayor Martinez referred to Item 24. Director of Development Services Dan Grimsbo stated that the purpose of this item is to approve the execution of a water arterial transmission and grid main construction and reimbursement agreement with MPM Development, LP, for the construction of a water arterial transmission and grid main line. Mr. Grimsbo said staff recommends approval of the agreement. There were no comments from the Council or the public. Council Member Garza made a motion to approve the ordinance, seconded by Council Member Riojas. This Ordinance was passed on first reading with the following vote:

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

Abstained: 0

25. First Reading Ordinance - Closing a portion of a utility easement located north of the Saratoga Boulevard (SH 357) state right-of-way, and east of the Airline Road public street right-of-way.

Ordinance abandoning and vacating a 3,066.16-square foot portion of an existing 15-foot wide utility easement out of a part of Lot 29, Tract N, Bass Subdivision, located north of the Saratoga Boulevard (SH 357) state right-of-way, and east of the Airline Road public street right-of-way; and requiring the owner, George V. Piperis, to comply with the specified conditions

Mayor Martinez referred to Item 25. Director of Development Services Dan Grimsbo stated that the purpose of this item is to abandon and vacate a utility easement and allow for the future development of the property located north of Saratoga Boulevard and east of the Airline Road public street right-of-way. Mr. Grimsbo said staff recommends that payment of fair market value be waived. There were no comments from the Council or the public. Council Member Garza made a motion to approve the ordinance, seconded by Council Member

McIntyre. This Ordinance was passed on first reading with the following vote:

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

Abstained: 0

26. First Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for Wedgewood Terrace Unit 3 located north of Yorktown Drive and West of Flour Bluff Drive, in the southwest portion of Flour Bluff

Ordinance exempting Wedgewood Terrace Unit 3 from the payment of wastewater lot and acreage fees pursuant to Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Mayor Martinez referred to Item 26. Director of Development Services Dan Grimsbo stated that the purpose of this item is to exempt the developer of Wedgewood Terrace Unit 3 from paying \$15,003.05 in wastewater lot and acreage fees subject to execution of a Sanitary Sewer Connection Agreement. It is staff's opinion that wastewater facilities will not be available within the next 15 years. There were no comments from the Council or the public. Mr. Garza made a motion to approve the ordinance, seconded by Council Member Riojas. Mr. Grimsbo stated that in response to Council Member Rubio's question on Item 18, the owner must comply within 180 days. Mr. Grimsbo said this language was left out of the ordinances on Items 18 and 19 and will be corrected prior to second reading. This Ordinance was passed on first reading with the following vote:

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

Absent: 1 - Council Member Scott

Abstained: 0

27. First Reading Ordinance - Amending City Code regarding disbanding the Cable Communications Commission

Ordinance amending the Code of ordinances, City of Corpus Christi, Chapter 2 and Chapter 55 regarding disbanding of the Cable Communications Commission

Mayor Martinez referred to Item 27. Director of Communications Kim Womack stated that the purpose of this item is to disband the Cable Communications Commission and to move administrative functions to the Communications Department. Ms. Womack explained that Corpus Christi's municipal cable franchise was dissolved by state law in June 2012 and since then, the duties of the Cable Communications Commission have changed to primarily regulate public access channel rules and procedures. The Cable Communications Commission and both user groups are in favor of the ordinance and Ms.

Womack stated that she does not foresee any additional workload issues in taking on the administrative functions. Ms. Womack explained that there was one controversial item in the procedures proposed in page 7, Section 55-446(6)(C) stating "programs with original production dates older than 4 years from the proposed air date shall not be shown on public access". Ms. Womack said this language was recommended by staff in order to improve the quality of public access programming because of technology changes. Mayor Martinez called for comments from the public. Jack Gordy spoke in opposition to Section 55-446(6)(C) and stated that 91 out of 92 members of the Public Access User Group 10 disagree with this section. Mr. Gordy said this language should not be limited to four (4) years and should include language only if the production is bad quality. Council members spoke regarding the following topics: staff's reasoning behind limiting to a four (4) year period; the types of programming; including language defining the technology quality rather than basing the focus on the age of the programming. Council Member McIntyre made a motion to strike the language on page 7, Section 55-446(6)(C), seconded by Council Member Magill and passed unanimously. This Ordinance was passed on first reading as amended with the following vote:

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

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 28 - 31)

Mayor Martinez referred to Future Agenda Items. City Manager Olson stated that staff had planned presentations on Items 28, 29, and 30.

28. Engineering Construction Contract for the Laguna Madre Wastewater Treatment Plant Head Works and Bar Screen Improvements

Motion authorizing the City Manager or designee to execute a construction contract with Associated Construction Partners LTD of Boerne, Texas in the amount of \$2,895,000 for the Laguna Madre Wastewater Treatment Plant Head Works and Bar Screen Improvements for the Base Bid.

This Motion was recommended to the consent agenda.

29. Direction regarding 2012 Bond Projects

Resolution directing staff to proceed with bidding remaining Bond 2012 Projects; and providing direction on specific projects.

This Resolution was recommended to the consent agenda.

30. Authorizing Agreement for All Risk Property Insurance Coverage

Motion authorizing the City Manager to execute a one-year agreement,

with Borden Insurance and McGriff, Seibels & Williams of Texas, Inc., for the purchase of all risk property insurance coverages totaling \$2,752,388 of which \$1,131,117.95 is required for the remainder of FY2014-2015. Funds have been budgeted by the Legal Department in FY2014-2015.

This Motion was recommended to the consent agenda.

31. Appointing Board Members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation

Motion appointing City Council Members Nelda Martinez, Rudy Garza, Chad Magill, Colleen McIntyre, Lillian Riojas, Brian Rosas, Lucy Rubio, Mark Scott and Carolyn Vaughn as board members to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation.

This Motion was recommended to the consent agenda.

Q. FUTURE CORPORATION MEETING: (ITEMS 32 - 33)

Mayor Martinez referred to Future Corporation Meetings and stated that the corporation meetings would be held at the next meeting.

32. Future Corporation Meeting of the Coastal Bend Health Facilities Development Corporation

Annual Meeting of the Coastal Bend Health Facilities Development Corporation

This Corporation Meeting was recommended to be held.

33. Future Corporation Meeting of the Coastal Bend Cultural Education Facilities Finance Corporation

Annual Board Meeting of the Coastal Bend Cultural Education Facilities Finance Corporation

This Corporation Meeting was recommended to be held.

R. BRIEFINGS: (ITEMS 34 - 37)

34. Overview of Plan CC Comprehensive Plan 2035

Mayor Martinez referred to Item 34. Annika Gunning with development Services stated that the purpose of this item is to have the planning consultant present an overview of the Plan CC Comprehensive Plan 2035. Larissa Brown, Principal with Stantec Urban, presented information on: the status of the process; the overall picture; the four key issues to the vision; a diagram of the strategic policy priorities; the future land use map; land use policy issues; land use

compatibility transition areas; an orderly development system for annexed area; infrastructure funding options; potential annexation areas; housing revitalization and affordable housing; and how to implement strategies, capacity building and coordination.

Council members spoke regarding the following topics: the current zoning for annexed land; reducing sprawl in annexed areas; whether consideration was given to the topography and elevation of the potential Calallen/Northwest annexation area; housing revitalization in the current Memorial Hospital area; establishment of a timeline indicating what is achievable and realistic; grant proposal writing; re-establishment of the Planning Department; focusing on the downtown, Six Points, Westside, and Flour Bluff areas for housing revitalization and affordable housing; targeting Community Development Block Grant (CDBG) funds for housing and mixed-use; incorporating a focus on a healthy community as a guiding principal; concentration on infill development; engaging the younger residents in the planning process; strengthening the workforce; focusing on implementation and developing a process mechanism; guidance on the transitional aviation district; and follow-up components. Ms. Brown announced that the next community meeting is scheduled for May 9, 2015 from 9:00 a.m. to 11:30 a.m. at the American Bank Center.

35. Overview of the Downtown Area Development Plan and Development Incentives

Mayor Martinez referred to Item 35. Annika Gunning with Development Services stated that the purpose of this item is to allow the planning consultant to present an overview of the draft Downtown Area Development Plan and recommendations for development incentives. Ben Carlson, Director of Urban Design for Goody Clancy, presented information on: the process update; the five (5) major themes of the Downtown Area Development Plan; the ten (10) implementation initiatives; major outstanding policy issues; the project types eligible for incentives and recommendations; defining eligibility for incentives "by-right" versus "needs-based" and recommendations; targeting areas outside the Tax Increment Reinvestment Zone (TIRZ) and recommendations; additional TIRZ district recommendations; Type A fund recommendations; and the City's role in strategic use of land recommendations.

Council members spoke regarding the following topics: the opportunity to use gap financing to stimulate the downtown area; next steps for TIRZ #3 (downtown); ways to use the TIRZ as an incentive for new development; whether to differentiate between full service and limited service on non-convention center hotel incentives; the desire to have an educational presence in the downtown area; using the TIRZ to leverage another source; incorporating mixed use and retail opportunities.

Mayor Martinez called for a 20-minute break.

36. Residential/Local Street Reconstruction Plan - Funding Options

Mayor Martinez referred to Item 36. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to discuss the existing and future potential funding options to address the residential/local street reconstruction plan. Director of Financial Services Constance Sanchez provided the following information: an overview of the street system and the 2014 current estimate;

the existing resources allocated; and the potential possible resources which include re-purposing sales tax; a property tax increase; reallocation of General Fund resources; a street maintenance fee; assessments/special taxing districts; voter approved bonds and future defeased debt; and legislative initiatives. Ms. Sanchez concluded the presentation with three additional considerations: 1) how much of the problem to solve; 2) the time horizon for solving the problem; and 3) the physical capacity to do the street work.

Council members spoke regarding the following topics: the impacts of re-allocating General Fund resources; whether the debt capacity includes the issuance of \$55 million of debt every two (2) years; consideration to change the issuance of debt to every four (4) years; legislative initiatives and consideration for bracket bills; the realistic physical capacity and how many local streets can be added knowing what needs to be done on the collectors and arterials; additional concerns with construction and material capacity; developing a matrix, taking into consideration the condition of the streets, drainage and utilities; re-purposing the sales tax; the difference between taxing districts and assessments; the process for billing public improvement districts; how paving liens are assessed and the percentage of collection and paid off liens; strategies to amend the Unified Development Code (UDC) to create a new design policy for new subdivisions or building concrete streets; additional sales tax increases; increasing the portion of the industrial districts; discussion with the Regional Transportation Authority (RTA) regarding contributions to residential/local streets; finding a sustainable funding source and identifying additional funding sources; the RESTORE ACT; the use of pothole patching and killer trucks; the Street Department contracting for additional help to repair potholes; have staff come back with a recommendation for solutions; the viability of the rollback revenue rate; and the economic trends in sales tax.

City Manager Olson said staff will come back with a presentation on assessments and public improvement districts and provide details on the industrial district revenues.

Mayor Martinez made a motion directing the City Manager to prepare for the 2016 Election to re-purpose the sales tax for the baseball stadium, seconded by Council Member McIntyre and passed unanimously.

Mayor Martinez made a motion directing the City Manager to hold the next Bond Election in 2018 for the reconstruction of arterials and collectors in the amount of approximately \$110,000,000, seconded by Council Member McIntyre and passed unanimously.

Council Member Magill made a motion directing the City Manager to speak with the RTA on behalf of the City Council regarding of the one-eighth cent sales tax, seconded by Council Member Rubio and passed unanimously.

37.

Recommendation from Citizens Advisory Health Board (CAHB) regarding City-County Health District

Mayor Martinez referred to Item 37. Assistant City Manager Susan Thorpe introduced Dr. Tony Diaz, Chairman of the Citizens Advisory Health Board. Dr. Diaz presented information on the City-County Health District's mission and functions. Dr. Diaz stated that after observing the difficulties in coordination and communication under the City of Corpus Christi and Nueces County, the

Citizen's Advisory Health Board recommends designating the Nueces County Commissioners Court as the governing body of the City-County Health District. Council members spoke regarding the following topics: the change in operations; the mandated responsibilities for the City; how the discussion with Nueces County would work; and fully exploring the agreement and responsibilities. There was a consensus of the Council to support the Citizens Advisory Committee's recommendation.

S. LEGISLATIVE UPDATE:

None.

T. ADJOURNMENT

City Manager Olson informed the City Council that beginning April 28th, the Executive Team, comprised of the City Manager and Assistant City Managers, will be available once a month from 10 a.m. to 11:00 a.m., prior to a City Council meeting, to provide an opportunity for residents to talk to city management.

The meeting was adjourned at 8:02 p.m.