



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes - Final City Council

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Tuesday, May 28, 2013

11:30 AM

Council Chambers

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**A. CALL MEETING TO ORDER.**

Mayor Martinez called the meeting to order.

**B. INVOCATION.**

The Invocation was given by Father Peter Martinez, St. Paul the Apostle Church.

**C. PLEDGE OF ALLEGIANCE.**

The Pledge of Allegiance was led by Annie Leal, Call Center Manager.

**D. ROLL CALL.**

City Secretary Chapa verified that the necessary quorum of the Council and the required Charter Officers were present to conduct the meeting.

**Charter Officers: City Manager Ron Olson, City Attorney Carlos Valdez, and City Secretary Armando Chapa**

**Present:** 9 - Council Member Kelley Allen, Council Member Priscilla Leal, Council Member David Loeb, Mayor Nelda Martinez, Council Member Mark Scott, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Rudy Garza

**E. Proclamations / Commendations**

- 1** Proclamation declaring June 1-2, 2013 as the "1st Annual Corpus Christi Flag Weekend"  
Swearing-in Ceremony for newly appointed Board, Commission and Committee Members  
City Manager's "At Your Service Award"

**Mayor Martinez presented the Proclamation and conducted a Swearing-in Ceremony of newly appointed Board and Commission Members. City Manager Olson presented the "At Your Service Award" to Thomas Cruz, Firefighter and Diana Glynn, Police Department.**

**I. MINUTES:**

- 3** Approval of Meeting Minutes - Regular Council Meetings of May 14, 2013 and May 21, 2013.

Mayor Martinez deviated from the agenda and referred to approval of the minutes. A motion was made by Council Member Magill, seconded by Council Member Garza to approve the minutes as presented and passed.

**L. CONSENT AGENDA: (ITEMS 4 - 7)**

Mayor Martinez deviated from the agenda and referred to the Consent Agenda Items 4 through 7. Mayor Martinez asked for comments from the audience. Council Member Leal commented on Item No. 5. The items were approved by one vote:

**4 Second Reading Ordinance - Unified Development Code Text Amendment exempting Regional Transit Authority signs that contain commercial advertising (1st Reading 5/14/13)**

Ordinance amending the Corpus Christi Unified Development Code by revising subsection 7.5.7.A.7 relating to signs partially exempt from the UDC; providing for severance, penalties, and publication.

The foregoing ordinance was passed and approved on second reading with the following vote:

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029840

**5 Second Reading Ordinance - Rezoning from Residential to Industrial for Elizabeth Anne Meaney on property located at 8801 State Highway 44 (Tabled on 4/23/13) (1st Reading 5/14/13)**

Case No. 0313-01 Elizabeth Anne Meaney: A change of zoning from the "RS-6" Single-Family 6 District to the "IL/SP" Light Industrial District with a Special Permit for the wholesale storage and distribution of fuels and lubricants, not resulting in a change to the Future Land Use Map. The property being rezoned is described as being an 18.25-acre tract of land out of the G. H. McLeroy 40-acre tract and being out of Survey 402, Thomas Gallagher Abstract 988 and the James W. Ward Abstract 1031, located on the south side of State Highway 44, approximately 110 feet east of South Clarkwood Road.

Staff Recommendation:

Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "IL/SP" Light Industrial District with a Special Permit, and in lieu thereof, approval of the "IL" Light Industrial District.

Planning Commission Recommendation (March 27, 2013):

Approval of the change of zoning from the "RS-6" Single-Family 6

District to the "IL/SP" Light Industrial District with a Special Permit subject to a site plan and conditions.

Ordinance as approved on first reading

Ordinance amending the Unified Development Code ("UDC") upon application by Elizabeth Anne Meaney ("Owner"), by changing the UDC Zoning Map in reference to an 18.25-acre tract of land out of the G. H. McLeroy 40-acre tract in the Thomas Gallagher Survey 402, Abstract 988, and the James Ward Survey, Abstract 1031, from the "RS-6" Single-Family 6 District to the "IL/SP" Light Industrial District with a Special Permit on Tract 1 and to the "IC" Industrial Compatible District on Tract 2; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**The foregoing ordinance was passed and approved on second reading with the following vote:**

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

**Nay:** 1 - Council Member Leal

**Abstained:** 0

Enactment No: 029841

**6 Second Reading Ordinance - Amending the South Central Area Development Plan, an Element of the Corpus Christi Comprehensive Plan (1st Reading 5/14/13)**

Ordinance amending the South Central Area Development Plan, an element of the Comprehensive Plan of the City of Corpus Christi by renaming the Plan; updating goals and policies; providing new measurable strategies and a new multi-modal transportation plan, urban design plan, and urban living options plan; updating the future land use map; providing for severance; and providing for publication

**The foregoing ordinance was passed and approved on second reading with the following vote:**

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029842

**7 Change Order No. 11 for Kostoryz Road improvements Phase 1 from Horne to Sunnybrook and Phase 2 from Sunnybrook to SPID (Bond 2008)**

Motion authorizing the City Manager, or designee, to execute a Change Order No. 11 with Texas Sterling Construction of Houston, Texas in the amount of \$508,077.63, for the Kostoryz Road Improvements Phase 1 from Horne to Sunnybrook and Phase 2 from Sunnybrook to SPID.

**The foregoing motion was passed and approved with the following vote:**

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: M2013-091

Mayor Martinez announced that Item No. 23 was being pulled from the day's agenda pending the outcome of a lawsuit filed in the City of Austin, Texas regarding disposable bag ban. Mayor Martinez allowed for public comment on this item and the following citizens spoke: Neil McQueen thanked the council for their support but stated that our City should move forward; Cliff Schablich spoke in support of the ordinance and stated that our City should move forward; Carolyn Moon spoke in support of the ordinance and stated that our City should move forward; and Adrianna Leyva stated that our City should move forward with the ordinance.

Mayor Martinez announced that the Council would now hear the Public Comment scheduled for 12 Noon. She indicated that after Public Comment, the Council would go into Executive Session, and that Council would resume public comment on Item 23 after the executive session.

#### **F. PUBLIC COMMENT.**

The following citizens spoke: Wilson Wakefield stated that he opposes the street maintenance fee; Jerry Garcia spoke about CDBG funding and various other city issues; Colin Sykes asked the Council to reconsider the Resolution regarding the Citizens United group; Peggy Duran spoke on Item 23 and stated she supports the ordinance; Abel Alonzo spoke about CDBG funding and thanked the staff for their work; Weldon Lucas spoke on Item 23 and stated that our City should move forward with the ordinance; and Jeanne Adams spoke on Item 23 and stated that our City should move forward with the ordinance.

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

#### **H. EXECUTIVE SESSION: (ITEM 2)**

Mayor Martinez read Executive Session Item No. 2. The council went into executive session.

**2** Executive Session pursuant to Texas Government Code Section 551.074 Personnel Matters to deliberate the appointment,

employment, evaluation, reassignment, duties, discipline, or dismissal of Municipal Court Judge with possible discussion and action in open session.

The council returned from executive session. City Secretary Chapa polled the Council for their vote on the following ordinance:

**Ordinance accepting the recommendation and appointment of Inna S. Rogoff for a position as Municipal Judge of the Municipal Court of Record in the City of Corpus Christi, Texas; and declaring an emergency.**

**An emergency was declared and the foregoing ordinance was passed and approved with the following vote:**

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

**Absent:** 1 - Council Member Riojas

**Abstained:** 0

Enactment No: 029839

Mayor Martinez returned to public comment on Item No. 23. Johnny French spoke about the use of reuseable bags.

Council Members discussed the status of the lawsuit filed in the city of Austin, Texas, education outreach, reduction of plastic bags, litter ordinance and code enforcement issues. Mayor Martinez stated that she is tabling this item pending the outcome of the lawsuit filed in the city of Austin, Texas.

**23 First Reading Ordinance - Amending Chapter 21 of City Code to regulate the use of plastic check-out bags and establish a system to monitor and collect environmental recovery fees**

Ordinance amending Chapter 21, Part III Garbage, Trash, and Other Refuse of the Code of Ordinances, by adding New Article VI regulating the use of plastic checkout bags in the City of Corpus Christi, and providing for penalties.

This Ordinance was tabled.

**J. BOARDS & COMMITTEE APPOINTMENTS:**

**M. PUBLIC HEARINGS: (ITEMS 8 - 11)**

**8 Public Hearing for the FY 2013/2014 budget for the Corpus Christi Crime Control and Prevention District**

Public Hearing for the FY 2013/2014 budget for the Corpus Christi Crime Control and Prevention District.

**Mayor Martinez referred to Item No. 8. Pat Eldridge, Police Department stated that this item is a Public Hearing for the FY 2013-2014 budget for the Crime Control & Prevention District. She added that the focus for FY 2014 is 50 additional police officers, the Juvenile Assessment Center, Pawn Shop Detail, purchase of five replacement police vehicles, and purchase of support equipment. Ms. Eldridge discussed the total expenditures, total revenues, and fund balance. Ms. Eldridge informed the Council that the proposed budget includes two additional civilian Crime Prevention Specialists, and one civilian volunteer in Police Services, and stated that all other programs are fully funded.**

**A motion was made by Council Member Scott, seconded by Council Member McIntyre to open the public hearing and passed. Abel Alonzo spoke in support of the 50 additional police officers and safety for the community. There being no other public comment, a motion was made by Council Member Magill, seconded by Council Member Scott to close the public hearing and passed.**

Enactment No: 029853

9

**Public Hearing and First Reading Ordinance - Rezoning from Residential for Palm Land Investments, Inc. on property located at 7564 Brooke Rd.**

Case No. 0413-01 Palm Land Investment, Inc.: A change of zoning from the "FR" Farm Rural District, "RS-6" Single-Family 6 District, and "RS-10" Single-Family 10 District to the "RS-4.5" Single-Family 4.5 District, resulting in a change to the Future Land Use Plan from medium density residential to low density residential. The property to be rezoned is described as being a 60.54-acre tract of land out of Lots 5A, 6A, 7A, 9, 10, and 11, Section 26, Flour Bluff and Encinal Farm and Garden Tracts, located east of Quail Creek Drive and at the east ends of Oso Parkway and Brooke Road.

Planning Commission and Staff Recommendation (April 24, 2013): Approval of the change of zoning from the "FR" Farm Rural District, "RS-6" Single-Family 6 District, and "RS-10" Single-Family 10 District to the "RS-4.5" Single-Family 4.5 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Palm Land Investment, Inc. ("Owner"), by changing the UDC Zoning Map in reference to a 60.54-acre tract of land out of Lots 5A, 6A, 7A, 9, 10, and 11, Section 26, Flour Bluff and Encinal Farm and Garden Tracts, from the "FR" Farm Rural District, "RS-6" Single-Family 6 District, and "RS-10" Single-Family 10 District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

The foregoing ordinance was passed and approved on first reading with the following vote:

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029854

10

**Public Hearing and First Reading Ordinance - Rezoning from Estate Residential to Low Density Residential for Kitty Hawk Development, Ltd. on property located at 3142 South Staples Street (Tabled on 5/28/13)**

Case No. 0413-02 Kitty Hawk Development, Ltd.: A change of zoning from the "RE" Residential Estate District to the "CN-1" Neighborhood Commercial District on Tract 1, the "RE" Residential Estate District to the "RS-15" Single-Family 15 District on Tract 2, and the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District on Tract 3. The property is described as being a 58.969-acre tract of land out of the south half of Section 31, Laureles Farm Tracts, located along the south side of South Staples Street (FM 2444) and along the east side of County Road 41.

Planning Commission and Staff Recommendation (April 24, 2013): Approval of the change of zoning from the "RE" Residential Estate District to the "CN-1" Neighborhood Commercial District on Tract 1, from the "RE" Residential Estate District to the "RS-15" Single-Family 15 District on Tract 2, and from the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District on Tract 3.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Kitty Hawk Development, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 58.969-acre tract of land out of the south half of Section 31, Laureles Farm Tracts, from the "RE" Residential Estate District to the "CN-1" Neighborhood Commercial District on Tract 1 and to the "RS-15" Single-Family 15 District on Tract 2, and from the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District on Tract 3; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item No. 10. Mr. Mark Van Vleck, Director of Development Services stated that the purpose of this zoning request is to allow development of a single-family subdivision with minimum lot sizes of 15,000 square feet and reduce the amount of neighborhood commercial zoning on property located at 9142 South Staples Street, from Residential Estate to Low Density Residential. He stated that Planning Commission and Staff**

recommend approval of the change from Residential Estate District to Neighborhood Commercial District on Tract 1, Residential Estate District to Single-Family 15 District on Tract 2, and Neighborhood commercial District to Single-Family 15 District on Tract 3 for a total of approximately 59 acres. Mr. Van Vleck informed Council that this is an expansion of the Kitty Hawk Subdivision and that the area does not have wastewater service and that the minimum lot size required for platting will be one-half acre.

A motion was made by Council Member Scott, seconded by Council Member Leal to open the public hearing and passed. John Kelley spoke on behalf of Javier Huerta and stated that they support a special permit; and Pat Veteto spoke in support of the "RS-15" Single-Family 15 District zoning.

Council Members discussed the Single-Family 15 District zoning, granting a special permit, amend the Unified Development Code to create a new zoning classification, and wastewater requirements. A motion was made by Council Member Loeb, seconded by Council Member Scott to close the public hearing and passed.

A motion was made by Council Member Loeb, seconded by Council Member Magill to table this item to June 11, 2013 and passed.

11

#### **Public Hearing and First Reading Ordinance - Rezoning from Industrial to Commercial for The Palms at Leopard, Ltd. on property located at 2725 Leopard Street**

Case No. 0413-04 The Palms at Leopard, Ltd.: A change of zoning from the "IH/SP" Heavy Industrial District with a Special Permit to the "CI" Intensive Commercial District, resulting in a change to the Future Land Use Plan from light industrial to commercial uses. The property to be rezoned is described as being a 2.11-acre tract of land out of Tract C, Hawn Tract, and all of Tracts D and E, Hawn Tract, located along the east side of Palm Drive between Leopard Street and Lipan Street.

Planning Commission and Staff Recommendation (April 24, 2013): Approval of the change of zoning from the "IH/SP" Heavy Industrial District with a Special Permit to the "CI" Intensive Commercial District.

#### Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by The Palms at Leopard, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 2.11-acre tract of land out of Tract C, Hawn Tract, and all of Tracts D and E, Hawn Tract, from the "IH/SP" Heavy Industrial District with a Special Permit to the "CI" Intensive Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**The foregoing ordinance was passed and approved on first reading with the following vote:**



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

**Absent:** 1 - Council Member McIntyre

**Abstained:** 0

Enactment No: 029855

**N. REGULAR AGENDA: (ITEMS 12 - 17)**

**12 Approving Financial Underwriters for issuing bonds**

Motion approving authorized list of financial underwriters

**The foregoing motion was passed and approved with the following vote:**

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

**Absent:** 1 - Council Member Allen

**Abstained:** 0

Enactment No: M2013-092

**13 Second Reading Ordinance - Amendment to Type A agreement for Del Mar College Internship Program (Original Agreement Passed 08/21/12) (1st Reading 5/14/13)**

Ordinance appropriating \$72,804.35 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for a small business incentives grant from the Corpus Christi Business and Job Development Corporation ("Type A Corporation") to Del Mar College ("Del Mar") for an intern program to support small businesses; Changing the FY 2012-2013 operating budget, adopted by Ordinance No. 029565, by increasing proposed expenditures by \$72,804.35.

**Mayor Martinez referred to Item No. 13. Mike Culbertson, Economic Development referred to Items 13 and 14. He stated that the ordinances on these two items did not reflect that this is an amendment to the agreement. A motion was made by Council Member Leal, seconded by Council Member Scott to approve the amendments and passed.**

**The foregoing ordinance was passed and approved on second reading as amended with the following vote:**

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

**Absent:** 1 - Council Member Allen

**Abstained:** 0

Enactment No: 029843

**14**

**Second Reading Ordinance - Amendment to Type A agreement for Texas A&M University - Corpus Christi Internship Program (Original Agreement Passed 08/21/12) (1st Reading 5/14/13)**

Ordinance appropriating \$35,060 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for a small business incentives grant from the Corpus Christi Business and Job Development Corporation ("Type A Corporation") to Texas A&M University - Corpus Christi ("TAMU-CC") for an intern program to support small businesses; Changing the FY 2012-2013 operating budget, adopted by Ordinance No. 029565, by increasing proposed expenditures by \$35,060.

**The foregoing ordinance was passed and approved on second reading as amended with the following vote:**

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

**Absent:** 1 - Council Member Allen

**Abstained:** 0

Enactment No: 029844

**15**

**Chapter 380 Agreement for Staples Center Retail Venture, LP (The Shops at La Palmera)**

Approving a resolution authorizing the City Manager or designee to execute a Chapter 380 Economic Development Incentive Agreement with Staples Center Retail Venture, LP ("Agreement") for certain economic development grants for redevelopment of Staples Retail Center and Mt. Vernon Center, for the benefit of the City.

**The foregoing resolution was passed and approved with the following vote:**

**Aye:** 7 - Council Member Allen, Council Member Leal, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Nay:** 2 - Council Member Loeb and Mayor Martinez

**Abstained:** 0

Enactment No: 029845

**16**

**Second Reading Ordinance - Amending the City Code to revise the City's Water Conservation Plan and Drought Contingency Plan (1st Reading 5/14/13)**

Ordinance adopting the Water Conservation Plan and Drought Contingency Plan; Amending City Code of Ordinances, Chapter 55, Article XII Water Conservation, regarding water resource management including drought restrictions and surcharges, providing an effective date of June 3, 2013; and providing for penalties.

**Mayor Martinez referred to Item No. 16. Gus Gonzalez, Director of Water Operations that this is the second reading of revisions to the Water Conservation Plan and Drought Contingency Plan. He stated that the following amendments are being proposed prior to passage on second reading: 1) during Stages 3 - 5, a trigger point of 3,000 gallons per month is established for residential customers before a drought surcharge is added; 2) residential customer bill will remain the same up to 3,000 gallons and consumption above 3,000 gallons per month will result in drought surcharge up to an including 100% of the total monthly bill over 3,000 gallons; 3) drought surcharge for residential customers during Stages 3 - 5 may be implemented with city council approval; 4) during Stage 3, discontinuing fire hydrants for construction purposes may be implemented with city council approval; 5) during Stage 4, the suspension of new, additional, or increased-in-size water service connections may be implemented with city council approval; 6) the Water Allocation and Review Committee responsibilities will be completed by City staff; and 7) new industrial customer allocations will be based on 90% or their maximum monthly contracted usage until 12 months of billing history is available.**

**A motion was made by Council Member Scott, seconded by Council Member Leal to approve the amendments and passed.**

**The foregoing ordinance was passed and approved on second reading as amended with the following vote:**

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

**Absent:** 1 - Council Member Allen

**Abstained:** 0

Enactment No: 029846

17

### **Interlocal agreement with Regional Transportation Authority (RTA) for street improvement program**

Resolution authorizing the City Manager, or designee, to execute an Interlocal Agreement with the Corpus Christi Regional Transportation Authority to increase funding based upon sales tax revenues and provide for a more efficient process in funding street improvements.

**The foregoing ordinance was passed and approved on second reading with the following vote:**

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

**Absent:** 1 - Council Member Allen

**Abstained:** 0

Enactment No: 029847

**O. FIRST READING ORDINANCES: (ITEMS 18 - 27)**

**18 First Reading Ordinance - Texas General Land Office (GLO)-Coastal Impact Assistance Program (CIAP) grant award for construction of the Oso Bay Learning Center and Wetland Preserve**

Ordinance authorizing the City Manager, or designee, to execute all documents necessary to accept and appropriate a grant in the amount of \$1.5 Million from the Texas General Land Office-Coastal Impact Assistance Program (CIAP) for the construction of the Oso Bay Coastal Environmental Learning Center.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029857

**19 First Reading Ordinance - Appropriating a State grant for the 2013 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.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029858

**20 First Reading Ordinance - Amending the lease of International**

**Westside Baseball to add additional baseball fields at Greenwood/Horne Youth Sports Complex**

Ordinance authorizing the City Manager or designee to execute an Amendment to the Lease Agreement with International Westside Baseball League for additional baseball fields at Greenwood/Horne Youth Sports Complex.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

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

**Absent:** 1 - Council Member Garza

**Abstained:** 0

Enactment No: 029859

21

**First Reading Ordinance - Construction contract for Billings Bait Stand and Clems Marina Parking Lot Construction (Re-Bid)**

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 by adding \$100,000 in appropriated street assessments; adding \$132,863.80 in Street Tax Notes; transferring \$284,597.80 from Water CIP Project No. 180198 Programmed Waterline Lifecycle Replacement Project to the Billings Bait Stand and Clems Marina Boat Ramp Rehabilitation Phase Two Project; increasing expenditures in the amount of \$232,863.80; and authorizing the City Manager or designee to execute a construction contract with Garrett Construction of Ingleside, Texas in the amount of \$972,177.05, for the Billings Bait Stand and Clems Marina Parking Lot Construction for the Base Bid only.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029860

22

**First Reading Ordinance - Approval of a Developer Participation Agreement to reimburse Developer for the City's cost of Sydney Street**

Ordinance authorizing the City Manager to execute a developer participation agreement with Alty Enterprises, Inc. ("Developer"), to

reimburse the Developer up to \$86,559.82 for the City's share of the cost to expand and extend Sydney Street.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029861

**24**

**First Reading Ordinance - Appropriating reimbursement funds from the Texas State Library Archives Commission**

Ordinance appropriating \$11,012.75 reimbursement received from the Texas State Library and Archives Commission for participation in Project Loan into the General Fund No. 1020, Central Library Organization No. 12800 to be used for library technology services.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029862

**25**

**First Reading Ordinance - Appropriating royalties from oil, gas, and mineral interests of the Estate of William T. Neyland**

Ordinance appropriating \$2,741.44 from royalties from oil gas and mineral interests bequeathed to the City from the Estate of William T Neyland into the Library Grants fund No 1068, Project No. 807713L for library technology services.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029863

**26**

**First Reading Ordinance - Repealing Section 2 - 78 of the City code regarding the City's lay representative to the South Texas Library System**

Ordinance repealing Sec 2-78 "Lay representative of city" of Article IV of Chapter 2 of the Corpus Christi Code, providing an effective date; and providing for publication.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029864

27

**First Reading Ordinance - Authorizing the issuance of General Improvement Bonds to finance Bond 2012 Projects**

Ordinance authorizing the issuance of "City of Corpus Christi, Texas General Improvement Bonds, Series 2013" in an amount not to exceed \$88,010,000, levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; 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.

**The foregoing ordinance was passed and approved on first reading with the following vote:**

**Aye:** 9 - Council Member Allen, Council Member Leal, Council Member Loeb, Mayor Martinez, Council Member Scott, Council Member Magill, Council Member McIntyre, Council Member Riojas and Council Member Garza

**Abstained:** 0

Enactment No: 029856

**P. FUTURE AGENDA ITEMS: (ITEMS 28 - 45)**

Mayor Martinez referred to the Future Agenda, Items 28 through 45 and stated that these items are for informational purposes only and that no action or public comment would be taken. Staff provided a presentation on Items 28, 39 and 42.

28

**Authorizing the appointment of financial advisor for the issuance of General Improvement Bonds to finance Bond 2012 Projects**

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the issuance of "City of Corpus Christi, Texas General Improvement Bonds, Series 2013" in an amount not to exceed \$88,010,000.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-100

29

### **Amending Financial Policy**

Resolution amending Financial Policies adopted by Resolution 029826 and providing financial policy direction on preparation of the annual budgets.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029848

30

### **Lease agreement for the lease of Copiers**

Motion approving a Lease Agreement with Dahill Office Technology Corporation, San Antonio, Texas for eighty-four (84) copiers in accordance with Request For Proposal No. BI-0121-13 based on lowest responsible proposal for an estimated three-year expenditure of \$737,306.64. The term of the lease agreement shall be for thirty-six (36) months with an option to extend for up to two (2) additional twelve-month periods subject to the approval of the Contractor and the City Manager or designee. Funding will be requested for future fiscal years in the normal budget process.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-093

31

### **Service Agreement for Drug & Alcohol Testing and Occupational Medical Services**

Motion approving a service agreement with Nueces Emergency Services d.b.a. The Doctor's Center of Corpus Christi, Texas for drug and alcohol testing and occupational medical services, based on only proposal received, in accordance with Request for Proposal Number BI-0048-13, for an estimated annual expenditure of \$121,484.10, of which \$20,247.35 is budgeted for the remainder of FY 12/13. The term of the service agreement will be for one-year with four automatic one-year extension periods.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-094

32

### **Amending the Consolidated Emergency Dispatch Center**



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**Interlocal Agreement between the City of Corpus Christi and Nueces County to include the City of Driscoll as a participant**

Resolution authorizing the City Manager, or his designee, to execute an amendment to the Consolidated Emergency Dispatch Center Interlocal Agreement between the City of Corpus Christi and Nueces County to include the City of Driscoll as a participant.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029865

**33 Amending the Radio Communications System Interlocal Agreement between the City of Corpus Christi, the Regional Transportation Authority (RTA) and Nueces County to include the City of Driscoll for the public safety radio system**

Resolution authorizing the City Manager, or his designee, to execute an amendment to the Radio Communications System Interlocal Agreement between the City of Corpus Christi, the Regional Transportation Authority and Nueces County to include the City of Driscoll as a participant for a public safety radio system.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029866

**34 Interlocal Agreement with Calallen Independent School District for bus transportation for Summer 2013**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with the Calallen Independent School District to provide transportation services for summer youth recreation programs.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029849

**35 Interlocal Agreement with Corpus Christi Independent School District for bus transportation for Summer 2013**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with the Corpus Christi Independent School District to provide transportation services for summer youth recreation programs.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029850

**36 Interlocal Agreement with Flour Bluff Independent School District for bus transportation for Summer 2013**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with the Flour Bluff Independent School District to provide transportation services for summer youth recreation programs.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029851

**37 Interlocal agreement for the 2013 Summer Food Program**

Resolution authorizing the City Manager or designee to execute an Interlocal Cooperation Agreement with Corpus Christi Independent School District to provide summer food services for summer recreation.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029852

**38 Approving the use of Permanent Art Trust funds to complete sculpture installation**

Motion to approve expenditure up to \$20,000 of Permanent Art Trust Fund for expenses related to installation of Gron art sculpture at Corpus Christi Police Department.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-095

**39 Resolution supporting the Harbor Bridge Replacement Project**

Resolution in support of the Texas Department of Transportation's project to replace the Harbor Bridge and the Corpus Christi Metropolitan Planning Organization's commitment to provide certain project funding.

**This Resolution was recommended by Staff to the Consent Agenda.**

Enactment No: 029867

**41 Installation of LED Street Lights on Chaparral between William and Schatzell (Bond Issue 2008)**

Motion authorizing the City Manager or designee to execute a Contribution-In-Aid-of-Construction Agreement with AEP in the amount of \$51,032.14 for the installation of LED Street Lights on Chaparral Street between William and Schatzell .(Bond 2008)

**This Resolution was recommended by Staff to the Consent Agenda.**



Christi, Texas in the amount of \$115,509.00 for design, bid and construction phase services.

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-098

**45                    Engineering design contract amendment no. 3 for Bear Lane from Old Brownsville Road to South Padre Island Drive (Bond Issue 2008)**

Motion authorizing the City Manager, or designee, to execute Amendment No. 3 to a Contract for Professional Services with Coym, Rehmet and Gutierrez Engineering, L.P. of Corpus Christi, Texas in the amount of \$73,470.00 for a restated fee of \$1,170,020.00 for the Bear Lane Street Improvement Project from Old Brownsville Road to South Padre Island Drive for design of required waterline replacement. (Bond 2008)

**This Motion was recommended by Staff to the Consent Agenda.**

Enactment No: M2013-099

**Q.                    BRIEFINGS TO CITY COUNCIL: (ITEMS 46 - 47)**

**46                    Solid Waste Competitive Assessment Results**

**Mayor Martinez referred to Item No. 46, Solid Waste Competitive Assessment Results. Ms. Sandra Thaxton, Interim Assistant Director, OMB Strategic Management provided a brief overview of the goals, the competitive assessment process, and approach. Ms. Thaxton discussed the assessment completed for MIS and Fleet included the benchmarks and recommendations; integrated action plans in Annual Business Plans, and the service levels and benchmarks through the City Performance Report.**

**Next, Mr. Scott Pasternak, Assistant Vice President, SAIC stated that the operational review focused on the following primary operational areas: collection, landfill and the transfer station, to identify key changes to decrease cost and increase revenue, the privatization analysis, and financial review. Mr. Pasternak discussed the operational and privatization findings for Solid Waste Operations and whether the City should privatize and discussed recommendations for these areas: Refuse Collection, Recycling Collection, Brush and Bulk Collection, Transfer Station Operation, Long-Haul Trucking, Brush Grinding, and Landfill Operation. He then discussed an implementation plan developed by SAIC and City staff to achieve operational efficiencies and to realize cost savings and timing range from now to five years. Mr. Pasternak discussed the cost savings identified in competitive, cost of competitive assessment and cost of service study, the projected savings, and return on investment.**

**Next, Mr. Lawrence Mikolajczyk, Director of Solid Waste stated that they concur with the findings made by SAIC and has developed an Action Plan to implement their recommendations. Mr. Mikolajczyk stated that the**

Implementation Plan for FY 13-14 includes a Fleet Replacement Program, Route Optimization, Refit Brush and Bulky Equipment, Recycling Education/Recycle Bank, and Recycling Revenue Share. He then discussed the Fleet Replacement Schedule and Cost, Route Optimization including estimated costs for system hardware and software; redesign routes for most efficient collection and maximum right hand turns, and estimated savings; Brush and Bulky Equipment replacement and costs and savings; RecycleBank/Recycling Education and Revenue Share.

47

**RESTORE Act Briefing**

Mayor Martinez referred to Item No. 47, RESTORE Act Briefing. Mr. Pete Anaya, Director of Planning and Environmental Services provided a brief overview on activities related to collection and evaluation of project information, potential regional collaborations, and strategic initiatives in the State of Texas' Response Plan under the RESTORE Act. He stated that the RESTORE Act was enacted July 2012 in response to impacts arising from the BP Deepwater Horizon oil spill and the resulting restoration requirements. Mr. Anaya stated that the Act established a Gulf Coast Ecosystem Restoration Council comprised of governors from five Gulf States, including the Secretaries from the US Departments of Interior, Commerce, Agriculture, and Homeland Security, the Secretary of the Army and the Administrator of the US Environmental Protection Agency.

Mr. Anaya informed the Council that the initial Comprehensive Plan will adopt and expand on the following strategy goals: 1) Restore and Conserve Habitat; 2) Restore Water quality; 3) Replenish and Protect Living Coastal and Marine Resources; 4) Enhance Community Resilience, and 5) Restore and Revitalize the Gulf Economy. He stated that the release of the final plan is scheduled for this summer.

**R. LEGISLATIVE UPDATE:**

48

**Status Report on Legislative Issues**

Mayor Martinez referred to Item No. 48, Legislative Update. Mr. Tom Tagliabue, Director of Intergovernmental Relations provided a brief update on the legislative priorities. He informed the Council that a Special Session was called and that other issues that may be added include Windstorm, Transportation and Higher Education.

**S. ADJOURNMENT**

There being no further business to come before the Council, Mayor Martinez declared the meeting adjourned at 4:35 pm.