



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, August 19, 2014

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

B. Invocation to be given by Pastor Rick Milby, Abundant Life Fellowship.

Pastor Rick Milby gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Billy Delgado, Emergency Management Coordinator - Fire Department.

Emergency Management Coordinator for the Fire Department, Billy Delgado, gave 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 Allen would be absent from today's meeting and Council Member Leal has been granted a leave of absence.

Charter Officers:

City Manager Ron Olson, Interim City Attorney Barney L. Knight, and City Secretary Rebecca Huerta.

Present: 7 - Mayor Nelda Martinez, 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: 2 - Council Member Kelley Allen, and Council Member Priscilla Leal

E. Proclamations / Commendations

1. Proclamation declaring August 19, 2014 as, " Ariel Natalie Monte, Miss Corpus Christi USA Day"
Proclamation declaring September 6, 2014 as, "Operation K.E.Y.S. - Keeping Every Youth in School Day"

Mayor Martinez presented the proclamations.

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

Mayor Martinez deviated from the agenda and referred to City Manager's Comments. City Manager Ron Olson spoke regarding the following topics:

a. Other

1) The City's Library Department recently received a grant to continue efforts to improve digital technology by establishing a digital mobility literacy lab and assisting a certain population of the City with iPad technology. More information on the programs can be found at www.cclibrary.com. 2) A public meeting on the Southern Minerals Road project will be held Wednesday, August 20, 2014 at City Hall beginning with an Open House at 4:00 p.m. and a discussion at 4:30 p.m. 3) Mr. Olson reported that he has completed his 12th 100 days and has presented the City Council with the outcomes and his goals for the next 100 days. 4) Mr. Olson presented a Plaque of Appreciation to Interim City Attorney Barney L. Knight for his six-month service to the City and recognized his work on restructuring and reorganizing the City's Legal Department.

J. BOARD & COMMITTEE APPOINTMENTS: (NONE)

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 4 - 10)

Approval of the Consent Agenda

Mayor Martinez referred to the Consent Agenda. Council Member McIntyre requested that Item 7 be pulled for individual consideration. The remaining consent agenda items were passed by one vote as follows:

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

4. Approving amendment no. 1 to engineering design contract for area improvements at North Beach (BOND 2012) (Prop. No. 8 Economic Development Projects)

Motion authorizing the City Manager or designee to execute Amendment No. 1 to an Engineering Design Contract with RVE, Inc. from Corpus Christi, Texas in the amount of \$303,505, for a total restated fee of \$352,465, for North Beach Area Road Improvements and Area Beautification and North Beach Breakwater, Plaza, North

Shoreline Repair and Enhancement for the design, bid, and construction phase services. BOND 2012

This Motion was passed on the Consent Agenda.

Enactment No: M2014-110

5. Approving amendment no. 31 to the Runway 13-31 Extension/Displacement and Connecting Taxiway project at the airport

Motion authorizing the City Manager, or designee, to execute Amendment No. 31 with KSA Engineers, Inc. from Longview, Texas in the amount of \$74,803.00 for a total restated fee of \$6,739,912.71 for the Corpus Christi International Airport Runway 13-31 Extension/Displacement and Connecting Taxiway Project for additional design services.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-111

6. Service agreement for meal delivery for the Elderly Nutrition Program (ENP) and Meals on Wheels

Motion approving a service agreement with R & R Delivery Service, Corpus Christi, Texas for meal delivery in accordance with Bid Invitation No. BI-0142-14, based on only bid for an estimated annual expenditure of \$243,750.00, of which \$40,625.00 is required for the remainder of FY 2013-2014. The term of the contract will be for twelve (12) months with options to extend for up to two (2) additional twelve-month periods, subject to the approval of the Contractor and the City Manager or designee. Funds have been budgeted by the Senior Community Services Division of the Parks and Recreation Department in FY 2013-2014.

This Motion was passed on the Consent Agenda.

Enactment No: M2014-112

8. Second Reading Ordinance - Appropriating State grant for Automobile Burglary and Theft Protection (ABTPA) (1st Reading 8/12/14)

Ordinance appropriating \$392,474 from the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) in the No. 1061 Police Grants, and appropriating \$7,687 in program income match in the No. 1061 Police Grants Fund to continue the motor vehicle theft enforcement grant within the Police Department.

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

Enactment No: 030255

9. Second Reading Ordinance - Appropriating funds for replacement and installation of new radio antennas (1st Reading 8/12/14)

Ordinance appropriating \$22,565.42 from the Radio System Capital Replacement Reserve Fund, amending the FY 13-14 budget, adopted by Ordinance No. 029915 to increase appropriations by \$22,565.42 in the No. 1020 General Fund Police Department budget to pay for replacement and installation of Omni Directional Antennas at the One Shoreline Plaza radio transmitter sites for the City, County, and RTA radio systems.

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

Enactment No: 030256

10. Second Reading Ordinance - Appropriating funds from the sale of scrap metal copper wire (1st Reading 8/12/14)

Ordinance appropriating \$9,552.40 in General Fund No. 1020 from the sale of copper wire for the purchase of Police equipment; and changing the FY 2013-2014 Operating Budget adopted by Ordinance No. 029915 by increasing revenue and expenditures in the General Fund No. 1020 by \$9,552.40 each.

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

Enactment No: 030257

7. Authorizing submission of an application to Texas Parks and Wildlife Department (TPWD) for improvements at West Guth Park (Bond 2012)

Resolution authorizing the City Manager or designee to submit a grant application in the amount of \$500,000 to the Texas Parks and Wildlife Department for a Local Park Grant Program for the West Guth Park with a City cash match of \$500,000 from the 2012 Bond Funds - Community Park Improvements; and authorizing the City Manager or the City Manager's designee to apply for, accept, reject, alter or terminate the grant.

Mayor Martinez referred to Item 7. Council Member McIntyre asked questions regarding the cap of the grant award and said the award specifies \$1 million. Council Member McIntyre added that she has not seen documentation reflecting a partial award. Director of Parks and Recreation Michael Morris stated that the project is \$1 million and Texas Parks and Wildlife has a 50/50 split with their cap at \$500,000 and the City contribution at \$500,000. Council Member McIntyre said that she would like to see this documentation from the state regarding this language. There were no comments from the public. This Resolution was passed 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

Enactment No: 030254

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

Mayor Martinez called for comments from the public. Joan Veith complimented the library system and the Dr. Clotilde P. Garcia Public Library staff. Ms. Veith also addressed the upcoming election. Jack Gordy spoke regarding the length of time it took to correct a sign on Everhart Road that read Everhart Drive and the lawsuit filed against the Corpus Christi Firefighters' Union. Lois Huff expressed concern regarding the decommissioning of City parks, including Ridgeway Park. Mr. Huff spoke regarding code enforcement efforts in the City. Susie Luna Saldana referred to comments made in a Caller Times article that she feels were misinterpreted and clarified that had previously asked the City Council not to neglect the westside. Dr. Gloria Scott thanked the City for cutting an overgrown tree at Lobo and Stillman Streets. Dr. Scott also spoke regarding the RUDAT study for the Harbor Bridge and the commercial zoning for a property on Stillman Street. Jennie Sullivan with Mirador Retirement Community and staff challenged the City Council to do the ALS Ice Bucket Challenge. Ms. Sullivan also introduced residents Nancy Frost & Leroy Herman who lost their spouses to ALS.

I. MINUTES:

3. Regular Meeting of August 19, 2014

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

M. PUBLIC HEARINGS: (ITEMS 11 - 15)

11. Public Hearing and First Reading Ordinance - Rezoning from the "CR-2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, on property located at 14702, 14714, 14726, 14734 Compass Street.

Case No. 0714-02 Compass Revenge, Inc.: A change of zoning from the "CR-2/IO" Resort Commercial District (Barrier Island Business)

with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property is described as Lots 23, 24, 25 and 26, Block 42, Padre Island - Corpus Christi Island Fairway Estates, located along the east side of Compass Street, approximately 520 feet south of Commodores Drive.

Planning Commission and Staff Recommendation (July 16, 2014):
Approval of the change of zoning from "CR-2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay, subject to 10 conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC") upon application by Compass Revenge, Inc. ("Owner"), by changing the UDC Zoning Map in reference to Lots 23, 24, 25, and 26, Block 42, Padre Island - Corpus Christi, Island Fairway Estates from the "CR-2/IO" Resort Commercial District (Barrier Island Business) with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

Mayor Martinez referred to Item 11. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for the construction of an 18-unit townhouse development that deviates from the traditional townhouse development standards. Ms. Gunning stated that the Planning Commission and staff were in favor of the zoning change subject to the development conditions. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Riojas and passed. There were no comments from the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Scott and passed. A council member spoke on the following topics: a conflict between the zoning report and the ordinance regarding the private road and moving forward with the ordinance for daily rentals and bed & breakfast. 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

Enactment No: 030267

- 12. Public Hearing and First Reading Ordinance - Rezoning from the "RM-3" Multifamily 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development Overlay, on property located at 14106 and 14118 Ambrosia Street.**

Case No. 0714-03 Brite Star Remodeling, LLC: A change of zoning from the “RM-3” Multifamily 3 District to the “RS-TH/PUD” Townhouse District with a Planned Unit Development Overlay, not resulting in a change to the Future Land Use Plan. The property is described as Lots 2B, 3B, 4B and 5B, Block 1, Padre Island-Corpus Christi No. 1, located along the west side of Ambrosia Street, southwest of South Padre Island Drive (PR 22) and north of Marina Drive.

Planning Commission and Staff Recommendation (July 16, 2014):

Approval of the change of zoning from the “RM-3” Multifamily 3 District to the “RS-TH/PUD” Townhouse District with a Planned Unit Development Overlay, subject to nine development conditions.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”) upon application by Brite Star Remodeling, Inc. (“Owner”), by changing the UDC Zoning Map in reference to Lots 2B, 3B, 4B and 5B, Block 1, Padre Island-Corpus Christi, No. 1, from the “RM-3” Multifamily 3 District to the “RS-TH/PUD” Townhouse District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

Mayor Martinez referred to Item 12. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for the the construction of a 10-unit townhouse development that deviates from the traditional townhouse development standards. Ms. Gunning stated that the Planning Commission and staff were in favor of the zoning change subject to the development conditions. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Scott and passed. There were no comments from the Council or the public. Council Member Scott made a motion to close the public hearing, seconded by Council Member Garza and passed. 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

Enactment No: 030258

13. Public Hearing and First Reading Ordinance - Rezoning from the “RM-AT” Multifamily AT District to the “CR-2/IO” Resort Commercial District with Island Overlay, on property located at 14845 South Padre Island Drive

Case No. 0714-05 Gabriele Stauder-Hilpold: A change of zoning from

the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay. The property to be rezoned is described as a 6.28 acre tract of land out of a portion of Lot 1, Block 27B and all of Lots 3, 4 and 5, Block 41, Padre Island - Corpus Christi Island Fairway Estates, located at the southwest corner of South Padre Island Drive (PR 22) and Compass Street.

Planning Commission and Staff Recommendation (July 16, 2014):

Approval of the change of zoning from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Gabriele Stauder-Hilpold, Trustee ("Owner"), by changing the UDC Zoning Map in reference to a 6.28 acre tract of land out of a portion of Lot 1, Block 27B and all of Lots 3, 4 and 5, Block 41, Padre Island - Corpus Christi Island Fairway Estates, from the "RM-AT" Multifamily AT District to the "CR-2/IO" Resort Commercial District with Island Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 13. Annika Gunning with Development Services stated that the purpose of this item is to rezone the subject property to allow for the development of a mixed commercial use. Ms. Gunning stated that the Planning Commission and staff were in favor of the zoning change. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Garza and passed. There were no comments from the Council or the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Garza and passed. 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

Enactment No: 030259

14. Public Hearing and First Reading Ordinance - Authorizing City to participate in the Texas Enterprise Zone Program

Ordinance authorizing the City Of Corpus Christi to participate in the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (The "Act"), providing tax incentives; Designating a liaison for overseeing Enterprise Projects and communicating with interested Parties

Mayor Martinez referred to Item 14. Mike Culbertson, Corpus Christi Regional Economic Development Corporation, stated that the purpose of this item is to authorize the City of Corpus Christi to participate in the Texas Enterprise Zone program and designate a liaison to oversee the enterprise projects. Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Magill and passed. There were no comments from the Council or the public. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Scott and passed. This Ordinance was passed on first reading and approved with the following vote:

Aye: 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

Enactment No: 030260

15. **First Public Hearing- Southside FM 2444 Annexation**

Local Government Code, Chapter 43.063(a) requires the City to conduct two public hearings prior to First Reading of an Annexation Ordinance for the proposed Southside FM 2444 Annexation area commonly referred to as a portion of the Chapman Ranch / proposed APEX Wind Farm generally located along and on both sides of FM 2444, areas South of FM 2444 and west of County Road 41.

Mayor Martinez referred to Item 15. Director of Utilities Mark Van Vleck stated that the purpose of this item is to hold the first of two (2) public hearings for the Southside FM 2444 annexation. Mr. Van Vleck presented a schedule of the annexation; an area map of the proposed wind farm; a map of the areas proposed to be annexed; a profile on the current condition of the annexation area; and the services to the annexation area.

Council Member McIntyre made a motion to open the public hearing, seconded by Council Member Scott and passed. Mayor Martinez called for comments from the public. The following individuals spoke in opposition to the annexation: Carolyn Moon; Steven Floyd, representing John Chapman Farms Limited and Ms. Louise Chapman; Russell Samples, representing the Height, John Orr, and Dana Orr families; Grady Jolley, representing ten (10) property owners; Carol Kirkpatrick; Jeff Ferguson, Vice President of Apex Clean Energy; and Rene Reese, Cowles-Coles Memorial Trust and Cowles-Coles Charitable Trust. The following individuals spoke in support of the annexation: Shane Torno, representing Citizens for Responsible Growth; Don Dunlap, representing local broadcasters; and Bart Braselton, representing the Builders Association of Corpus Christi. Council Member McIntyre made a motion to close the public hearing, seconded by Council Member Garza and passed.

Council members spoke regarding the following topics: a request to provide a copy of the passed resolution regarding the annexation to Mr. Jolley; the service plan for the annexation and the estimate of the costs for utilities and services; the assumed annual tax revenues; and when the Council would receive the offer made by Apex. City Secretary Huerta announced that Council

Member Magill recused himself from the discussion on Item 15.

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

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

Motion to offer to get back to the table with the Fire Union:

1. Final Offer Binding Arbitration;
2. Abate All Litigation and Factfinding Grievance;
3. 20 days Pre-Impasse Bargaining Plus Options to Extend;
4. No New Communications, Advertising or Public Relations (Honoring Page 21 of the Fire Collective Bargaining Agreement) Until Final Agreement;
5. Both Fire Union and City may post the unedited videos of the Collective Bargaining Negotiations and associated documents on their respective websites;
6. Initial Joint Press Release Announcing the Agreement to this Process;
7. Neutral Location for Negotiations; and
8. This Agreement to be memorialized in Writing.

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

Enactment No: M2014-109

O. REGULAR AGENDA: (ITEM 16)

16. Agreement for relocation of transmission line

Motion authorizing the City Manager or designee to execute the Relocation Agreement with American Electric Power Texas Central Company (AEPTCC) in the amount of \$3,042,500, for the O.N. Stevens Water Treatment Plant Transmission Line Relocation.

Mayor Martinez referred to Item 16. Interim Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute the Relocation Agreement with American Electric Power Texas Central Company (AEPTCC) for the O.N. Stevens Water Treatment Plant Transmission Line Relocation. Ms. Gray said that AEPTCC will proceed with design and construction work in connection with AEPTCC's Lon Hill to Medio Creek 138 KV Transmission Line that traverses the O.N. Stevens Water Treatment Plant. There were no comments from the Council or the public. This Motion was passed 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

Enactment No: M2014-113

P. FIRST READING ORDINANCES: (ITEMS 17 - 21)

17. First Reading Ordinance- Approving a waterline reimbursement agreement and appropriating funds for property located at the southeast corner of Yorktown Boulevard and Boston Drive

Ordinance authorizing execution of a distribution main extension construction and reimbursement Agreement ("Agreement") with The John G. and Marie Stella Kenedy Memorial Foundation ("Developer"), for the construction of a distribution waterline and appropriating \$21,331.74 from the NO. 4030 Water Distribution Main Trust Fund to reimburse the developer in accordance with the agreement.

Mayor Martinez referred to Item 17. Interim Director of Development Services Barney Williams stated that the purpose of this item is to authorize the execution of a distribution main extension construction and reimbursement agreement with The John G. and Marie Stella Kenedy Memorial Foundation for the construction of a distribution waterline and appropriating \$21,331.74 to reimburse the developer. 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

Enactment No: 030261

18. First Reading Ordinance- Approving a wastewater reimbursement agreement and appropriating funds for property located at the southeast corner of Yorktown Boulevard and Boston Drive

Ordinance authorizing execution of a wastewater collection line extension construction and reimbursement agreement ("Agreement") with The John G. and Marie Stella Kenedy Foundation ("Developer"), for the construction of a wastewater collection line and appropriating \$12,819.36 from the NO. 4220 Sanitary Sewer Collection Line Trust Fund to reimburse the Developer in accordance with the Agreement.

Mayor Martinez referred to Item 18. Interim Director of Development Services Barney Williams stated that the purpose of this item is to authorize execution of a wastewater collection line extension construction and reimbursement agreement with The John G. and Marie Stella Kenedy Foundation for the construction of a wastewater collection line and appropriating \$12,819.36 to reimburse the developer. 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

Enactment No: 030262

Mayor Martinez called for a brief recess due to technical difficulties.

19. First Reading Ordinance- Approving a waterline reimbursement agreement and appropriating funds for property located at the southside of Safety Steel Drive, west of Rodd Field Road and south of Yorktown Boulevard

Ordinance authorizing execution of a distribution main extension construction and reimbursement Agreement ("Agreement") with MPM Development, L.P., ("Developer"), for the construction of a distribution waterline and appropriating \$22,691.12 from the No. 4030 Water Distribution Main Trust Fund to reimburse the developer in accordance with the agreement.

Mayor Martinez reconvened the meeting and referred to Item 19. Interim Director of Development Services Barney Williams stated that the purpose of this item is to authorize execution of a distribution main extension construction and reimbursement agreement with MPM Development, L.P., for the construction of a distribution waterline and appropriate \$22,691.12 to reimburse the developer. 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

Enactment No: 030263

20. First Reading Ordinance - Approving an engineering construction

contract and amendment no. 2 of a professional services contract for construction inspection services for Horne Road from Ayers Street to Port Avenue (Bond 2012)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by adding \$25,000 in Gas Capital Improvement Program Reserves from Fund 4551 Gas 2009 CIP Fund; transferring \$650,000 from Bond 2012 Project #E12103 Leopard Street from Crosstown to Palm from FY 2015 to Bond 2012 Project E12100 Horne Road from Ayers Street to Port Avenue; increasing expenditures in the amount of \$25,000; and authorizing the City Manager or designee to execute a construction contract with Salinas Construction Technologies, Ltd. from Pleasanton, Texas in the amount of \$1,884,600.57, for the Bond 2012 Project Horne Road from Ayers Street to Port Avenue for the total base bid and executing Amendment No. 2 to a Professional Services Contract with Naismith Engineering, Inc. of Corpus Christi, Texas in the amount of \$104,000 for restated total price of \$365,362.50 for the Bond 2012 Project Horne Road from Ayers Street to Port Avenue for Construction Inspection Services.

Mayor Martinez referred to Item 20. Interim Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute a construction contract with Salinas Construction Technologies, Ltd and to execute Amendment No. 2 to a professional services contract with Naismith Engineering, Inc. for Horne Road from Ayers Street to Port Avenue. Ms. Gray provided the project scope, schedule and budget. In response to a council member, Acting Director of Capital Programs Natasha Fudge stated that staff worked with the design engineers and the public to address the concerns regarding curb cuts and will invite all stakeholders to a second meeting to make sure that the concerns were addressed. There were no comments from 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

Enactment No: 030264

21. First Reading Ordinance - Approving a construction contract for the Hike and Bike Trail Development - Bear Creek Trail project (Bond 2012)

Ordinance amending the FY 2014 Capital Improvement Budget adopted by Ordinance No. 029916 by adding \$74,969.52 from Fund 4526 Storm Water 2009 Revenue Bond Project Reserves to the Hike and Bike Trail Development Project (Bond 2012); increasing expenditures in the amount of \$74,969.52; and authorizing the City

Manager, or designee, to execute a construction contract with Gourley Contracting, LLC. of Corpus Christi, Texas in the amount of \$1,047,070.40 for the Hike and Bike Trail Development - Bear Creek project for the base bid only (Bond 2012).

Mayor Martinez referred to Item 21. Interim Executive Director of Public Works Valerie Gray stated that the purpose of this item is to execute a construction contract with Gourley Contracting, LLC. for the Hike and Bike Trail Development - Bear Creek Trail project. Ms. Gray also presented the project scope, schedule and budget. There were no comments from the public. Council members spoke regarding the following topics: the distance of the hike and bike trail; the total cost of the project; the cost of the drainage improvements; the percentage breakdown of engineering fees; the use of crushed granite versus concrete; and a map of the total concept of the hike and bike trail. This Ordinance was passed on first reading 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

Enactment No: 030266

Q. FUTURE AGENDA ITEMS: (ITEMS 22 - 26)

Mayor Martinez referred to Future Agenda Items. Deputy City Manager Margie Rose stated that staff had a planned presentation on Item 26. Mayor Martinez requested a presentation on Item 25. City Manager Ron Olson stated that Mike Culbertson with the EDC requested to present information on Items 22, 23, and 24. City Secretary Huerta announced that Council Member Riojas recused herself from the discussion on Item 22.

22. Nominating Valero Refining - Texas, L.P. as a Triple Jumbo Texas Enterprise Project

Resolution nominating Valero Refining - Texas, L.P. ("Valero") to the Office of the Governor Economic Development & Tourism ("EDT") through the Economic Development Bank ("Bank") as a triple jumbo enterprise project pursuant to the Texas Enterprise Zone Act ("Act")

This Resolution was recommended to consent agenda.

Enactment No: 030268

23. Nominating M & G Resins USA, LLC as a Double Jumbo Texas Enterprise Zone Project

Resolution nominating M & G Resins USA, LLC ("M & G") to the Office of the Governor Economic Development & Tourism ("EDT") through the Economic Development Bank ("Bank") as a double jumbo

enterprise project pursuant to the Texas Enterprise Zone Act ("Act")

This Resolution was recommended to consent agenda.

Enactment No: 030269

24. Nominating Equistar as a Double Jumbo Texas Enterprise Zone Project

Resolution nominating Equistar Chemicals, LP ("Equistar") to the Office of the Governor Economic Development & Tourism ("EDT") through the Economic Development Bank ("Bank") as a double jumbo enterprise project pursuant to the Texas Enterprise Zone Act ("Act").

This Resolution was recommended to consent agenda.

Enactment No: 030270

25. Approving the extension and modified terms of the management agreement for the Corpus Christi Museum of Science and History

Motion authorizing the City Manager or his designee to extend and modify terms of Professional Services Management Agreement with CCMJV for the operation of the Corpus Christi Museum of Science and History.

This Motion was recommended to consent agenda.

Enactment No: M2014-114

26. Amending the Financial Budgetary Policies

Resolution amending Financial Budgetary Policies adopted by Resolution 029848 and providing financial policy direction on preparation of the annual budgets.

This Resolution was recommended to consent agenda.

Enactment No: 030265

R. BRIEFINGS TO CITY COUNCIL: (ITEMS 27 - 28)

27. Proposed FY2015 General Fund Budget

Mayor Martinez referred to Item 27. City Manager Ron Olson stated that the purpose of this item is to present the FY2015 Proposed General Fund budget. City Manager Olson provided a summary of the proposed operating budget including the total budget; the number of funds; the new anticipated revenues; an explanation of the current tax rate, effective tax rate, and the roll back tax rate; the expenditure detail for the increase of revenue; and the guiding principles of the budget: 1) persist in fiscal control by putting first things first and living within our means; 2) execute on core mission; 3) treat all employees fairly; 4) maintain long-term sustainability; and 5) achieve continuous

improvements.

Assistant City Manager Wes Pierson referred to a powerpoint presentation on the General Fund summary including the guiding principles; mission of the general fund; general fund interaction with the internal services, bond/special revenue, and enterprise funds; the ad valorem tax per capita and sales tax budgeted per capita comparisons to other cities; a comparison of the general fund revenues and expenditures to similar cities; a comparison of the tax rate per \$100 valuation; the 5-year property tax rate; the FY2013 Property Tax Rate distribution; the number of proposed full-time equivalent employees allocation; revenues and expenditures; projected fund balance; decision packages for consideration; and the issues that were considered to create the budget.

Council Members spoke regarding the following topics: the tax rate increase should Proposition No. 2 be passed; the financial policy target of 25% of the general fund balance; the proposed increase the City contributes to the retirement system by 1% for sustainability of the retirement plan; the departments identified to undergo a competitive assessment; the reason step increases for employees are in separate decision packages; the increased economic development incentives; the City's training programs for employees; the decision packages focusing on the South Texas Military Task Force including the military liaison and annual contribution; documentation to track and maintain the fleet replacement; the City Secretary's budget not including the election costs; whether there is a way to focus on a specific area for street sweeping to see an impact; consideration to review the Crime Control and Prevention District budget and use the additional revenue to add additional, sustainable police officers to increase the police force; the cost per acre for mowing; how much the fund balance grew based on higher revenues than projected or lower spending; a use of one-time expenditures to improve the the former quarantine building at Animal Control; whether park mowing was contractual or internal; the 0% rate increases for health insurance for employees; an explanation of the traffic management system; the reason storm water costs are in the general fund; pay increases for the Legal Department; non-departmental transfers included to streets; whether there are any tax incentives that do not have a cap on total value; the City's percentage of property tax distribution; the reorganization of the Communications Department; clarification on economic development contractual agreement; when the Council will receive a report on the Etico Solutions Manpower Study for the Police Department; increasing spending on park maintenance; addressing litter at parks; the investments to upgrade software; and consideration for additional funding for the City Auditor's Office for travel for peer review and staffing of an Assistant Auditor.

Council Member McIntyre made a motion to direct the City Manager to come back with a sustainable number of additional police officers funded from the Crime Control and Prevention District; seconded by Council Member Loeb and passed unanimously.

Council Member Loeb made a motion to direct the City Manager to convert the plan for the pension funding into an amendment to the Financial Policies and bring back for Council consideration, seconded by Council Member McIntyre and passed unanimously.

Council Member Scott made a motion to direct the City Manager to review the opportunity to add the peer review and the Assistant Auditor expense to the budget for a total not to exceed \$18,500, seconded by Mayor Martinez and passed unanimously.

28. Proposed FY2015 Internal Service Funds Budget

Mayor Martinez referred to Item 28. Assistant Director of Management and Budget Eddie Houlihan referred to a powerpoint presentation on the Internal Service Funds Summary for FY2014-2015 including the mission of the funds; the pinnacle issues the funds will face; major accomplishments; the number of full-time equivalents; revenues; total expenditures; the summary of fund balances; projected change in fund balance; and decision packages for consideration.

Council members spoke regarding the following topics: the benefits of the City's health clinic; whether the City is allowed to earn interest on the monies dedicated to satisfying GASB45 liability; the lease-purchase of CNG trucks; and administration reimbursement on bond projects.

S. ADJOURNMENT

The meeting was adjourned at 6:49 p.m.