



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, October 18, 2016

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

**B. Invocation to be given by Pastor Mark Patterson, River of Life.**

Pastor Mark Patterson gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Terry Teri, Assistant Director of Municipal Court.**

Assistant Director of Municipal Court Terry Teri 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 City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

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

**Present:** 8 - Mayor Nelda Martinez, Council Member Rudy Garza, Council Member Michael Hunter, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lucy Rubio, Council Member Brian Rosas, and Council Member Carolyn Vaughn

**Absent:** 1 - Council Member Mark Scott

**E. Proclamations / Commendations**

1. Proclamation declaring October 17-21, 2016, "Texas Chamber of Commerce Week".  
Proclamation declaring October 24-28, 2016, "Red Ribbon Week".

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 Margie C. Rose reported on the following topics:

**a. OTHER**

1) The groundbreaking ceremony for Fire Station No. 18 will be held Wednesday, October 19, 2016 beginning at 11:00 a.m. in the 6100 block of Ayers Street near Saratoga Boulevard. The City is requesting that attendees park in the Valero Parking Lot. 2) The FY2017 Annual Business Plans have been finalized and are available on the City's website at [www.cctexas.com](http://www.cctexas.com). The business plans are written by departments and follow a prescribed format consisting of the following four sections: profile, performance, financial, and strategies and tasks. This year's business plans will include an additional focus on zero-based budgeting.

**H. MINUTES:****2. Regular Meeting of October 11, 2016.**

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

**I. BOARD & COMMITTEE APPOINTMENTS: (NONE)****J. EXPLANATION OF COUNCIL ACTION:****K. CONSENT AGENDA: (ITEMS 3 - 14)**

Mayor Martinez referred to the Consent Agenda. A citizen requested that Item 9 be pulled for individual consideration. A council member requested that Item 6 be pulled for individual consideration.

**9. Second Reading Ordinance - Street Closure of Harney Road, located between Violet Road and Callicoate Road, just north of IH 37 (1st Reading 10/11/16) (Requires 2/3 vote)**

Ordinance closing, vacating, and abandoning a developed and surfaced 0.687 acres' portion of approximately 60-foot wide public right-of-way, as shown and dedicated by a map of Lots 9A and 9B, Nuecestown, which is recorded in Volume 47, Page 246, Map Records of Nueces County, Texas, and requiring the owners, James & Beverly Holman and Michael & Kerry Berry to comply with specified conditions; and providing an effective date.

Mayor Martinez deviated from the agenda and referred to Item 9, second reading for the street closure of Harney Road, located between Violet Road and Callicoate Road.

Chester Pakebusch, 425 Rolling Acres, asked questions regarding the determination to close Harney Road and stated that the closure will deny him access to launch his boat. Doralee Dlabaja, Senior Officer with the Corpus Christi Police Department, stated staff and the surrounding property owners have been working for two years on the road closure. Senior Officer Dlabaja said that Harney Road is a road, not a public access to the river. Senior Officer Dlabaja provided state certified boat access alternatives at Figueroa Road and Labonte Park. Senior Officer Dlabaja reiterated the problems with illegal dumping, drug arrests, parties, injuries and fire situations that were presented at the first reading.

Council Member Vaughn made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on second reading and approved with the following vote:

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 030986

### **Approval of the Consent Agenda**

Mayor Martinez referred to the consent agenda items not pulled for individual consideration.

A motion was made by Council Member McIntyre, seconded by Council Member Garza, to approve the Consent Agenda. The consent agenda items were approved by one vote as follows:

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

### **3. Master Services Agreement for Subsurface Utility Engineering services (Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute a master service agreement with Cobb, Fendley & Associates, Inc. of San Antonio, Texas in the amount of \$200,000 for Subsurface Utility Engineering Services for a base year plus two (2) one-year options.

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

Enactment No: M2016-135

### **4. Engineering Design Contract for Downtown Road and**

**Streetscape Improvements (BOND 2014, Proposition 2) (Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute a contract for engineering design services with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$115,067 for the Downtown Road and Streetscape Improvements. (BOND 2014 Proposition 2).

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

Enactment No: M2016-136

**5. Engineering Design Contract for the Downtown Street Traffic Signal and Area Improvements (BOND 2014, Proposition 2) (Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute a contract for engineering design services with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$334,275 for the Downtown Street Traffic Signal and Area Improvements. (BOND 2014 Proposition 2).

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

Enactment No: M2016-137

**7. Resolution supporting the Cole and Ropes Park (CARP) Implementation Plan (Requires 2/3 vote)**

Resolution by the City Council of the City of Corpus Christi supporting the Implementation Plan for improved water quality, to reduce bacteria, developed by the Cole and Ropes Parks' Coordination Committee (CARP) for Cole and Ropes Park Beaches located in Corpus Christi Bay and the Louisiana Parkway Watershed (Watershed) in Corpus Christi, Texas.

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

Enactment No: 030984

**8. Resolution for Approval of a Developer Participation Agreement to reimburse developer for the City's cost to extend Lipes Boulevard (Requires 2/3 vote)**

Resolution authorizing the City Manager or designee to execute a developer participation agreement with Staples Development, LLC., ("Developer"), to reimburse the Developer up to \$143,661.75 for the City's share of the cost to extend Lipes Boulevard, in accordance with the Unified Development Code.

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

Enactment No: 030985

**10. Second Reading Ordinance - Accepting and appropriating State grant amendment for tuberculosis prevention and control services (1st Reading 10/11/16) (Requires 2/3 vote)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an amendment to a grant contract for the Tuberculosis Prevention and Control-State (TB/PC-STATE) grant in the amount of \$61,645.00, increasing the total amount to \$123,290.00, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund with a City match of \$12,329.00, increasing the total match amount to \$24,658.00, to provide tuberculosis prevention and control services for the amended contract period September 1, 2015, through August 31, 2017; appropriating the increased grant amount; and ratifying acceptance of the amended grant agreement to begin September 1, 2016.

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

Enactment No: 030987

**11. Second Reading Ordinance - Accepting and appropriating State grant amendment for Immunization program within the Health Department (1st Reading 10/11/16) (Requires 2/3 vote)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an amendment to a grant contract for the Immunization Branch-Locals (IMM/LOCALS) grant in the amount of \$241,637.00, increasing the total amount to \$966,548.00, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund to provide for personnel costs and other expenses to fund an immunization program for children, adolescents, and adults, with special emphasis on children three years of age or younger for the amended contract period September 1, 2013, through August 31, 2017; appropriating the increased grant amount; and ratifying acceptance of the amended grant agreement to begin September 1, 2016.

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

Enactment No: 030988

**12. Second Reading Ordinance - Appropriating Federal grant funds and executing construction contract for Corpus Christi International Airport (CCIA) Airport Operations Area Perimeter Fence Replacement (1st Reading 10/11/16) (Requires 2/3 vote)**

Ordinance appropriating \$6,637,856 from the Federal Aviation Administration Grant No. 3-48-0051-054-2016 in the No. 3020 Airport

Capital Improvement Fund for the CCIA Airport Operations Area Perimeter Fencing Project; amending the FY 2016-17 Capital Budget adopted by Ordinance No. 030936 by increasing revenues and expenditures \$6,637,856; and authorizing the City Manager, or designee, to execute a construction contract with B. E. Beecroft Co. Inc. of Corpus Christi, Texas in the amount of \$6,681,780.30 for the CCIA Airport Operations Area Perimeter Fence Replacement for the Base Bid plus Additive Alternates one through four.

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

Enactment No: 030989

- 13. Second Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of arterial grid main water line located along the south side of Agnes Street (State Highway 44), east of North Clarkwood Road and north of Buckholt Road (1st Reading 10/11/16) (Requires 2/3 vote)**

Ordinance authorizing City Manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with JCL Properties, ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$44,147.00 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

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

Enactment No: 030990

- 14. Second Reading Ordinance - Type A Grant for Sitel, Inc. located at 330 Opportunity Drive (1st Reading 10/11/16) (Requires 2/3 vote)**

Ordinance approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Sitel, Inc ("Sitel") to provide a grant of up to \$500,000, for the creation of jobs and authorizing the City Manager, or designee, to execute a Business Incentive Project Service Agreement with the Type A Corporation regarding implementation and administration of the Sitel Business Incentive Agreement for the creation of jobs; and appropriating \$500,000 from the unreserved fund balance in the No. 1140 Business/Job Development Fund for said business incentive grant from the Type A Corporation to Sitel; and changing the FY 2016-2017 operating budget, adopted by Ordinance No. 030965, by increasing proposed expenditures by \$500,000.

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

Enactment No: 030991

**6. Construction Contract for Alameda Street from Lipan to Kinney (BOND 2014, Proposition 1) (Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Bay, LTD of Corpus Christi, Texas in the amount of \$1,862,252.50 for Alameda Street from Lipan to Kinney for the total base bid. (BOND 2014, Proposition 1).

Mayor Martinez deviated from the agenda and referred to Item 6, execution of a construction contract for Alameda Street from Lipan to Kinney (Bond 2014, Proposition 1). A council member asked whether there are any roads from previous bond projects that have not been completed and are in worse condition on this project. Director of Engineering Services Jeff Edmonds stated that the only roads that are being held are potentially impacted by the Harbor Bridge and all bond projects are moving forward.

Council Member McIntyre made a motion to approve the motion, seconded by Council Member Magill and passed unanimously. This Motion was passed and approved with the following vote:

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: M2016-138

**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 choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.**

Mayor Martinez deviated from the agenda and referred to comments from the public. Abel Alonzo, 1701 Thames, informed the community that this is the fourth year that the Nueces County "I Believe In Me" Foundation has partnered with the Westside Business Association and thanked the individuals who have made contributions. Susie Luna Saldana, 4710 Hakel, and Don Clark, 6425 Coronation, spoke in support of Agenda Item 17, the regional youth sports complex. Margareta Fratila, 3606 Tripoli, spoke regarding the initiative submitted to repeal Section 53-297 of the City's Code of Ordinances related to the removal of the civil penalty for red light camera violations. Rosendo Perez, 9531 Blue Jay, spoke regarding the denial of a claim he received from the City's Risk Management Department regarding damages to his vehicle by the Solid Waste Department.

**L. EXECUTIVE SESSION: (NONE)****M. PUBLIC HEARINGS: (ITEM 15)****15. Public Hearing and First Reading Ordinance - Amending the Urban Transportation Plan map by removing the proposed extension of Mustang Trail between McArdle and SPID (Requires 2/3 vote)**

Ordinance amending the Corpus Christi Urban Transportation Plan map, an element of the Comprehensive Plan of the City of Corpus Christi, Texas, by eliminating the proposed extension of Mustang Trail Drive between McArdle Drive and SPID (SH 358); amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

**Mayor Martinez referred to Item 15. Interim Director of Development Services Daniel McGinn stated that the purpose of this item is to amend the Urban Transportation Plan Map by removing the proposed extension of Mustang Trail between McArdle Road and South Padre Island Drive (SPID).**

**Mayor Martinez opened the public hearing. There were no comments from the public. Mayor Martinez closed the public hearing.**

**In response to a council member, Mr. McGinn stated that the section from Staples Street to McArdle Road was removed, but the Mustang Trail portion was not due to an oversight.**

**Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

**N. REGULAR AGENDA: (ITEMS 16 - 18)****16. Second Reading Ordinance - Rezoning property located at 600 Elizabeth Street (1st Reading 10/11/16) (Requires 2/3 vote)**

Case No. 0816-02 Christus Spohn Health System Corporation: A change of zoning from the "RM-3" Multifamily 3 District, "ON" Office District, "CR-1" Resort Commercial District, "CG-2" General Commercial District, "CG-2/SP" General Commercial District with a Special Permit for a helipad to the "CI" Intensive Commercial District.



The property is described as being a 22.46-acre tract of land encompassing Blocks I, IX, X, and XI, Ocean View Subdivision, Lot 4, Block IIA, Ocean View Addition, and Blocks A and B, Bay Front Terrace Addition, and portions of abutting rights-of-way on Ocean Drive, Ayers Street, Santa Fe Street, Second Street, Third Street, Elizabeth Street, and Morgan Avenue, located between Ocean Drive and Santa Fe Street and between Morgan Avenue and Ayers Street.

Planning Commission and Staff Recommendation (August 24, 2016):

Denial of the change of zoning from the "RM-3" Multifamily 3 District, "ON" Office District, "CR-1" Resort Commercial District, "CG-2" General Commercial District, "CG-2/SP" General Commercial District with a Special Permit for a helipad to the "CI" Intensive Commercial District, and, in lieu thereof, approval of the "CR-1/SP" Resort Commercial District with a Special Permit allowing a 10-foot minimum setback on Elizabeth Street and Ayers Street on Tract 1, and the "CG-2/SP" General Commercial District with a Special Permit allowing a 15-foot setback on Santa Fe Street, a 10-foot minimum setback on Elizabeth Street and Ayers Street, and a zero-foot setback on Third Street on Tract 2.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Christus Spohn Health System Corporation ("Owner"), by changing the UDC Zoning Map in reference to a 22.46-acre tract of land encompassing Blocks I, IX, X, and XI, Ocean View Subdivision, Lot 4, Block IIA, Ocean View Addition, and Blocks A and B, Bay Front Terrace Addition, and portions of abutting rights-of-way on Ocean Drive, Ayers Street, Santa Fe Street, Second Street, Third Street, Elizabeth Street, and Morgan Avenue, from the "RM-3" Multifamily 3 District, "ON" Office District, "CR-1" Resort Commercial District, "CG-2" General Commercial District, "CG-2/SP" General Commercial District with a Special Permit for a helipad to the "CR-1/SP" Resort Commercial District with a Special Permit allowing a 10-foot minimum setback on Elizabeth Street and Ayers Street on Tract 1, and the "CG-2/SP" General Commercial District with a Special Permit allowing a 15-foot setback on Santa Fe Street, a 10-foot minimum setback on Elizabeth Street and Ayers Street, and a zero-foot setback on Third Street on Tract 2; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item 16, a second reading ordinance rezoning property located at 600 Elizabeth Street. Interim Director of Development Services Daniel McGinn stated that since the first reading on October 11, 2016, staff has met with Dr. Gloria Scott, who made public comments at that meeting, to answer questions and provide better clarification of the rezoning.**

**Mayor Martinez called for comments from the public. Gloria Randall Scott, 4422 Alameda, explained that she represented several small businesses in the area,**

including Coastal Bend Oncology and Dr. Ester B. Pollard. Dr. Scott spoke regarding the following topics: the individuals she represents never received notification of the zoning change; the definitions for the zoning districts not being available in writing; how the zoning will impact the property owners in the area; and a request to postpone the second reading until Dr. Pollard and other residents in the area are provided with information. Steven Alford, Communications Manager for Christus Spohn System, stated that letters were sent out to property owners, within 200 feet of the subject property, inviting them to community meetings and providing updates on the progress of the construction. Mr. Alford added that construction bulletins are also provided to all the offices in the vicinity. Mr. Alford stated that members of Christus Spohn have met with Dr. Pollard to make sure she is informed and her office had been receiving the construction bulletins. In response to a question from City Council regarding tabling the item, Chip Urban with Urban Engineering, stated that Christus Spohn would like to move forward with the rezoning.

Council members and staff discussed the following topics: the difference between the current zoning and the proposed rezoning; the notification information; the definitions of the zoning districts as provided in the Unified Development Code; the Special Permit conditions; Christus Spohn's communication efforts; whether Christus Spohn contacted individuals listed on the zoning report that indicated they require more information; whether the zoning could be tabled; concerns from the property owners are more about anxiety regarding the change in healthcare, buy-out of offices, and parking issues; and a commitment from Christus Spohn to continue discussions with nearby property owners.

Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Rosas. This Ordinance was passed on second reading and approved with the following vote:

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 030992

17.

**Second Reading Ordinance - Lease Agreement for Regional Youth Sports Complex (28 Day Delay Required) (1st Reading 9/20/16) (Requires 2/3 vote)**

Ordinance authorizing the City Manager to execute forty-year lease agreement with SQH Sports & Entertainment, Inc. for lease of approximately 68 acres located near intersection of State Highway 286 and FM 43 for construction and operation of a regional youth sports complex, including right of first refusal on adjacent 30 acre tract; and providing for publication.

Mayor Martinez referred to Item 17. City Secretary Rebecca Huerta announced that Council Member Garza would abstain from the discussion and vote on this item. Interim Director of Parks and Recreation Stacie Talbert Anaya introduced

the presentation team who were available to respond to questions: Interim Director of Development Services Daniel McGinn, and Bert Quintanilla and Derrick Hegmon with SQH Sports and Entertainment, Inc. (SQR). Ms. Anaya stated that the purpose of this item is to execute a lease agreement with SQH for the lease of approximately 68 acres for a regional youth sports complex. Ms. Anaya presented the following information: a location map; clarification relating to questions raised regarding whether the property complies with the Joint Land Use Study (JLUS) and is located in an Air Installation Compatible Use Zone (AICUZ); changes to the contract in Sections 8.1 and 8.1.3 to address the military air zones and any recommendations in the JLUS; the contract negotiations; the complex consisting of six outdoor rectangular fields, eight diamond fields, a field house consisting of six basketball courts or 12 volleyball courts, a concession stand, multiple meeting and party rooms, ten sand volleyball courts, a playground, an outdoor concession facility, and a restaurant all built to Americans with Disabilities Act (ADA) standards; performance milestones; background on SQH; and SQH's operational plan.

Mayor Martinez called for comments from the public. Abel Alonzo, 1701 Thames, spoke in support of the project. Craig Loving, 1037 Stirman, on behalf of the International Brotherhood of Electrical Workers, requested the City ensure that the building trades are included in this project. John Kelley, 3621 Austin, stated that he is not in opposition to the sports park. Mr. Kelley listed his opposition to the following considerations: the location of the field related to the JLUS and land use compatibility; doing business with SQH; use of the developer trust funds; and a market study not having been performed on the property.

Council members discussed the following topics: the project timeline; the issuance of the Request for Proposal (RFP); the entities that evaluated the feasibility study and business plan; the potential investment or risk to the City as it relates to utilities; the Wastewater Master Plan for south of the Oso; use of the trust fund system to build infrastructure; the property not located in the AICUZ; the light shielding and height restrictions included in the agreement; the average recommendation for parks and recreation being one-square-foot per resident and the City currently being at .3; the language in the contract regarding the AICUZ and addressing the need to not impact the military; the City currently not receiving property taxes or utility payments from the property; the project generating property tax and sales tax; the future land use designation of the property identified as a regional park; whether the City is prepared to maintain the facility in an emergency and memorializing the contingency plan of action; moving forward with the 2017 Parks Master Plan review; and the project being a catalyst for additional development in the area.

Council Member Rubio made a motion to approve the ordinance, seconded by Council Member Vaughn. This Ordinance was passed on second reading and was approved with the following vote:

**Aye:** 7 - Mayor Martinez, Council Member Hunter, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Rosas and Council Member Vaughn

**Absent:** 1 - Council Member Scott

**Abstained:** 1 - Council Member Garza

Enactment No: 030993

**18. Second Reading Ordinance - Disannexation of CITGO Owned Property and Creation of new Industrial District Agreement (1st Reading 9/20/16) (Requires 2/3 vote)**

Ordinance disannexing from the City of Corpus Christi, Texas, an approximately 54.35-acre tract of land and an approximately 3.89-acre tract of land, both owned by CITGO Refining and Chemicals Company, L.P., and located in Nueces County; adjusting the City boundaries; amending Ordinance No. 029958 by adjusting the boundary of the City's Industrial District No. 1 to include the disannexed tracts; authorizing the City Manager, or designee, to execute an industrial district agreement with CITGO Refining and Chemicals Company, L.P., requiring the payment in lieu of taxes in an amount equal to 100 percent of the ad valorem taxes that would be due if the tracts were in city limits, and to file the industrial district agreement in the official records of Nueces County; providing for publication; and providing for severance.

Mayor Martinez referred to Item 18. Business Liaison Alyssa M. Barrera stated that the purpose of the item is to disannex CITGO owned property and create a new industrial district agreement. Interim Director of Development Services Daniel McGinn and CITGO representatives Larry Olivarez and Albert Ocanas. Ms. Barrera stated that the first reading of the item was on September 20, 2016. The City Council packet focused on the financial aspect of the deal, with respect to the City remaining financially whole. This garnered the attention of the Citizens Alliance for Fairness and Progress (Citizens Alliance) with concerns about the environment, interpreting that the City was removing limitations on what CITGO could build on the site. Staff understood what CITGO planned to build was not the heavy industrial operations that the Citizens Alliance was concerned about, and committed to updating the materials to address those concerns. Staff worked with Errol Summerlin, representative for the Citizens Alliance, and CITGO, and the amendment proposed is the best recommendation for a compromise to address these concerns. The industrial district has been modified to address the preservation of the buffer function of the property. A motion will be required to amend the ordinance by replacing Industrial District Agreement No. 6b, signed by CITGO on October 13, 2016, which includes Section 1.025, the Oak Park Program Protocol limitation. Ms. Barrera presented the following information: the location map; the payment in lieu of taxes; the city limit boundaries; the concerns regarding the usage of the site; an excerpt from the Oak Park Program Protocol Agreement of 1997; the conditions for usage; and the proposed amendment to the Industrial District Agreement.

Mayor Martinez called for comments from the public. Errol Summerlin, Citizens Alliance, thanked the staff for including the proposed recommendation and asked that the City insert additional language in the preamble; modify the title in Section 1.025 to Land Use Restrictions; and extend the limitations to the entire property. James Klein, 3501 Monterrey, and on behalf of the Clean Economy Coalition, asked for due diligence regarding this project to ensure that the health of the residents in the area would not be negatively impacted.

Council Member McIntyre made a motion to amend the ordinance by replacing

**Industrial District Agreement No. 6B with the Industrial District Agreement No. 6B signed by CITGO on October 13, 2016, which includes Section 1.025 Oak Park Program Protocol Limitation, seconded by Council Member Magill and passed unanimously.**

**Council Member Magill made a motion to approve the ordinance as amended, seconded by Council Member McIntyre. This Ordinance was passed on second reading as amended and approved with the following vote:**

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 030994

**O. FIRST READING ORDINANCES: (ITEM 19)**

**19. First Reading Ordinance - Lease Agreement for 2017 Fiesta de la Flor event (Requires 2/3 vote)**

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Corpus Christi Convention and Visitors Bureau (CCCVB) for 2017 Fiesta de la Flor event and related activities to be held on March 24, 2017 and March 25, 2017, and allow use of streets bounded by Power Street, N. Water Street, Resaca Street and Shoreline Blvd. and including the Bayfront Park located along Shoreline Blvd. between Resaca Street and Power Street.

**Mayor Martinez referred to Item 19. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to execute a lease agreement with the Corpus Christi Convention and Visitors Bureau for the 2017 Fiesta de la Flor event to be held on March 24, 2017 and March 25, 2017.**

**Mayor Martinez called for comments from the public. Abel Alonzo, 1701 Thames, thanked Ms. Anaya and the CVB for their work on this event and asked questions regarding the economic impact to the community.**

**Council members spoke in support of the event to celebrate the legacy of Selena.**

**Council Member McIntyre made a motion to approve the ordinance, seconded by Council Member Rosas. This Ordinance was passed on first reading and approved with the following vote:**

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Mayor Martinez called for a brief recess at 2:41 p.m. The Council reconvened at 3:22 p.m.

**P. FUTURE AGENDA ITEMS: (ITEMS 20 - 27)**

Mayor Martinez referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 20, 21, and 23. A council member asked a question regarding Item 25.

**20. Service Agreement for Uniformed Security Guard Services  
(Requires 2/3 vote)**

Motion approving a service agreement for uniformed security guard services with BasE Security and Fire Consultants, LLC, of Rosenberg, Texas, in accordance with request for proposal No. 152, based on best value, for a total estimated expenditure of \$586,828.75, of which \$537,926.35 will be funded in FY2016-2017. The term of the agreement shall be for one year with options to extend for up to two additional one year periods, subject to the approval of the contractor and the City Manager or designee.

**This Motion was recommended to the regular agenda.**

**21. Purchase of playground equipment and installation at Manuel Q. Salinas Park (Requires 2/3 vote)**

Motion approving the purchase of playground equipment and installation for a play for all playground being developed at Manuel Q. Salinas Park from Exerplay, Inc., of Cedar Crest, New Mexico for a total amount not to exceed \$299,537.81. The award is based on the evaluation of multiple proposals reviewed for phase 1 of this project. Funding for this playground is from the Community Development Block Grant B-15-MC-48-0502 for program year 2015-2016.

**This Motion was recommended to the consent agenda.**

**22. Infor Software Subscription Agreement for the City's Enterprise Software Solution (Requires 2/3 vote)**

Motion authorizing the City Manager or designee to approve the execution of a Software Subscription agreement with Infor, Inc. for five years for a total expenditure of \$3,775,000 with annual payments of \$755,000. Funds are available in the Information Technology Department FY2016-2017 budget.

**This Motion was recommended to the consent agenda.**

**23. Master Services Agreement for Packery Channel Monitoring  
(Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute a five year Master Services Agreement between the City of Corpus Christi and Texas A & M University - Corpus Christi (TAMU-CC) for Packery Channel Monitoring in an amount not to exceed \$2,000,000 with approval of Task Order No. 1 in the amount of \$257,745 for Fiscal Year 2016-2017 monitoring. (Year 1)

**This Motion was recommended to the regular agenda.**

**24. Engineering Design Contract for Padre Island Water and Gas Pipeline Extension Phase 3 (Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute an engineering design contract with Urban Engineering of Corpus Christi, Texas in the amount of \$197,833 for the Padre Island Water and Gas Pipeline Extension Phase 3 for design, bid and construction phase services.

**This Motion was recommended to the consent agenda.**

**25. Construction Contract for Commodores Drive at Park Road 22 Left Turn Lane Improvements (Bond 2014, Proposition 2)  
(Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute a construction contract with A. Ortiz Construction & Paving, Inc. of Corpus Christi, Texas in the amount of \$245,069 for the total base bid for Commodores Drive at Park Road 22 Left Turn Improvements project. (Bond 2014 Proposition 2 - Traffic Signals and Lighting Improvements City-Wide).

**This Motion was recommended to the consent agenda.**

**26. Engineering Services Amendment No. 1 for Chaparral Street Phase 2 Downtown Development Master Plan (Bond 2014, Proposition 2) (Requires 2/3 vote)**

Motion authorizing the City Manager, or designee, to execute Amendment No. 1 to a contract for professional services with HDR Engineering, Inc. of Corpus Christi, Texas in the amount not to exceed \$657,649 for a restated fee not to exceed \$707,544 for the Chaparral Street Phase 2 Downtown Development Master Plan project. (BOND 2014 Proposition 2).

**This Motion was recommended to the consent agenda.**

**27. Service Agreement for Pressure Washing of Trucks for the Solid**

**Waste Department (Requires 2/3 vote)**

Motion authorizing City Manager, or designee, to execute a service agreement with HERO Pressure Washing, LLC of Corpus Christi, Texas, for pressure washing of trucks services, in accordance with Bid Event No. 130, based on lowest, responsive and responsible bid. The annual agreement will be for \$46,010.00, of which \$42,175.83 will be funded in FY2016-2017. The term of the agreement is for one year with option to extend for up to four additional one year periods, subject to the approval of the Contractor and the City Manager, or designee.

**This Motion was recommended to the consent agenda.**

**Q. BRIEFINGS: (NONE)****R. ADJOURNMENT**

**The meeting was adjourned at 3:58 p.m.**