



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, April 19, 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 Elder Jimmy Perez - The Summit Church.**

Mayor Martinez called for a moment of silence for David Edward Gaona, a City employee who recently passed away. Elder Jimmy Perez gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Yasmine Chapman, Director of Human Resources.**

Assistant Director of Maintenance of Lines Bill Mahaffey 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.

(Note: Council Member McIntyre arrived at 11:39 a.m.)

Charter Officers:

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

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

**E. Proclamations / Commendations**

1. Proclamation declaring April 21, 2016, "Affordable Housing Summit 2016 Day".  
Proclamation declaring April 23, 2016, "Take A Walk on the Beachwalk Day".

Proclamation declaring April 29, 2016, "15th Annual Corpus Christi Technology Olympics Day".

Proclamation declaring April 24-30, 2016, "Medical Laboratory Professionals 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 Ron Olson stated that he had nothing to report.

**a. OTHER**

None.

**H. MINUTES:**

**2. Regular Meeting of April 12, 2016**

Mayor Martinez referred to approval of the minutes.

A motion was made by Council Member Rudy Garza, seconded by Council Member Brian Rosas, that the Minutes be passed. The motion carried by a unanimous vote.

**I. BOARD & COMMITTEE APPOINTMENTS:**

**3. Building Standards Board  
Landmark Commission  
Leadership Committee for Senior Services  
Reinvestment Zone No. 3 Board  
Transportation Advisory Commission  
Watershore and Beach Advisory Committee**

Mayor Martinez referred to board and committee appointments. The following appointments were made:

**Building Standards Board**

Council Member Magill made a motion to appoint Gary K. Adams (At-Large), seconded by Council Member McIntyre and passed unanimously.

**Landmark Commission**

Council Member McIntyre made a motion to appoint Shawn A. Reader (Historian), seconded by Council Member Garza and passed unanimously.

Council Member Magill made a motion to appoint Denise Gallimore (Licensed Real Estate Salesperson), seconded by Council Member McIntyre and passed unanimously.

Council Member Magill made a motion to appoint Randy J. Dees, Sr. (Regular Member), seconded by Council Member McIntyre and passed unanimously.

Council Member Garza made a motion to appoint Matt Martini (Title Search), seconded by Council Member Magill and passed unanimously.

#### **Leadership Committee for Senior Services**

Council Member McIntyre made a motion to appoint Sonny Fierro (Community Rep.), Peggie A. Lewis (Community Rep.), Patricia O'Brien (Community Rep.), Joanne Garcia (Direct Service Agency Rep.), Joshua Lawrence (Direct Service Agency Rep.), and Regina Chapa (Senior Center Participant), seconded by Council Member Magill and passed unanimously.

#### **Reinvestment Zone No. 3 Board**

Council Member McIntyre made a motion to reappoint Chad Magill and Brian Rosas, seconded by Council Member Rosas and passed unanimously.

Council Member McIntyre made a motion to appoint Michael T. Hunter, seconded by Council Member Garza and passed unanimously.

#### **Transportation Advisory Commission**

Council Member Scott made a motion to reappoint Elena Buentello, Scott Harris, and Robert Saldana, seconded by Council Member Magill and passed unanimously.

#### **Watershore and Beach Advisory Committee**

Council Member Magill made a motion to appoint Jyoti Patel (Hotel/Condo Owner/Rep. located on North Padre Island or Mustang Island), seconded by Council Member McIntyre and passed unanimously.

#### **J. EXPLANATION OF COUNCIL ACTION:**

#### **K. CONSENT AGENDA: (ITEM 5)**

#### **5. Appointing Council Member Michael T. Hunter to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation**

Motion appointing Council Member Michael T. Hunter as a Board Member to the Corpus Christi Housing Finance Corporation and the Corpus Christi Industrial Development Corporation.

Mayor Martinez deviated from the agenda and referred to Item 5, appointing Council Member Michael T. Hunter to the Corpus Christi Housing Finance

Corporation and the Corpus Christi Industrial Development Corporation.

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

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

**Abstained:** 0

Enactment No: M2016-037

**O. RECESS FOR CORPORATION MEETING: (ITEM 33)**

Mayor Martinez deviated from the agenda and referred to Item 33. Mayor Martinez recessed the Regular Council meeting to hold the Annual Board Meeting of the Corpus Christi Housing Finance Corporation.

- 33.** Annual Board Meeting of the Corpus Christi Housing Finance Corporation  
This Corporation Meeting was held.

**P. RECONVENE CITY COUNCIL MEETING:**

Mayor Martinez recovered the Regular Council meeting.

- 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. Jack Gordy, 4118 Bray, spoke regarding the palm trees located on the sidewalk on Airline Road and requested that this item be placed on the Council agenda for discussion. Colin Sykes, 309 Aberdeen, spoke regarding improving communication between the public and the City Council and requested a resolution be passed showing local support for Citizens United. Cheryl Martinez, 3938 Surfside, stated People Assisting Animal Control (PAAC) brought in a consultant to look at PAAC's programs as well as the City's Animal Care programs. Based on the findings from the consultant, there will be two free spay and neuter surgery days held twice-a-month beginning May 27, 2016 in selected areas. Libby Edwards, 14158 Cutlass, reported on the following topics discussed at the April 12, 2016 Island Strategic Action Committee (ISAC) meeting: 1) support for moving forward with Park Road 22 Bridge; 2) naming access roads consistent with mile marker locations; 3)

support for the City to amend its current permit to allow Beach Operations to move the sand seaward; 4) request for City support for the Island's July 4th event; and 5) support to amend the Code of Ordinances to add an additional member to the ISAC committee who resides on Mustang Island or who is an employee of a Mustang Island property owner. Susie Luna Saldana, 4710 Hakel, spoke regarding City employees running for a political office and requested consideration that those City employees take a leave of absence. Ms. Saldana also addressed storm debris cleanup on the westside of the City. Aristeo Martinez, 6249 Choctaw Drive, spoke regarding the condition of Nesbitt Street from Sunnybrook to McArdle and the need for speed bumps or a street light near Barcelona Estates.

**S. BRIEFINGS: (ITEM 43)**

**43. Harbor Bridge Replacement Project**

Mayor Martinez deviated from the agenda and referred to Item 43. Executive Director of Public Works Valerie Gray stated that the purpose of this item is to provide an update on the Harbor Bridge Replacement Project. Ms. Gray said the project is currently in the design phase. The presentation will focus on design elements enhancing mobility. Ms Gray introduced the presentation team: Valente Olivarez, Deputy District Engineering - Texas Department of Transportation; Darrell Chambers, Traffic Control Engineer - Flatiron/Dragados, LLC; and Linda Figg, President/CEO of Figg Bridge.

Ms. Figg explained that the new Harbor Bridge will be an iconic bridge setting a record with a 1,655 foot main span, making it the longest cable stay span in North America. Ms. Figg presented the following information: rendering views of the bridge from Whataburger Field; the proposed iconic nighttime aesthetics; the interchange enhancements by eliminating 6 signals and replacing them with free flowing gateways; enhanced access to North Beach, the SEA District, and neighborhood areas; the bicycle and pedestrian connectivity elements; the visual enhancements including: the northbound bridge landscape gateway and shared use path gateway entrance, community plaza concepts, the North Beach Area shared use path gateway entrance, a shared use path belvedere on the bridge; and community involvement.

Council members spoke regarding the following topics: examples on mobility by eliminating the 6 traffic signals; the timeframe for completion of the project; anticipated groundbreaking for the bridge; sustainability of the bridge; the lift and approach of the bridge; an on-line design charette application to give the public an opportunity to select aesthetic features; the dedicated bicycle lanes; energy efficiency LEED certification; and whether traffic model studies have been performed.

**K. CONSENT AGENDA: (ITEMS 4, 6 - 18)**

**Approval of the Consent Agenda**

Mayor Martinez referred to the Consent Agenda. There were no comments from the Council or the public.

A motion was made by Council Member Magill, seconded by Council Member

**McIntyre, to approve the Consent Agenda. The motion carried by 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

**4. Appointing Council Member Michael T. Hunter to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation**

Motion appointing City Council Member Michael T. Hunter as board member to the Coastal Bend Health Facilities Development Corporation and the Coastal Bend Cultural Education Facilities Finance Corporation.

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

Enactment No: M2016-036

**6. Engineering Design Contract for the equipment in the Traffic Management Center under the Signal Improvement and Street Lighting (Bond 2012) Proposition 1 project**

Motion authorizing the City Manager, or designee, to execute a contract for professional services with Maldonado-Burkett Intelligent Transportation Systems, LLP (MBITS) of Corpus Christi, Texas in the amount of \$697,785.18 to complete the design and implementation of the Traffic Signal Management Equipment in the new Traffic Management Center (TMC) (Bond 2012 Proposition 1 Signal Improvements & Street Lighting project)

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

Enactment No: M2016-038

**7. Engineering Design Contract Amendment No 4 for O.N. Stevens Raw Water Influent Improvements**

Motion authorizing the City Manager, or designee, to proceed with design, bid and construction phase services by executing Amendment No. 4 with Freese and Nichols, Inc. of Corpus Christi, Texas in the amount of \$650,729 for a total restated fee not to exceed \$2,639,549 for O.N. Stevens Raw Water Influent Improvements.

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

Enactment No: M2016-039

**8. Engineering Design Contract for O.N. Stevens Facilities Feed Optimization Improvements**

Motion authorizing the City Manager, or designee, to execute an Engineering Design contract with LNV, Inc. of Corpus Christi, Texas in the amount of \$1,091,812 for O.N. Stevens Facilities Feed Optimization Improvements for design, bid and construction phase services.

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

Enactment No: M2016-040

**9. Construction Contract and Construction Materials Testing Agreement for the Elevated Water Storage Tanks (Alternative Capacity Requirement Implementation, Phase 2)**

Motion authorizing the City Manager or designee to execute a construction contract with CB&I, Inc. of The Woodlands, Texas in the amount of \$9,245,050 for the Elevated Water Storage Tanks (Alternative Capacity Requirement Implementation, Phase 2) for the Base Bid plus Additive Alternates No. 2 and 4 and to execute a construction materials testing agreement with Rock Engineering and Testing Laboratory, Inc. of Corpus Christi, Texas in the amount of \$63,400 for the Elevated Water Storage Tanks.

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

Enactment No: M2016-041

**10. Authorizing a construction contract for Citywide Collection System Pipebursting Indefinite Delivery/Indefinite Quantity (IDIQ) Part B with 4 optional one year extensions to be administratively approved**

Motion authorizing the City Manager or designee to execute a multi-year construction IDIQ contract with PM Construction & Rehab, LLC of Pasadena, Texas in the amount of \$1,875,000 for the Citywide Collection System Pipebursting Project. Contract renewals for four (4) optional future years will be administratively approved.

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

Enactment No: M2016-042

**11. Resolution authorizing a service agreement for management and operation of the City's employer-sponsored Wellness Clinic**

Resolution authorizing the City Manager or designee to negotiate and execute a service agreement with Concentra Health Services, Inc., to provide management and operation of the City's employer-sponsored

Wellness Clinic for a two-year term, with up to three one-year extensions.

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

Enactment No: 030814

**12. Resolution approving Second Amended Interlocal Cooperation Agreement for Tax Increment Reinvestment Zone Three**

Resolution authorizing the City Manager to execute a Second Amended Interlocal Cooperation Agreement with Del Mar College District, relating to the participation of the City and Del Mar College District in Reinvestment Zone Three, City of Corpus Christi Texas

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

Enactment No: 030815

**13. Second Reading Ordinance - Rezoning property located at 2918, 2922, 2926 and 2930 Highland Avenue (1st Reading 4/12/16)**

Case No. 0216-02 Julio C. and Minerva E. Reyna and Jose Luis Rodriguez and Maria Juliana Luna: A change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District. The property is described as being Lot Nos. 23-B, 24-B, 25-B and 25, Block 6, Montrose Park, located near the northeast corner of Highland Avenue and Duncan Street.

Planning Commission and Staff Recommendation (March 9, 2016): Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Julio C. and Minerva E. Reyna and Jose Luis Rodriguez and Maria Juliana Luna ("Owners"), by changing the UDC Zoning Map in reference to Lot Nos. 23-B, 24-B, 25-B and 25, Block 6, Montrose Park, from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

Enactment No: 030816

**14. Second Reading Ordinance - Appropriating funds from utility customer donations for the Arts & Cultural Commission (ACC) (1st Reading 4/12/16)**

Ordinance appropriating \$4,290.08 in City utility customer donations in



General Fund No. 1020 for use by programs coordinated through the City Arts and Cultural Commission and amending the FY2016 Operating Budget adopted by Ordinance No. 030620 to increase expenditures by \$4,290.08.

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

Enactment No: 030817

**15. Second Reading Ordinance - Approving Annual Ordinance for Select Parks and Recreation Grants (1st Reading 4/12/16)**

Ordinance authorizing the City Manager or designee to execute documents to apply for and accept grants from the Area Agency on Aging of the Coastal Bend for the Elderly Nutrition Program, Corporation for National and Community Service for the RSVP (Retired and Senior Volunteer Program) and the Senior Companion Program, and grants from the Texas Department of Agriculture for the Summer Food Service Program, Afterschool Snack Program, and Texan's Feeding Texans program and upon receipt, to appropriate funds in the No. 1067 Park Grants Fund for said city programs.

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

Enactment No: 030818

**16. Second Reading Ordinance - Amending the Urban Transportation Plan deleting the extension of First National Boulevard between Compton Road and Graham Road (1st Reading 4/12/16)**

Ordinance amending the Urban Transportation Plan Map, of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by deletion of the extension of First National Boulevard; amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

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

Enactment No: 030819

**17. Second Reading Ordinance - Appropriating funds and approving the four agreements with American Electric Power (AEP) for the Installation of LED Street Lights on North Beach at City Parks along the Beach Walk (1st Reading 4/12/16)**

Ordinance appropriating \$99,557 from unreserved fund balance in the No. 1040 Parking Improvement Fund; authorizing the City Manager, or designee, to approve Contribution-In-Aid-Of-Construction Agreements with American Electric Power (AEP) for a total of \$149,958.41, for the

installation of the LED lighting improvements on North Beach at City parks along the Beach Walk; and amending the FY 2015-2016 Operating Budget adopted by Ordinance 030620 by increasing expenditures by \$99,557.

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

Enactment No: 030820

**18. Second Reading Ordinance - Amending ordinance to Prohibit parking on Leopard Street from Rose Street to Pierpont Street in front of Fire Station No. 5 (1st Reading 4/12/16)**

Ordinance amending the Code of Ordinances, Chapter 53, Section 53-252 Schedule III - Parking prohibited at all times on certain streets by adding Leopard Street, south side, from Rose Street to Pierpont Street.

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

Enactment No: 030821

**L. EXECUTIVE SESSION: (ITEMS 19 - 23)**

Mayor Martinez referred to the day's executive sessions. The Council went into executive session. Council Member Magill recused himself from the discussion on Item 22. Council Member Scott recused himself from Item 21.

**19. Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining matters and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters Association.

**This E-Session Item was discussed in executive session.**

**20. Executive session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to City's Code of Ethics and City's Ethics Commission and legal representation of Ethics Commission regarding said issues.

**This E-Session Item was discussed in executive session.**

**21. Executive session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to conveyance, lease, and sale of City property and pursuant to Texas Government Code § 551.072 to discuss and deliberate the purchase, exchange, lease, and value of real property located at 5151 McArdle Road known as Mt. Vernon Park when deliberation in open meeting would have a detrimental effect on the position of the governmental body in

negotiations with a third person.

**This E-Session Item was discussed in executive session. City Secretary Huerta announced that Council Member Scott recused himself from the discussion on Item 21.**

- 22. Executive session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to extraterritorial jurisdiction and City boundaries, including, but not limited to, annexation and rights and remedies pursuant to Chapter 43 of the Texas Local Government Code, and certificates of convenience and necessity.**

**This E-Session Item was discussed in executive session. City Secretary Huerta announced that Council Magill recused himself from the discussion on Item 22.**

- 23. Executive session pursuant to Texas Government Code 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to pending and potential employment law litigation against the City.**

**This E-Session Item was discussed in executive session.**

**M. PUBLIC HEARINGS: (ITEMS 24 - 26)**

- 24. Public Hearing and First Reading Ordinance - Rezoning property located at 5246 Lexington Road**

Case No. 0316-01 May Dev., LP: A change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District. The property is described as Lot 6, Block 1, Bridgepoint Landing, located along the east side of Lexington Road approximately 490 feet south of South Padre Island Drive (SH 358).

Planning Commission and Staff Recommendation (March 23, 2016): Approval of the change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by May Dev., LP ("Owner"), by changing the UDC Zoning Map in reference to Lot 6, Block 1, Bridgepoint Landing, from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item 24. Interim Director of Development Services Dan McGinn stated that the purpose of this item is to rezone the subject property for general commercial uses. Mr. McGinn stated that the Planning Commission and staff are in favor of the zoning change.**

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

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

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

**Abstained:** 0

**25. Public Hearing and First Reading Ordinance - Rezoning property located at 14806 Leeward Drive**

Case No. 0316-03 Ocean Harbor II, LLC: A change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay. The property is described as Lots 22, 23, and 24, Block 52, Padre Island-Corpus Christi Section B, located on the southeast corner of Leeward Drive and St. Bartholomew Avenue.

Planning Commission and Staff Recommendation (March 23, 2016): Approval of the change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay with ten conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Ocean Harbor II, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lots 22, 23, and 24, Block 52, Padre Island-Corpus Christi Section B, from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 25. Interim Director of Development Services Dan McGinn stated that the purpose of this item is to rezone the subject property to allow for a 24-unit townhouse development that deviates from the typical standards. Mr. McGinn stated that the Planning Commission and staff are in favor of the zoning change.

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

Council Member Garza made a motion to approve the ordinance, seconded by

**Council Member Scott. This Ordinance was passed on first reading and approved with the following vote:**

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

**Abstained:** 0

**26.**

**Public Hearing and First Reading Ordinance - Amending the Unified Development Code to improve its implementation**

Ordinance amending the Unified Development Code by revising subsection 1.11.3 "Defined Terms", subsection 3.10.1.A "Minor Plat", table 4.4.4 "Multifamily Housing Types", tables 4.3.2, 4.4.2, 4.5.2 and 4.6.2 "Permitted Uses" for single family, multifamily, commercial, and industrial districts, respectively, table 4.5.3 "Residential Development Standards", table 4.5.4 "Nonresidential Development" standards, table 5.1.4.G "Retail Sales and Service", subsection 5.2 "Specific Standards" for game processing, subsection 5.3.2.C.1 "Fuel Pumps, Islands and Canopies", subsection 7.4.4.C "Outside Storage", subsection 8.2.3.A "Utility Easements" and subsection 3.12.1 "Applicability" for special use exceptions; providing for severance; providing for penalties; and providing for publication.

**Mayor Martinez referred to Item 26. Interim Director of Development Services Dan McGinn stated that the purpose of this item is to amend the regulations of the Unified Development Code (UDC) to improve its function and implementation. Mr. McGinn summarized the following proposed text amendments: adding the definition of game processing; amending the minor plat approval process; amending the setbacks for consistency purposes; allowing major utilities with limitations in commercial districts; clarification of crematoriums; correcting descriptions for townhouses; amending fuel pumps to allow canopies; clarifying outside storage areas; and clarifying utility easement dedication during the planning process.**

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

**Council members spoke regarding the following topics: the strike-through of waste treatment plants; the requirement to screen outside storage in a front yard; whether game processing facilities currently in operation will be grandfathered; and the text amendment for animal cemeteries. Mayor Martinez closed the public hearing.**

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

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

Abstained: 0

**N. REGULAR AGENDA: (ITEMS 27 - 32)**

**27. Awarding the purchase of property insurance through Carlisle Insurance Agency, Broker of Record**

Motion awarding the purchase of property insurance and, authorizing the City Manager to execute all documents necessary to purchase All Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown through Carlisle Insurance Agency, Broker of Record for property insurance, in exchange for premium totaling \$2,001,750 from May 5, 2016 to May 5, 2017 of which \$811,669 is required for the remainder of FY 2015-2016.

**Mayor Martinez referred to Item 27. City Attorney Miles Risley stated that the purpose of this item is to award the purchase of property insurance and authorize the City Manager to execute all documents necessary to purchase All-Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown through Carlisle Insurance Agency, Broker of Record for property insurance.**

**There were no comments from the Council or the public. City Secretary Huerta announced that Council Member Hunter was abstaining from the discussion and vote on this item.**

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

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

**Abstained:** 1 - Council Member Hunter

Enactment No: M2016-043

**28. Appointment of Financial Advisor for Issuance of General Improvement Refunding Bonds**

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for one or more series of "City of Corpus Christi, Texas General Improvement Refunding Bonds" in an aggregate principal amount not to exceed \$23,610,000.

**Mayor Martinez referred to Item 28. Assistant Director of Financial Services Alma Casas stated that Items 28 and 29 are related to a refunding opportunity the City has for six outstanding series of general improvement bonds in an amount up to \$23,610,000. Item 28 is a motion to appoint M.E. Allison & Co. as Financial Advisor for the transaction. Item 29 is an ordinance authorizing the issuance of bonds in an amount not to exceed \$23,610,000 in six series of general obligation bonds. If these eligible outstanding bonds are refunded at**

today's interest rate, total net present value savings of \$1,744,000 would be realized.

There were no comments from the Council or the public on Items 28 and 29.

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

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

**Abstained:** 0

Enactment No: M2016-044

**29. Second Reading Ordinance - Authorizing the issuance of General Improvement Refunding Bonds (1st Reading 4/12/16)**

Ordinance authorizing the issuance of one or more series of "City of Corpus Christi, Texas General Improvement Refunding Bonds", as further designated by series, in an aggregate principal amount not to exceed \$23,610,000, levying a continuing direct 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, a purchase contract, and an escrow agreement; complying with the letter of representations on file with the depository trust company; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the bonds; and providing an effective date.

**This item was discussed during the discussion on Item 28.**

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

**Abstained:** 0

Enactment No: 030822

**30. Second Reading Ordinance - Approving the sale of park properties (1st Reading 4/12/16)**

Ordinance approving the sale of properties as follows and authorizing the City Manager to execute documents necessary to complete each real estate sales transaction:

- a) Acushnet Park (6746 Aaron) to MVR Construction Company and/or assigns in amount of \$655,000;
- b) Cabra Park (1323 W. Broadway) to Darla-1, Ltd. and/or assigns in amount of \$24,000;
- c) Durant Park (6113 Durant) to MVR Construction Company and/or assigns in amount of \$130,000;
- d) Parklane Park (4600 Arlene) to Albert Ayala and/or assigns Roberto Cardenas and/or assigns in amount of \$121,000;
- e) Peary Park (1750 Paul Jones Rd) to 4625 No. 3, Ltd., a Texas limited partnership and/or assigns in amount of \$36,000;
- f) Ridgewood Park (5730 Malden) to Richard O. Serna and/or assigns and John Tamez and/or assigns in amount of \$400,003; and
- g) Willow Park (11418 Willowood) to Martin and Gaby Sada and/or assigns in amount of \$50,000.

**Mayor Martinez referred to Item 30. City Secretary Huerta announced that Council Member Magill would be abstaining from the discussion and vote on this item. Assistant Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to approve the sale of park properties and authorize the City Manager to execute documents to finalize real estate sales transactions. The parkland properties include: Acushnet Park, Cabra Park, Durant Park, Parklane Park, Peary Park, Ridgewood Park and Willow Park. Ms. Anaya stated that the properties were listed for sale in January 2016 and the Parks and Recreation Department notified adjacent neighbors. The bond language mandates that all proceeds from the sales were to be reinvested in the park system and improvements will be made to parks in the general area where the parks are being sold. Ms. Anaya informed the City Council that the Parks and Recreation Department has been approached by a neighborhood group to adopt Ridgewood Park and to maintain it as a Level B park.**

**Council Member McIntyre made a motion to amend the ordinance to remove Ridgewood Park, seconded by Council Member Garza and passed unanimously; Council Member Magill - abstained.**

**Council Member Garza made a motion to approve the sale of park properties listed, with the exception of Ridgewood Park, seconded by Council Member Scott.**

**Mayor Martinez called for comments from the public. Aurora Stevenson spoke regarding Parklane Park and asked if the individuals purchasing the park property are going to inform the neighbors of the intended use. Ms. Anaya explained that any development considered other than residential homes will have to go through a separate rezoning process. Ms. Anaya stated that currently, the person that is purchasing Parklane Park intends to continue with single-family homes.**

**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 McIntyre, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Abstained:** 1 - Council Member Magill

Enactment No: 030823

Mayor Martinez called for comments from the public regarding Ridgewood Park. Ed Sample, 5321 Crestwick, stated that Ridgewood Park is heavily utilized as intended and requested that the park continue to be maintained by the City. However, the neighborhood organization is willing to maintain the park. Michael Kelly, 5318 Crestwick, expressed the following concerns with adopting a park: the required criteria for the neighborhood to maintain the park; the cost to maintain the park; the current maintenance by the Parks and Recreation Department; the requirement for liability insurance should the neighborhood organization hire a contractor to mow and trim the trees; whether the neighborhood organization assumes liability at the park; and replacement of playground equipment. Mr. Kelly said the parks that were approved to be repurposed in 2012 should be re-evaluated prior to sale of the parkland. Brad Smith, 5221 Wentworth, spoke regarding the utilization of Ridgewood Park and stated that it was a mistake to include the park on the list for sale. Mr. Smith addressed the issue of exposure to liability for the neighborhood and requirements for mowing. Guillermo Preigo stated that the problem with society is going against green areas and there should always be enough funds to maintain all of the parks. Jack Hart, 5318 Wentworth, spoke regarding the City's website indicating that Ridgewood Park is currently adopted by the Hurricane Padre League Soccer Club and asked the Council to reconsider and continue to maintain the park. Frank Bazan, 5234 Fulwell, spoke regarding the utilization of and safety at Ridgewood Park in comparison to Gardendale Park.

Council members spoke regarding the following topics: the process for bringing parks for potential sale that were adopted and not being maintained; a list of parks currently not being maintained; the liability insurance requirement for contractors; the process for determining and identifying which parks would be repurposed; the neighborhood's willingness to adopt the parks; the City Council having discretion on the parks; modifying the Adopt-A-Park standards to be specific and including a measure that the mowing be in compliance with code enforcement standards; Ridgewood Park being maintained on the City's insurance; and clarification regarding the inaccurate information on the City's website related to Ridgewood Park already being adopted.

31.

### **Professional Services Agreement for Legal Services**

Motion to authorize City Manager or designee to execute Professional Services Agreement for Contract Legal Counsel with Julian Grant at hourly rate of \$50.00 in a total amount not to exceed \$75,000 for Fiscal Year 2015-2016.

Mayor Martinez referred to Item 31. City Attorney Miles Risley stated that the purpose of this item is to execute a professional services agreement for

contract legal counsel with Julian Grant in an amount of \$50.00 per hour, not to exceed \$75,000. City Attorney Rilsey explained that Mr. Grant retired last year and was contracted to continue to provide legal services regarding economic development and development services issues. There were no comments from the Council or the public.

Council Member McIntyre made a motion to approve the motion, seconded by Council Member Magill. 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 Scott

**Absent:** 1 - Council Member Vaughn

**Abstained:** 0

Enactment No: M2016-045

**32. Construction Contract for Collier Pool Renovations (Bond 2012) Rebid - Part A (Pool)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Atlantis Aquatic Group. of Austin, Texas in the amount of \$1,782,412 for the Collier Pool Renovations Rebid - Part A (Pool) for replacement of the existing swimming pool and pump house. (Bond 2012 Proposition 4 - Aquatic Facilities)

Mayor Martinez referred to item 32. City Secretary Huerta announced that Council Member Hunter would be abstaining from the discussion and vote on this item. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to execute a contract with Atlantis Aquatic Group for the Collier Pool Renovations - Part A. Ms. Anaya provided the following information: a location map; the project scope; the project budget and timeline. There were no comments from the public.

Council members spoke regarding the following topics: the contingency on construction contracts; funding for West Guth Pool; an explanation of the price escalation; and the history and project timeline.

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

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

**Abstained:** 1 - Council Member Hunter

Enactment No: M2016-046

**Q. FIRST READING ORDINANCES: (ITEMS 34 - 38)**

**34. First Reading Ordinance - Accepting and appropriating the Click It Or Ticket program grant within the Police Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$16,987.31 from the State of Texas, Department of Transportation for the FY2016 Click It Or Ticket program grant; and appropriating the \$16,987.31 in the No. 1061 Police Grants Fund

**Mayor Martinez referred to Item 34. Police Chief Mike Markle stated that the purpose of this item is to accept a grant in the amount of \$16,987.31 from the Texas Department of Transportation for the Click It or Ticket Program grant to be used during Memorial Day weekend. There were no comments from the public.**

**A council member recognized the Police Department for their safety belt and distracted driving enforcement efforts.**

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

**Aye:** 7 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Scott and Council Member Vaughn

**Absent:** 2 - Council Member Hunter and Council Member Rosas

**Abstained:** 0

**35. First Reading Ordinance - Accepting and appropriating the Houston High Intensity Drug Trafficking Area (HIDTA) grant funds within the Police Department**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant award in the amount of \$170,815 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for the salary and benefits of a full-time program coordinator, one administrative assistant, overtime for 4 Corpus Christi Police Officers, and 4 lease vehicles; and appropriating the \$170,815 in the No. 1061 Police Grants Fund.

**Mayor Martinez referred to Item 35. Police Chief Mike Markle stated that the purpose of this item is to accept a grant award in the amount of \$170,815 for the Houston High Intensity Drug Trafficking Area (HIDTA). The program focuses on drug interdiction in the coastal corridor. There were no comments from the Council or the public.**

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

**Aye:** 7 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Scott and Council Member Vaughn

**Absent:** 2 - Council Member Hunter and Council Member Rosas

**Abstained:** 0

**36. First Reading Ordinance - Appropriating Federal grant amendment No. 2 for runway improvements at the airport**

Ordinance appropriating \$1,000,000 from Federal Aviation Administration Grant No. 3-48-0051-049-2012 Amendment No. 2 in the No. 3020 Airport Capital Improvement Fund for projects involving Runway 18/36, Runway 13/31, taxiways, and storm water improvements, with the 10% match provided from the Airport Capital Reserve Fund; and amending the FY2015-2016 Capital Budget adopted by Ordinance No. 030621 by increasing revenues and expenditures by \$1,000,000 each.

Mayor Martinez referred to Item 36. Director of Aviation Fred Segundo stated that the purpose of this item is to appropriate \$1,000,000 from Federal Aviation Grant No. 48 Amendment No. 2 for projects involving Runway 18/36, Runway 13/31, taxiways and storm water improvements with a local 10% match. There were no comments from the Council or the public.

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 Magill, Council Member McIntyre, Council Member Rubio, Council Member Rosas, Council Member Scott and Council Member Vaughn

**Absent:** 1 - Council Member Hunter

**Abstained:** 0

**37. First Reading Ordinance - Amending City Code regarding Island Strategic Action Committee membership**

Ordinance amending City Code of Ordinances regarding Island Strategic Action Committee membership

Mayor Martinez referred to Item 37. Interim Assistant City Manager Jay Ellington stated that the purpose of this item is to amend the City's Code of Ordinances to add a member to the Island Strategic Action Committee to represent the category of a person who resides on Mustang Island or who is an employee of a Mustang Island property owner. There were no comments from the Council or the public.

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

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

**Absent:** 1 - Council Member Hunter

**Abstained:** 0

**38. First Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located east of Ennis Joslin Road, south of Holly Road, and north of Wooldridge Road.**

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, L.P. ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$104,080.31 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

**Mayor Martinez referred to Item 38. Assistant Director of Development Services Dan McGinn stated that the purpose of this item is to execute a water arterial transmission and grid main construction and reimbursement agreement in the amount of \$104,080.31 to provide adequate water to a new subdivision. There were no comments from the Council or the public.**

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

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

**Abstained:** 0

**R. FUTURE AGENDA ITEMS: (ITEMS 39 - 41)**

**Mayor Martinez referred to Future Agenda Items. City Manager Olson stated that staff did not have any planned presentations. A council member requested information on Items 40 and 41.**

**39. Resolution approving a Developer Participation Agreement to reimburse developer for the City's cost to extend North Oso Parkway located east of Ennis Joslin Road, south of Holly Road, and north of Wooldridge Road.**

Resolution authorizing the City Manager or designee to execute a developer participation agreement with MPM Development, L.P.,

("Developer"), to reimburse the Developer up to \$499,302.42 for the City's share of the cost to extend North Oso Parkway, in accordance with the Unified Development Code.

This Resolution was recommended to the consent agenda.

**40. Authorizing a Service Agreement for Closed Circuit Televised Inspection of Small-Diameter Wastewater Lines**

Motion authorizing the City Manager, or designee, to enter into a service agreement for Closed Circuit Televised Inspection of Small-Diameter Wastewater Lines with Ace Pipe Cleaning of Kansas City, Missouri in accordance with Bid Event No. 90, based on lowest responsive, responsible bid, for an estimated annual expenditure of \$1,908,132.00. Funds have been budgeted by the Wastewater Department in FY 2015-2016.

This Motion was recommended to the consent agenda.

**41. Authorizing Lease Agreement for the operation of the City Detention and Magistration Center in Wilson Plaza**

Motion to authorize City Manager, or designee, to execute a Lease Agreement, between Wilson Plaza Associates LP., for the operation of the City Detention and Magistration Center

**MOTION OF DIRECTION**

Council Member McIntyre made a motion directing the City Manager to explore options to improve and consolidate public safety facilities to include the City's Detention Center, Police Department, Fire Department, and the Martin Luther King building, and to bring back a timeline for an initial discussion and preliminary findings in one month, seconded by Council Member Magill and passed unanimously.

This Motion was recommended to regular agenda.

**S. BRIEFINGS: (ITEMS 42 and 44)**

**42. Revisions to Chapter 14, Article II, Technical Construction Codes**

Mayor Martinez referred to Item 42. Gene Delauro, Building Official, stated that the purpose of this item is to discuss the significant revisions to the Technical Construction Codes. Mr. Delauro explained that the purpose of adopting and updated Building Codes is to recognize new construction materials and methodologies and incorporate the latest design standards to protect public health, safety and welfare. Meetings and workshops were held with all City Technical Advisory Boards and local stakeholders throughout 2015. Mr. Delauro summarized each of the following revisions: elimination of the city electrical licensing program; elimination of the re-out electrical inspection requirement; elimination of the 50% substantial damage/substantial improvement requirement; the new provision to register building contractors;

the new alternative wind load provision for commercial construction; elimination of the 25% rule for foundation design and certification; the new provision to require licensure for work on natural gas service systems; and the proposed timelines and key dates.

**44. Discovery - TNC Ordinance Reconsideration: Vehicle For Hire / Taxi Ordinance**

Mayor Martinez referred to Item 44. Interim Assistant City Manager Jay Ellington stated that the purpose of this item is to continue the discussions regarding the Transportation Network Companies (TNC) Ordinance - Vehicle-for-Hire/Taxi Ordinance. Interim Assistant City Manager Ellington provided a summary of the Corpus Christi Taxi Ordinance; a revised TNC discovery spreadsheet and a spreadsheet on the vehicle for hire and taxi standards discovery.

Interim Assistant City Manager Ellington presented the following information: a timeline for the 3D process; the discovery timeline; responses to City Council's questions from the April 12, 2016 Council meeting including: how the cities of Bryan and College Station changed their vehicle-for-hire/taxi ordinances in response to TNC regulation, the measures taken by municipalities like College Station and Bryan to audit TNC companies, what can be learned about TNC regulations and vehicle-for-hire regulations from cities located outside of Texas, how long the City Council is required to refrain from amending an ordinance passed by referendum, an overview covering the vehicle for hire discovery spreadsheet of 16 Texas cities, including Corpus Christi, and general recommendations for the Tax Company Focus Group. Interim Assistant City Manager Ellington said staff would like direction on the TNC Skype interview sessions with Bryan, San Antonio and Houston and requested that the City Council provide a few questions for the cities in advance.

Council members spoke regarding the following topics: the reason there are no comparisons with the City of Midland and the reason TNCs are not operating in other such cities; information from ordinances that do not work; an accounting of the fees and regulations and the impact of lowering requirements; the City of Austin's ballot language regarding the background check for drivers and requirements for customer service; Skype sessions with the cities of San Antonio, College Station, Houston, and Dallas; pre-data collection from the City of Austin; information from cities that don't require fingerprinting; and the general recommendations from the Taxi Company Focus Group on the removal of the overhead light requirements and the ability for drivers to use a phone to accept and dispatch rides.

**T. ADJOURNMENT**

The meeting was adjourned at 6:03 p.m.