



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes - Final City Council

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Tuesday, April 9, 2013

11:30 AM

Council Chambers

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**A. CALL MEETING TO ORDER.**

Mayor Martinez called the meeting to order at 11:30 am.

**B. INVOCATION.**

The invocation was delivered by Pastor Kenneth Mutchler, Immanuel Fellowship Church.

**C. PLEDGE OF ALLEGIANCE.**

The Pledge of Allegiance was led by Mr. Dan Biles, Director of Engineering.

**D. ROLL CALL.**

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

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

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

**E. Proclamations / Commendations**

1. Proclamation declaring April 21, 2013 as "MADD Powertalk 21 Day"  
Proclamation declaring April 2013 as "Fair Housing Month"  
Proclamation declaring April 9, 2013 as "Mayors Day of Recognition for National Service"  
Proclamation declaring April 7-14, 2013 as "National Days of Remembrance"  
Proclamation declaring April 14-20, 2013 as "National Public Safety Telecommunications Week"  
Certificate of Commendation presented to Tom Curlee  
Mirador Retirement Community and Foundation Check Presentation to the City of Corpus Christi Senior Companion Program and Meals on Wheels Program  
City Manager's "At Your Service" Award

This Proclamations were read and presented.

**F. PUBLIC COMMENT.**

Mayor Martinez referred to the Public Comment section. Susie Saldana spoke of the condition in streets between the Westside and Southside and also asked for removal of the cap; Mary Lou Huffman spoke in opposition of the street maintenance fee; Wilson Wakefield spoke in opposition of the street maintenance fee; Jack Gordy spoke of an open records request he submitted regarding the legality of a fee for signs on bus benches; Joan Veith asked that citizens be respectful of the Mayor and Council Members; Jerry Garcia spoke of the poor condition of the streets in the westside; Abel Alonzo thanked the volunteers that were recognized during Proclamations, commented on the disparity study by the Human Relations Commission, and spoke of representation for the westside; Dr. Nick Adame asked for equality for the street maintenance fee and that certain entities not be exempt; Terry Mills spoke of support of Dr. Adame's comments; Jacqueline Robinson spoke regarding Item No. 14 on today's agenda and spoke of waterborne diseases and spoke in support of annual inspections for residential irrigation systems; Buck Robinson also spoke in regards to Item No. 14 on today's agenda and in support of annual inspections for residential irrigation systems; and Ted McKinney asked that certain entities not be exempted from the street maintenance fee.

**G. EXECUTIVE SESSION: (ITEMS 2-3)**

Mayor Martinez read Executive Session Item Nos. 2 and 3. The council went into executive session. The council returned from executive session.

2. Executive session pursuant to Section 551.087 of the Texas Government Code to deliberate regarding confidential commercial or financial information received from voestalpine, a business prospect that the City Council seeks to have locate, stay, or expand near the territory of the City and with which the City is conducting economic development negotiations and to deliberate possible offers of financial or other incentives to said business prospect, with possible discussion and action in open session.

Mayor Martinez opened discussion on Item No. 2. Council Member Loeb made a motion to schedule the 380 Agreement with voestalpine for a formal vote at the next business council meeting in two weeks, seconded by Council Member Scott.

Roland Radhuber, Company Secretary, voestalpine and Roland Mower, Corpus Christi Regional Economic Development Corporation provided a brief overview of the project and stated that there were 5 entities involved in this project, the Port of Corpus Christi, San Patricio County, San Patricio Drainage District, Gregory Portland Independent School District, and the City of Corpus Christi. Council Members spoke in support of the voestalpine project.

Mayor Martinez asked for comments from the audience: Abel Alonzo spoke in support of the project.

City Secretary Chapa stated that Council Member Magill filed a conflict disclosure statement and would be abstaining on this item. The foregoing motion was passed and approved with the following vote:

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

**Abstained:** 1 - Council Member Magill

Enactment No: M2013-063

3. Executive session pursuant to Section 551.071(1)(A) of the Texas Government Code for consultation with attorneys about pending or contemplated litigation regarding a City park, with possible discussion and action in open session.

This Executive Session item was discussed and no action was taken.

H. **MINUTES:**

4. Approval of Meeting Minutes - Regular Meetings of March 19, 2013 and March 26, 2013.

A motion was made by Council Member Leal, seconded by Council Member McIntyre to approve the minutes as presented and passed.

I. **BOARDS & COMMITTEE APPOINTMENTS:**

5. Clean City Advisory Committee  
Coastal Bend Council of Governments  
Community Youth Development (78415) Program Steering Committee  
Corpus Christi Downtown Management District  
Transportation Advisory Committee

The following appointments and reappointments were made to the City's boards and commissions:

Clean City Advisory Committee: Realignment - Kimberly Brumley (Educator),  
New Appointment - Beth Becerra (At Large)  
Coastal Bend Council of Governments: Reappointment - Mayor Nelda Martinez, Council Member David Loeb, Council Member Colleen McIntyre, Council Member Mark Scott, Ron Olson, Tom Tagliabue, Richie Quintero, Oscar Martinez and Bill Hennings; Alternates - Armando Chapa, Pat Eldridge, Margie Rose and Lawrence Mikolajczyk  
Community Youth Development (78415) Program Steering Committee: Reappointment - Belinda Barrera, Jean Marie Giegerich, Cookie Silverman, and Norma Solis (78415); New Appointments - Santiago Hernandez (78415) and Stephanie Knox  
Corpus Christi Downtown Management District: New Appointment - Michael Richline (Corporate Property Owner)  
Transportation Advisory Committee: Reappointment - Robert Jacobi

Enactment No:

**K. CONSENT AGENDA: (ITEMS 6 - 16)**

Mayor Martinez referred to the Consent Agenda, Items 6 - 16. The following item was pulled for individual consideration, Item No. 14. The remaining items were approved by one vote:

**6. Professional services contract for park improvements at Parker Park located on the corner of Waldron Road and Graham Road (Bond Issue 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with CLK Architects & Associates, Inc. of Corpus Christi, Texas in the amount of \$63,940.00, for Community Park Development and Improvements - Parker Park for design, bid, and construction phase services BOND ISSUE 2012.

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

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: M2013-064

**7. Second Reading Ordinance - A change of zoning from the "RM-AT/PUD" Multifamily AT District with a Planned Unit Development Overlay to the "RM-AT/PUD" Multifamily AT District with a modified Planned Unit Development Overlay, on property located at 7269 State Highway 361. (1st Reading 3/26/13)**

Case No. 0213-02 Carl Badalich and Sherry Badalich: A change of zoning from the "RM-AT/PUD" Multifamily AT District with a Planned Unit Development Overlay to the "RM-AT/PUD" Multifamily AT District with a modified Planned Unit Development Overlay, not resulting in a change of future land use. The property to be rezoned is described as Sunrise Shores, Block 1, Lots 101-119, 122, 301-313 and 3B, located between State Highway 361 and the Gulf of Mexico, approximately one-half mile north of Sea Way Drive.

Planning Commission and Staff Recommendation (February 13, 2013):

Approval of the change of zoning from the "RM-AT/PUD" Multifamily AT District with a Planned Unit Development Overlay to the "RM-AT/PUD" Multifamily AT District with a modified Planned Unit Development Overlay, subject to nine conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Carl Badalich and Sherry Badalich ("Owners"), by changing the UDC Zoning Map in reference to Lots 101-119, 122, 301-313, and 3B, Block 1, Sunrise Shores, from the "RM-AT/PUD" Multifamily AT District with a Planned Unit Development Overlay to the "RM-AT/PUD" Multifamily AT District with a modified Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029784

8.

**Second Reading Ordinance - A change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District, on property located east of U.S. Highway 77 and at the east end of County Road 52. (1st Reading 3/26/13)**

Case No. 0213-01 Charles O. Massey: A change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District, resulting in a change of future land use from commercial to light industrial. The property is described as being an 18.47-acre tract of land out of the Gregorio Farias Grant, Abstract 592, located east of U.S. Highway 77 (Interstate Highway 69) and at the east end of County Road 52.

Planning Commission and Staff Recommendation (February 13, 2013):

Approval of the change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Charles O. Massey, acting as agent on behalf of COEL Properties, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to an 18.47-acre tract out of the Gregorio Farias Grant, Abstract 592, from the "CG-2" General Commercial District to the "IL" Light Industrial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

**following vote:**

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029785

**9. Second Reading Ordinance - A change of zoning from the "CG-2" General Commercial District to the "CG-2/PUD" General Commercial District with a Planned Unit Development Overlay, 5402 Chicago Drive (1st Reading 3/26/13)**

Case No. 0812-02 N. P. Homes, L.L.C.: A change of zoning from the "CG-2" General Commercial District to the "CG-2/PUD" General Commercial District with a Planned Unit Development Overlay, not resulting in a change of future land use. The rezoning also includes the associated PUD replat. The property to be rezoned is described as King's Crossing West Unit 2, Block 2, Lot 3, located at the northeast corner of Chicago Drive, approximately 500 feet west of South Staples Street (FM 2444).

Planning Commission and Staff Recommendation (February 13, 2013):

Approval of the change of zoning from the "CG-2" General Commercial District to the "CG-2/PUD" General Commercial District with a Planned Unit Development Overlay subject to eight conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by N.P. Homes, L.L.C. ("Owner"), by changing the UDC Zoning Map in reference to Lot 3, Block 2, King's Crossing West Unit 2, from "CG-2" General Commercial District to "CG-2/PUD" General Commercial District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029786

**10. Second Reading Ordinance - A change of zoning from the "CR-1" Resort Commercial District to the "CI" Intensive Commercial District, on property located at 401 South Shoreline Boulevard (1st Reading 3/26/13)**

Case No. 0213-04 TR Inscore LLC: A change of zoning from the "CR-1" Resort Commercial District to the "CI" Intensive Commercial District, not resulting in a change of future land use. The property to be rezoned is described as being a 0.50-acre tract of land out of Block 4, South Water Beach Addition, located on the west side of South Shoreline Boulevard between Broadway Court and Born Street.

Planning Commission and Staff Recommendation (February 27, 2013):

Approval of the change of zoning from the "CR-1" Resort Commercial District to the "CI" Intensive Commercial District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by TR Inscore LLC, acting as agent on behalf of Guinn-Soin, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 0.50-acre tract of land out of Block 4, South Water Beach Addition, from the "CR-1" Resort Commercial District to the "CI" Intensive Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

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

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029787

**11. Second Reading Ordinance - A change of zoning from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District, on property located at 7511 Wooldridge Road (1st Reading 3/26/13)**

Case No. 0213-03 N.P. Homes, L.L.C.: A change of zoning from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District, not resulting in a change of future land use. The property to be rezoned is described as Lot 1, Block 20, Rodd East, located along the south side of Wooldridge Road and approximately 510 feet east of Quebec Drive.

Planning Commission and Staff Recommendation (February 27, 2013):

Approval of the change of zoning from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by N.P. Homes, L.L.C. ("Owner"), by changing the UDC Zoning Map in reference to Lot 1, Block 20, Rodd East, from the "FR" Farm Rural 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.

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

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029788

**12.**

**Second Reading Ordinance - Accepting and appropriating a federal grant to support a state initiative to combat narcotics trafficking and related crimes (1st Reading 3/26/13)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$82,003 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 \$82,003 in the No. 1061 Police Grants Fund.

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

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029789

**13.**

**Second Reading Ordinance - Accepting and appropriating a State**



**grant for border security (1st Reading 3/26/13)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$85,000 from the Texas Department of Public Safety, Texas Rangers Division for the FY2013 Local Border Security Program grant; and appropriating the \$85,000 in the No. 1061 Police Grants Fund.

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

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029790

14.

**Second Reading Ordinance - Amending Plumbing Code and International Residential Code to establish new language and change the residential irrigation backflow testing requirements from annual to triennial (1st Reading 3/26/13)**

Ordinance amending the Code of Ordinances, Chapter 14, "DEVELOPMENT SERVICES," Article II, "City of Corpus Christi Technical Construction Codes," Division 7, "PLUMBING CODE," Section 14-281, "Plumbing Code," and Division 8, "RESIDENTIAL CODE," Section 14-292, "Residential construction code," by changing the frequency of testing for residential irrigation backflow devices; providing for severance, penalties, publication, and an effective date.

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

**Aye:** 6 - Council Member Allen, Council Member Loeb, Council Member Scott, Council Member Magill, Council Member McIntyre and Council Member Riojas

**Nay:** 3 - Council Member Leal, Mayor Martinez and Council Member Garza

**Abstained:** 0

Enactment No: 029791

15.

**Second Reading Ordinance - Agreement authorizing the use of property adjacent to Whitecap Wastewater Treatment Plant for staging a fireworks display (1st Reading 3/26/13)**

Ordinance authorizing the City Manager or designee to execute an agreement with Jerry Watkins to use a portion of the property adjacent

to Whitecap Wastewater Treatment Plant in 13400 block of Whitecap Blvd. for staging a fireworks display on July 4, 2013.

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

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

**Nay:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029792

**16. Second Reading Ordinance - To approve date, location, and admission fees and consideration for the 2013 Buccaneer Days Festival and related activities (1st Reading 3/26/13)**

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Buccaneer Commission, Inc. ("Commission") for 2013 Buccaneer Days Festival and related activities to allow use of City property including areas bounded by Kinney Street, North Shoreline, South Shoreline, and Park Avenue, including adjacent parking lots, during April 22, 2013 through May 8, 2013; use of parking lot north of former Memorial Coliseum site from April 10, 2013 through April 16, 2013 provide for Commission paying fees for City services in amount not to exceed \$33,000.00.

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

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

**Absent:** 1 - Council Member Scott

**Abstained:** 0

Enactment No: 029793

**L. PUBLIC HEARINGS: (ITEMS 17 - 19)**

**17. Public Hearing and First Reading Ordinance - A change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District on Tract 1 and the "CN-1" Neighborhood Commercial District on Tract 2, on property located at 6810 South Staples Street.**

Case No. 0313-02 HEB Grocery Company, LP: A change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General

Commercial District on 15.73 acres (Tract 1) and to the "CN-1" Neighborhood Commercial District on 5.48 acres (Tract 2), resulting in a change of future land use from low density residential and medium density residential to commercial. The property to be rezoned is described as being a 21.21-acre tract of land out of Lots 17 and 18, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Timbergate Drive and South Staples Street (FM 2444).

Planning Commission and Staff Recommendation (March 13, 2013):

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District on Tract 1 and the "CN-1" Neighborhood Commercial District on Tract 2.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by HEB Grocery Company, LP ("Owner"), by changing the UDC Zoning Map in reference to a 21.21-acre tract of land out of Lots 17 and 18, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District on Tract 1 and the "CN-1" Neighborhood Commercial District 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 No. 17. Mark Van Vleck, Director of Development Services stated that the purpose of this zoning request is to allow for commercial and multifamily development. He stated that the Planning Commission and Staff recommend approval of the zoning change. A motion was made by Council Member Scott, seconded by Council Member Leal to open the public hearing and passed. There were no comments from the audience. A motion was made by Council Member Leal, seconded by Council Member Loeb to close the public hearing and passed.

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

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

**Abstained:** 0

Enactment No: 029795

18.

**Public Hearing and First Reading Ordinance - A request for a Special Permit Time Extension for an additional 12 months, on property located at 2217 Flour Bluff Drive.**

Case No. 0711-02 Sigifredo Montemayor: A request for a Special

Permit Time Extension for an additional 12 months. The property to be rezoned is described as Flour Heights, Block 1, Lot 22, located along the east side of Flour Bluff Drive approximately 350 feet north of Purdue Road.

Planning Commission and Staff Recommendation (March 13, 2012):  
Approval of the requested Special Permit time extension for an additional 12 months.

#### Ordinance

Ordinance amending Ordinance No. 029355, upon application by Sigifredo Montemayor, acting as custodian agent on behalf of Edward Montemayor and Mearary Iveth Montemayor ("Owners"), by adding a 12-month time extension to the special permit time limit initially approved; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez referred to Item No. 18. Mark Van Vleck, Director of Development Services stated that this is to grant a twelve month time extension for a Special Permit to allow the applicant to construct a storage warehouse. He stated that the Planning Commission and Staff recommend approval of the time extension. A motion was made by Council Member Scott, seconded by Council Member Loeb to open the public hearing and passed. There were no comments from the audience. A motion was made by Council Member Scott, seconded by Council Member Loeb to close the public hearing and passed.**

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

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

**Absent:** 1 - Council Member McIntyre

**Abstained:** 0

Enactment No: 029796

**19.**

**Public Hearing and First Reading Ordinance - A change of zoning from the "RS-6" Single-Family 6 District to the "RS-6/PUD" Single-Family 6 District with a Planned Unit Development Overlay, on property located at 4310 Walton Place.**

Case No. 0712-01 Garron Dean: A change of zoning from the "RS-6" Single-Family 6 District to the "RS-6/PUD" Single-Family 6 District with a Planned Unit Development Overlay, resulting in a change of land use from low density residential to medium density residential. The property to be rezoned is described as Lot 8, Block 3, Alameda Estates, located on the north side of Walton Place and east of Robert Drive.

Planning Commission and Staff Recommendation (August 29, 2012):

Approval of the change of zoning from a "RS-6" Single-Family 6 District to a "RS-6/PUD" Single-Family 6 District with a Planned Unit Development Overlay, subject to 12 conditions.

Ordinance

Ordinance amending the Unified Development Code ("UDC") upon application by Garron Dean, acting as agent on behalf of James Michael Tubbs, Donna Marie Baugh, acting as administrator for the estate of Jerry Robert Baugh, Jr., and Gertrude Baugh ("Owners"), by changing the UDC Zoning Map in reference to Lot 8, Block 3, Alameda Estates, from the "RS-6" Single-Family 6 District to an "RS-6/PUD" Single-Family 6 District with a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, and publication.

City Manager Olson announced that the Applicant submitted a letter withdrawing the zoning request.

**M. REGULAR AGENDA: (ITEM 20)****20. Professional services contract for database survey to collect data for street maintenance fee**

Motion authorizing the City Manager or designee to execute a contract with HDR Engineering, Inc. to provide professional services in connection with the Street Maintenance Fee Database Assistance Project, for a total fee not to exceed \$202,500.

Mayor Martinez referred to Item No. 20. Oscar Martinez, Assistant City Manager stated that the purpose of this item is to conduct a land use survey of the non-residential properties within the City to identify land use to be used in assigning trip factors for the Street Maintenance Fee. Mr. Martinez added that this item was originally at a cost of \$270,000 to be completed with 30 days, but that with the additional support of city staff to work with the contractor the cost is \$202,500.

Mayor Martinez asked for comments from the public. Johnny French stated that the current database is not current, and stated that he supports a form survey allowing businesses to complete and submit to the City; Pat Veteto spoke in support of the street maintenance fee; Foster Edwards thanked staff for working with the Chamber of Commerce in regards to the street maintenance fee, spoke in favor of the proposal and announced that the Chamber is hosting a meeting on Thursday, April 11th at 8:30 am to discuss the street maintenance fee; and Abel Alonzo spoke in support of approving the contract for the land use survey and thanked Mr. Oscar Martinez for all his work on this project.

Mr. Martinez stated that the timeline for the Street Maintenance Fee is to

complete the database survey in 30 days, and the street maintenance fee in approximately 6 to 8 weeks.

Mayor Martinez announced that she is appointing a Street Maintenance Task Force comprised of the following four council members: Colleen McIntyre, Rudy Garza, Chad Magill, and David Loeb. She designated Rudy Garza as the Chair. Council Member Scott asked about the direction for the Task Force, and suggested discussing at the Workshop Meeting scheduled for next Tuesday, April 16th.

Mr. Olson stated that the agreement states a "not to exceed" amount and that based on the magnitude of work the cost may be under the contract amount. He also stated that the intent is to conduct a full range of trip factors, and further debate the cap or no cap. Mr. Olson also added that the ordinance will include an index of trip factors for the council's approval.

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

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

**Nay:** 1 - Council Member Leal

**Abstained:** 0

Enactment No: M2013-065

**N. FIRST READING ORDINANCES: (ITEMS 21 - 22)**

**21. First Reading Ordinance - Approval of Type A grant for federal grant application to locate an Unmanned Aerial Systems test range in the City; amending the budget, and appropriating the funds.**

Ordinance approving a Business Incentive Agreement between the Corpus Christi Business and Job Development Corporation ("Type A Corporation") and Texas A&M University-Corpus Christi ("TAMU-CC") to provide a grant of up to \$600,000 for an application to the Federal Aviation Administration (FAA) to locate an Unmanned Aerial Systems (UAS) test range in Corpus Christi, Texas, and authorizing the City Manager, or designee, to execute a Business Incentive Project Support Agreement with the Type A Corporation regarding implementation and administration of the TAMU-CC Business Incentive Agreement; amending the budget to allow for this funding of up to \$600,000 from the Unreserved Fund balance in the No. 1140 Business/Job Development Fund and appropriating up to \$600,000 to the Unreserved Fund Balance in the No. 1140 Business/Job Development Fund.

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

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

**Abstained:** 0

Enactment No: 029797

**22. First Reading Ordinance - Construction contract for Saluki Street rehabilitation; amending capital improvement budget to add project and account for expenditures.**

Ordinance amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to add Project No. E12053 Saluki Street Rehabilitation Project; increasing expenditures in the amount of \$60,000; and executing a construction contract with J. Carroll Weaver, Inc. of Sinton, Texas in the amount of \$192,479.50 for the Base Bid of Saluki Street Rehabilitation Project.

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

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

**Abstained:** 0

Enactment No: 029798

**O. FUTURE AGENDA ITEMS: (ITEMS 23 - 34)**

**Mayor Martinez referred to the Future Agenda, Items 23 through 35 and stated that these items are for informational purposes only and that no action or public comment would be taken. Staff provided a presentation on Items 32 and 35.**

**23. Lease Purchase of a pneumatic roller for street repair projects**

Motion approving the lease purchase of one (1) Caterpillar Pneumatic Roller from Holt Cat Machinery, Corpus Christi, TX for a total amount of \$112,183.00. The award is based on the cooperative purchasing agreement with the Texas Local Government Cooperative. The equipment will be used by the City's Street Department. This unit is a replacement to the fleet. Funds for the lease purchase of the roller will be provided by the City's lease purchase financing program.

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

Enactment No: M2013-066

**24. Service agreement for the printing, processing and mailing of utility bills**

Motion awarding a service agreement with QuestMark Information Management Inc., of Houston Texas, to provide printing, processing and mailing of utility bill services, based on lowest responsible bid, for an estimated three year expenditure of \$307,905.84 of which \$25,658.82 is required for the remainder of this fiscal year. The term of the contract will be for thirty-six months, with two, twelve month automatic extensions. Funding is available in the Utility Business Office Operations Budget of the Finance Department for fiscal year 12/13.

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

Enactment No: M2013-067

**25. Supply agreement for lease of computers for City use**

Motion approving a supply agreement with Dell Financial Services, Round Rock, Texas for lease of approximately 400 desktop computers, 200 laptop computers, 44 servers, and other computer peripherals and related products in accordance with the State of Texas cooperative purchasing program and the City's Master Lease Agreement No. 6656492 for an estimated expenditure of \$1,011,500.93. The term of the contract will be for twelve months with an option to extend for up to three additional twelve month periods subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by the using departments in FY 2012-13.

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

Enactment No: M2013-068

**26. Supply agreement for chemicals to be used for odor control at wastewater treatment facilities**

Motion approving a supply agreement with Pencco, Inc., San Felipe, Texas for approximately 300,000 gallons of ferrous sulfate in accordance with Bid Invitation No. BI-0124-13 based on lowest responsible bid for an estimated twelve month expenditure of \$308,200 of which \$102,733.33 is required for FY 2012-2013. The term of the supply agreement will be for twelve months with an option to extend for up to two additional twelve-month periods subject to the approval of the supplier and the City Manager or designee. Funds are available in the Wastewater Operations Budget in FY 2012-2013.

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

Enactment No: M2013-069

**27. Supply agreement for office supplies, equipment and furniture**



Motion approving a supply agreement with Gateway Printing and Office Supply, Inc., Corpus Christi, TX for office supplies, equipment and furniture, based on lowest local bid, in accordance with Bid Invitation No. BI-0245-12, for an estimated annual expenditure of \$549,737.29, of which \$137,434.32 is required for the remainder of FY 2012-2013. The term of the agreement will be for one year with an option to extend for up to four additional one-year periods subject to the approval of the supplier and the City Manager or designee. Funds have been budgeted by using departments in FY 2012-2013.

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

Enactment No: M2013-070

**28. Engineering design contract amendment no. 4 for Citywide Hydraulic Model - Sanitary Sewer Overflow Initiative**

Motion authorizing the City Manager, or designee, to execute Amendment No. 4 to the Contract for Professional Services with Pipeline Analysis, LLC, of Garland, Texas in the amount of \$179,251.00, for a restated fee not to exceed \$2,342,179.00 for Citywide Hydraulic Model Sanitary Sewer Overflow Initiative (SSOI).

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

Enactment No: M2013-071

**29. Architectural design contract for tennis center repairs and upgrades for HEB and Al Kruse tennis centers (Bond Issue 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with CLK Architects & Associates, Inc. of Corpus Christi, Texas in the amount of \$204,700.00, for Tennis Center Repairs and Upgrades - HEB and Al Kruse, for design, bid, and construction phase services **BOND ISSUE 2012**.

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

Enactment No: M2013-072

**30. Engineering design contract for park development and improvements at Bill Witt/Oso Creek Park (Bond Issue 2012)**

Motion authorizing the City Manager, or designee, to execute a Contract for Professional Services with Martinez, Guy & Maybik, Inc. of Corpus Christi, Texas in the amount of \$156,780.00, for Community Park Development and Improvements for design, bid, and construction phase services **BOND ISSUE 2012**.

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

Enactment No: M2013-073

**31. Agreement for temporary tax abatement for the development located in the 800 block of Carancahua Street**

Resolution authorizing the execution of an agreement with 164 Corpus, Ltd. (Bay Vista II Apartments) providing for temporary property tax abatement.

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

Enactment No: 029801

**32. Chapter 380 Agreement for development of an iron and steel facility**

Resolution authorizing the City Manager or designee to execute a Chapter 380 Economic Development Incentive Agreement with voestalpine Texas LLC ("Agreement") for certain economic development grants for development of an iron and steel facility within the City's extraterritorial jurisdiction and for construction of docks potentially within the Corpus Christi city limits for the benefit of the City.

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

Enactment No: 029802

**33. Interlocal agreement for oil spill training and equipment storage at the marina**

Resolution authorizing the City Manager or designee to execute an Interlocal Agreement with Texas A&M University - Corpus Christi regarding Corpus Christi Marina operations

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

Enactment No: 029794

**34. Resolution requesting State legislation allowing local governments the option to generate revenue for street repair and maintenance with additional financing tools**

Resolution encouraging the 83rd Texas Legislature to enact legislation authorizing municipalities to generate revenue to fund street repair and maintenance, through local option vehicle registration fees, gasoline taxes or other mechanism.

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

Enactment No: 029803

**P. FUTURE PUBLIC HEARING: (ITEM 35)**

**35. Public Hearing and Resolution adopting the 5 Year Consolidated Action Plan for housing and homeless needs**

Resolution adopting the fiscal year (FY) 2013-FY2017 5 Year Consolidated Action Plan (PLAN) which includes the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and the HOME Investment Partnerships Programs (HOME); authorizing the City Manager or designee to submit the FY2013-FY2017 PLAN to the U.S. Department of Housing and Urban Development (HUD); and authorizing the City Manager or designee to make changes to the FY2013-FY2017 PLAN if required by HUD.

**This Resolution was recommended by Staff to Public Hearing.**

Enactment No: 029799

**Q. LEGISLATIVE UPDATE:**

Mr. Tom Tagliabue, Director of Intergovernmental Relations provided a brief update on the 83rd Legislative Session and referred to a handout listing the priorities that have been adopted between October and January. Mr. Tagliabue stated that the council's top priorities were making good progress, windstorm and transportation funding.

Council Member Scott inquired about House Bills 605 and 1832. Mr. Tagliabue suggested sending a letter on behalf of the Council encouraging the delegation to pass the substitute for HB 1832.

**R. BRIEFINGS TO CITY COUNCIL: (ITEMS 36 - 37)**

**36. Regional Health Awareness Board Briefing**

Mayor Martinez referred to Item No. 36, Regional Health Awareness Board Briefing. James Mobley, MD, Chairman, Regional Health Awareness Board stated that the board represents the City of Corpus Christi, San Patricio County and Nueces County and their mission is to ensure that opportunities exist for quality dialogue by citizens of the Coastal Bend on the issues impacting health, safety, environment and life quality. He then discussed the history, goals, board representatives, and projected budget. Dr. Mobley identified and discussed the following active projects: Nueces County Birth Defects, Eagle Ford Shale, Air Quality, Water Quality, Encycle Facility, and Ballard and Brine Services Sand Pits Superfund sites. Dr. Mobley added the Board will be recommending adding two additional members to represent Rangel College and the Education Service Center.

**37. Corpus Christi Convention and Visitor's Bureau Quarterly Briefing**

Mayor Martinez referred to Item No. 37, Corpus Christi Convention and Visitor's Bureau Quarterly Briefing. Mr. Keith Arnold, CEO, Convention & Visitor's Bureau discussed the HOT collections, overall occupancy, and convention and event sales. He then reported on the conventions in Corpus Christi - Mustang Fest, Bike Fest and Skills USA. Mr. Arnold provided an update on the Leisure

and Nature Tourism Stay and Play Attraction savings pass, Interactive Marketing, Traditional Advertising, projected budgets, and economic impact study highlights. Mr. Arnold invited the Council to the 2013 Annual Luncheon on May 8, 2013.

**S. CITY MANAGER'S COMMENTS:**

**\* Update on City Operations**

City Manager Olson announced that the Human Resources department has played a key role in cost savings to the City through the following employee benefit strategies: 1) retirees were shifted into a Medicare Advantage Plan thereby reducing liability by \$14 million; 2) consolidating group life and disability insurance under one vendor resulting in a savings of \$867,000; 3) Human Resources recently conducted a dependent audit of the city's health plans resulting in a cost avoidance of \$1.1 million; 4) the City Employee Wellness Onsite Clinic has resulted in an estimated cost savings of \$1.84 million since opening in March 2011, and plans to add a second clinic at another City office; and 5) discuss future initiatives - create Fitness Center, and a smoking cessation program.

**T. ADJOURNMENT**

There being no further business to come before the Council, Mayor Martinez declared the meeting adjourned at 4:45 pm.