



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, February 9, 2016

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order at 11:32 a.m.

B. Invocation to be given by Reverend Bruce Wilson, Church of Reconciliation.

Reverend Bruce Wilson gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Sue Harris - Call Center Lead, Communications.

Executive Assistant to the City Secretary Monique Lerma led the Pledge of Allegiance.

D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.

City Secretary Rebecca Huerta called the roll and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

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

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

Absent: 1 - Council Member Mark Scott

E. Proclamations / Commendations

1. Arts & Cultural Commission's Recognition of the 2016 Arts Grant Recipients and Check Presentation

Mayor Martinez introduced Arts & Cultural Commission's Chairperson Brad Kiser who recognized and presented a check to the 2016 Arts Grants Recipients.

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

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

a. OTHER

1) The Parks and Recreation Department is currently working on a Program Master Plan and conducting an on-line survey. City Manager Olson invited the public to participate in the on-line survey which will run now until February 19, 2016. The survey is posted at www.ccparkandrec.com. 2) A Glass Recycling event will be held on Saturday, February 13, 2016 at the Wal-Mart located on Saratoga Boulevard from 9:00 a.m. to 3:00 p.m. Volunteers are needed to assist the Solid Waste Department. 3) In anticipation of a potential problem with the Zika Virus, the City has ordered additional mosquito control materials in the event extra spraying is needed. 4) City Manager Olson recognized Assistant City Manager Gus Gonzalez who is leaving the City of Corpus Christi. City Manager Olson thanked Assistant City Manager Gonzalez for his service to the City and presented him with a Certificate of Appreciation. 5) With the departure of the three Assistant City Managers and various Department Director vacancies, City Manager Olson announced the following appointments: Mark Van Vleck, Assistant City Manager of Public Works & Utilities; Jay Ellington, Interim Assistant City Manager of Safety, Health & Neighborhoods; Gilbert Sanchez, Risk Manager; Terry Teri, Interim Municipal Court Administrator; Edgar Leonard, Interim Director of Facilities; Stacie Talbert-Anaya, Interim Director of Parks and Recreation; Dan Grimsbo, Executive Director of Utilities; and Dan McGinn, Interim Director of Development Services.

I. MINUTES:**2. Regular Meeting of January 26, 2016.**

Mayor Martinez deviated from the agenda and referred to approval of the minutes. A motion was made by Council Member Garza, and seconded by Council Member Rosas that the Minutes be passed. The motion carried by a unanimous vote.

H. CITY SECRETARY'S REPORT

Mayor Martinez referred to City Secretary's Report. City Secretary Rebecca Huerta explained that historically, the City Council has chosen to cancel the regular Council meeting that falls during Spring Break. This year, that meeting falls on March 15, 2016. Per the City Charter, the City Council can choose to adjust their regularly scheduled meetings for reasons recorded in the minutes. The City Council meeting schedule is historically set during the City Council Retreat. The Retreat this year will not be held until after Spring Break. City Secretary Huerta inquired whether there is Council concurrence to cancel the regular Council meeting on March 15, 2016.

Council Member McIntyre made a motion to cancel the March 15, 2016 regular Council meeting, seconded by Council Member Rubio and passed.

P. FIRST READING ORDINANCES: (ITEMS 19 - 24)**24. First Reading Ordinance - Clarifying the definition of taxicab to include Transportation Network companies**

Ordinance amending Chapter 57, Section 57-20 of the Corpus Christi Code of Ordinance to clarify the definition of "taxicab" to clearly specify that drivers for transportation network companies are subject to the City's taxicab regulations; and providing for severance, publication, penalty, and effective date.

Mayor Martinez referred to Item 24 and requested a motion to table this item.

Council Member McIntyre made a motion to table Item 24, seconded by Council Member Rubio and passed unanimously.

J. BOARD & COMMITTEE APPOINTMENTS:**3. Building Code Board of Appeals
Corpus Christi Convention and Visitors Bureau
Corpus Christi Regional Transportation Authority
Electrical Advisory Board
Mechanical/Plumbing Advisory Board**

Mayor Martinez deviated from the agenda and referred to board and committee appointments. The following appointments were made:

Building Code Board of Appeals

Council Member McIntyre made a motion to reappoint Ramiro Munoz III (Building Industry), seconded by Council Member Riojas and passed unanimously.

Corpus Christi Convention and Visitors Bureau

Mayor Martinez nominated Ed Cantu (At-Large). Council Member McIntyre nominated Johnny Philipello (At-Large). Ed Cantu (At-Large) was appointed with Council Members Rosas, Magill, Garza, Martinez, and Rubio voting for Ed Cantu and Council Members Riojas, Vaughn, and McIntyre voting for Johnny Philipello.

Corpus Christi Regional Transportation Authority

Council Member Magill made a motion to appoint Conrado Garcia, seconded by Council Member Rubio and passed unanimously.

Electrical Advisory Board

Council Member McIntyre made a motion to reappoint Kevin Martinez (Master Electrician) and Vernon Wuensche P.E. (Registered Professional Engineer), seconded by Council Member Rubio and passed unanimously. Mayor Martinez asked that the record reflect that she is not related to Kevin Martinez.

Mechanical/Plumbing Advisory Committee

Council Member McIntyre made a motion to reappoint Ronald Klepac (Heating, Ventilation, Air Conditioning and Refrigeration Business) and Jared Merdes P.E. (Mechanical Engineer), seconded by Council Member Riojas and passed unanimously.

Council Member McIntyre made a motion to appoint Mike Dildy (Master Plumber), seconded by Council Member Garza and passed unanimously.

Council Member Magill made a motion to appoint Maverick C. Volesky, Jr. (Plumber), seconded by Council Member Garza and passed unanimously.

K. EXPLANATION OF COUNCIL ACTION:

L. CONSENT AGENDA: (ITEMS 4 - 6)

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 Rubio, seconded by Council Member Riojas, to approve the Consent Agenda. The consent agenda items were approved by one vote as follows:

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

Absent: 1 - Council Member Scott

Abstained: 0

4. Second Reading Ordinance - Lease Agreement for Buc Days Festival for years 2016-2020 (1st Reading 1/26/16)

Ordinance authorizing the City Manager or designee to execute a lease agreement with the Buccaneer Commission, Inc. for 2016-2020 Buc Days Festival and related activities to allow use of City property including areas bounded by Kinney Street, North Shoreline Boulevard, South Shoreline Boulevard, and Park Avenue, including adjacent parking lots and also including the Bayfront Park located along Shoreline Boulevard between Resaca Street and Power Street with payment of fees not to exceed \$37,000 in years 2016-2018, and \$40,000 in years 2019-2020.

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

Enactment No: 030755

5. Second Reading Ordinance - Accepting and appropriating the reimbursement grant funds for FY 2015 for the Home Delivered Meals Program (1st Reading 1/26/16)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate a \$165,282 grant in Managed Care funds from the Area Agency on Aging of the Coastal Bend in the No. 1067 Parks and Recreation Grants fund for the FY 2015 Senior Community Services, Home Delivered Meals Program.

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

Enactment No: 030756

6. Second Reading Ordinance - Appropriating funds and executing an Interlocal Agreement, an Advance Funding Agreement, and a Master Services Agreement for traffic improvements along Spur 3 Corridor (Ennis Joslin Road) from SH 358 (South Padre Island Drive) to Ocean Drive (1st Reading 1/26/16)

Ordinance appropriating funds in the amount of \$100,000 and authorizing the City Manager or designee to execute an Interlocal Cooperation Agreement with Texas A & M University - Corpus Christi (TAMU-CC); to execute an Advance Funding Agreement with the Texas Department of Transportation (TXDOT) with a required payment to TXDOT in the amount of \$18,120; and to execute Master Service Agreement with Maldonado-Burkett Intelligent Transportation Systems, LLP (MBITS) in an amount not to exceed \$547,275.87 for the design of traffic improvements citywide.

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

Enactment No: 030757

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. City Attorney Miles K. Risley reviewed the Rules of Decorum for the Council meeting. Libby Edwards, 14158 Cutlass, provided an update on items

discussed during the Island Strategic Action Committee's February meeting, including the Park Road 22 Bridge and the area development plan. Ofelia Chavez, 4409 Mount Vernon, spoke regarding the Code Enforcement Department's removal of a vehicle from her property. Jack Gordy, 4118 Bray, provided copies of the City of Corpus Christi's Code of Ordinances regarding the blocking of streets and sidewalks and questioned how the City is exempt from removing the palm trees from the sidewalk on Airline Road. Linda Gibeaut, 14158 Southern, spoke regarding making Corpus Christi a "No Kill" city and making every effort to save animals.

The following individuals spoke in support of Item 18, discussion on an initiative proposing an ordinance to require enactment of police guidelines to enable officers to cite and release for specific offenses: Phillip Goff, 4224 Ocean Drive; Clayton Phillips; Jim Whitworth, 36 Lakeshore Drive; Sylvia Whitworth, 36 Lakeshore Drive; Rick Gomez; Sophie Townsend, 4518 Driftwood; Courtney Jack, 5026 Cain Drive; Evangelina Beasley, 245 Clemmer; and Josie Valdez, 4134 Shaw.

N. PUBLIC HEARINGS: (ITEMS 11 - 14)

11. Public Hearing and First Reading Ordinance - Rezoning property located at 11330 Leopard Street

Case No. 0116-03 Fantozzi, Ltd.: A change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District. The property is described as Lot 4, Block 1, Wal-Mart Subdivision, located on the north side of Leopard Street between Violet Road and Hart Road.

Planning Commission and Staff Recommendation (January 13, 2016): Denial of the change of zoning to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit for limited industrial uses, subject to a site plan and nine conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Fantozzi, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to Lot 4, Block 1, Wal-Mart Subdivision, from the "CG-2" General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 11. Interim Director of Development Services Dan McGinn stated that the purpose of this item is to rezone the subject property to allow for light industrial-type uses on the property. Mr. McGinn said the Planning Commission and staff recommend denial of the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit for limited industrial uses, subject to a site plan and nine (9) conditions.

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

Council members spoke regarding the following topics: the property location of the former Wal-Mart building; the type of business considered for the rezoned property; the difference between "IL" and "CG-2" zoning; whether apartments are an allowable use in the "CG-2"; and the special permit conditions providing protection to the neighborhood.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Magill. City Attorney Miles K. Risley recommended that the City Council wait to take action on this item until after the discussion in executive session. Council Member Garza withdrew his motion and Council Member Magill withdrew his second.

12. Public Hearing and First Reading Ordinance - Rezoning property located at 437 Opportunity Drive

Case No. 0116-01 Mint Business Professionals, LLC: A change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District. The property is described as Lot 61, Block 3, 100 South Padre, located on the southwest corner of Enterprize Parkway and Opportunity Drive.

Planning Commission and Staff Recommendation (January 13, 2016): Approval of the change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Mint Business Professionals, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lot 61, Block 3, 100 South Padre, from the "IL" Light Industrial 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 12. Interim Director of Development Services Dan McGinn stated that the purpose of this item is to rezone the subject property to allow for the construction of a hotel. 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 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: 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

13. Public Hearing and First Reading Ordinance - Rezoning property located at 1914 Lipan Street

Case No. 0116-02 City of Corpus Christi: A change of zoning from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District. The property is described as Lot 5A, Block 4, Brennan Addition, located on the north side of Lipan Street between Coke Street and 19th Street.

Planning Commission and Staff Recommendation (January 13, 2016): Approval of the change of zoning from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by the City of Corpus Christi ("Owner"), by changing the UDC Zoning Map in reference to Lot 5A, Block 4, Brennan Addition, from the "IH" Heavy Industrial District to the "RS-4.5" Single-Family 4.5 District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 13. Interim Director of Development Services Dan McGinn stated that the purpose of this item is to rezone the subject property to allow for the development of single-family housing in this area. Mr. McGinn said the Planning Commission and staff are in favor of the zoning change.

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

Council members spoke regarding the following topics: support for repurposing the lot for residential use; the drainage ditch that abuts the property; whether the single-family homes will require flood insurance; and the condition of a home located behind the subject property.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Vaughn. 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 Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

14. Public Hearing and First Reading Ordinance - Amending the Unified Development Code to update regulations and improve implementation

Ordinance amending the Unified Development Code by revising subsection 1.11.3 "Defined Terms", table 4.3.2 "Permitted Uses", table 4.3.3 "Residential Development Standards (Single-Family Districts)", table 4.3.4 "Housing Types", subsections 5.1.2.A "Household Living", 5.5.3.E.6 "Setbacks (for) Wireless Telecommunication Facilities", 7.5.3.A.1 "Single Tenant Freestanding Sign", 7.5.3.C.1 "Multi-tenant(3 or more tenants) Freestanding Sign", 7.5.27.D.10 "Definition (of) Legible", 8.2.1.B.3 "Street Right-of-Way Dimensional Standards", table 8.2.1.C "Non-Local Street Standards", and table 8.2.1.D "Rural Street Standards" providing for severance; providing for penalties; providing for publication; and providing for an effective date.

Mayor Martinez referred to Item 14. Interim Director of Development Services Dan McGinn stated that the purpose of this item is to propose various text amendments to the Unified Development Code (UDC). Mr. McGinn said the Planning Commission and staff are in favor of the text amendments.

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

Council members spoke regarding the following topics: the clarification on modular housing; examples of modular residential in the City; the difference between modular and manufactured housing; whether there is a market for modular housing; an explanation of the amendment to Section 7.5.27.D.10; the cost impact associated with increasing the sidewalk width from four feet to five feet for minor residential; corrections to address manufactured homes in Section 5.1.2.A; and whether modular housing could be used on the property in Item 13 of this agenda.

Council member Rubio made a motion to approve Item 14, 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 Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

M. EXECUTIVE SESSION: (ITEMS 7 - 10)

Mayor Martinez deviated from the agenda and referred to the day's executive sessions. The Council went into executive session. Council Member Magill recused himself from the discussion on Item 10 related to annexation.

7. **Executive session pursuant to Texas Government Code § 551.074** (personnel matters) to deliberate employment issues concerning the City Manager.

Mayor Martinez referred to Item 7 regarding the employment contract for City Manager Ron Olson.

Mayor Martinez made a motion to approve an Amended Employment Agreement for City Manager Ronald Olson in the form as presented, seconded by Council Member Riojas. 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 Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: M2016-018

8. **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.

9. **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 housing tax credit projects and the provision of affordable housing.

This E-Session Item was discussed in executive session.

10. **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.

City Secretary Huerta announced that Council Member Magill recused himself from the discussion on Item 10 related to annexation. This E-Session Item was discussed in executive session.

N. **PUBLIC HEARINGS: (ITEM 11)**

11. **Public Hearing and First Reading Ordinance - Rezoning property located at 11330 Leopard Street**

Case No. 0116-03 Fantozzi, Ltd.: A change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District. The property is described as Lot 4, Block 1, Wal-Mart Subdivision, located on the north side of Leopard Street between Violet Road and Hart Road.

Planning Commission and Staff Recommendation (January 13, 2016): Denial of the change of zoning to the "IL" Light Industrial District and, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit for limited industrial uses, subject to a site plan and nine conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Fantozzi, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to Lot 4, Block 1, Wal-Mart Subdivision, from the "CG-2" General Commercial District to the "CG-2/SP" General Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez returned to the discussion of Item 11. Interim Director of Development Services Dan McGinn stated that staff has evaluated the proposed project for this subject property and reported that the tax credit application project is an allowable use in the "CG-2" zoning.

Mayor Martinez reopened 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 McIntyre. 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 Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

O. REGULAR AGENDA: (ITEMS 15 - 18)

15. Resolution approving Street Preventative Maintenance Program (SPMP) Year 3 Annual Work Plan

Resolution approving the concepts, direction, and general work plan for the third year of the Street Preventative Maintenance Program (SPMP) -- the 2016 SPMP Work Plan

Mayor Martinez referred to Item 15. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to approve the 2016 Work Plan

for the Street Preventative Maintenance Program (SPMP). Mr. Edmonds said the next steps will include approval of the engineering design contract and rebid of the seal coat contract based on recommendations from the Street Committee to allow for more contractor participation. Mr. Edmonds pointed out that the presentation provided at the January 26, 2016 City Council meeting could have given the impression that the overlay program was behind schedule. Mr. Edmonds clarified that the overlay program is not behind schedule and progress is at 65%. Mr. Edmonds stated that there is an amendment to the street list to remove Creek View Drive from Wood Creek Drive to Creek Side Drive (Object ID. 247062).

Mayor Martinez called for comments from the public. Randall Moore, Haas-Anderson Construction, thanked Mr. Edmond for making the clarification to the presentation that was previously presented. Mr. Moore discussed the completion of the contract work that has been authorized and raised concerns about the rebid of the seal coat contract for Year 4. There were no comments from the Council.

Council Member Magill made a motion to amend the work plan to remove Object ID. 247062 in overlays because the PCI is 32 and not eligible for this program, seconded by Council Member McIntyre and passed unanimously.

Council Member Garza made a motion to approve the resolution as amended, seconded by Council Member McIntyre. This Resolution was passed as amended and approved with the following vote:

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

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 030758

16.

Engineering Design Amendment No. 1 for the Citywide Street Preventative Maintenance Program Year 3

Motion authorizing the City Manager, or designee, to develop a year three work plan by executing Amendment No. 1 with Coym, Rehmet & Gutierrez Engineering, L.P. of Corpus Christi, Texas in the amount not to exceed \$867,370.00 for a restated fee for not to exceed \$916,735.00 for the Citywide Street Preventative Maintenance Program (SPMP) Year 3 project.

Mayor Martinez referred to Item 16. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to execute Amendment No. 1 to the engineering contract with Coym, Rehmet & Gutierrez Engineering, L.P. for the Street Preventative Maintenance Program Year 3 Work Plan. There were no comments from the Council or the public.

Council Member McIntyre made a motion to approve the motion, seconded by Council Member Garza. 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 Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: M2016-019

17. Resolution approving an Agreement for the Adjustment of Corpus Christi Municipal Utilities in Connection with the US 181 Harbor Bridge Replacement Project

Resolution authorizing the City Manager or designee to execute the Agreement for the Adjustment of the City Utilities in connection with the US 181 Harbor Bridge Replacement Project

Mayor Martinez referred to item 17. Director of Engineering Services Jeff Edmonds stated that the purpose of this item is to execute an agreement for the adjustment of City utilities in connection with the US 181 Harbor Bridge Replacement Project. There were no comments from the Council or the public.

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

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

Absent: 1 - Council Member Scott

Abstained: 0

Enactment No: 030759

18. Discussion regarding Initiative Proceedings and Consideration of an Ordinance proposed by citizen's initiative to require the Chief of Police to issue guidelines providing for citation, instead of arrest, of some persons accused of specified Class A and Class B misdemeanor offenses

Discussion on Initiative Proceedings and consideration of an Ordinance amending the Code of Ordinances, Chapter 43, Police, by adding Section 43-12 authorizing guidelines regarding the issuance of citations for certain Class A and Class B misdemeanor offenses as allowed under Texas Code of Criminal Procedure Article 14.06 (c) and (d).

Mayor Martinez referred to Item 18. City Secretary Rebecca Huerta stated that the purpose of this item is to discuss the initiative proceedings to include the initiative process, and the legal and administrative implications of the proposed ordinance. City Secretary Huerta explained that the initiative allows

citizens to propose ordinances to the City Council. The City Council may chose to adopt, reject, or take no action on the proposed ordinance within the next 45 days (by March 25, 2016). If the City Council chooses to adopt the ordinance, the ordinance would become part of the City Code. If the Council rejects the ordinance or takes no action, then the City Secretary distributes petition pages to the proponents for distribution. The proponents have 90 days to obtain signatures of five percent of the registered voters to place the issue on the November 8, 2016 ballot. The purpose of the ordinance would require the Police Chief to adopt guidelines enabling officers to cite and release, rather than automatically arrest, certain low-level offenses per state law.

City Attorney Miles K. Risley referred to the Texas Code of Criminal Procedure Article 14.06 (c) and (d) and discussed the legal implications of the ordinance and the eligible offenses for cite and release. Police Chief Mike Markle stated that this process has been available to law enforcement since 2007 without the necessity of the ordinance. Police Chief Markle said that very few Texas cities have implemented the process. Police Chief Markle explained that implementation is contingent upon working relationships with other governmental agencies and passage of the ordinance cannot ensure the Police Department's ability to implement the process. Police Chief Markle stated that staff does not recommend approval of this ordinance.

Mayor Martinez called for comments from the public. Kyle Hoelscher, 529 Naples; Eric Tasby, 4716 Archer; Kathleen Gray, 7609 Cold Springs Drive, and Christopher Salinas, 6402 Weber Road, spoke in support of adopting the proposed ordinance. Rick Milby, 4412 High Ridge Drive, spoke in opposition to the proposed ordinance.

Mayor Martinez asked for a motion to approve the ordinance. No one made a motion. The Council took no action on the ordinance.

P. FIRST READING ORDINANCES: (ITEMS 19 - 23)

19. First Reading Ordinance - Accepting and appropriating the FY 2016 Local Border Security Program (LBSP) Grant

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant in the amount of \$90,000 from the State of Texas Governor's Homeland Security Grants Division for funding eligible under the FY2016 Local Border Security Program (LBSP) grant to reimburse overtime, fringe benefits, and mileage; and appropriating the \$90,000 in the No. 1061 Police Grants Fund.

Mayor Martinez referred to Item 19. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate grant funding from the FY2016 Local Border Security Program grant to reimburse overtime, fringe benefits, and mileage. There were no comments from the Council or the public.

Council Member McIntyre 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: 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

20. First Reading Ordinance - Accepting and appropriating grant funds for the Hazardous Materials Emergency Preparedness (HMEP) grant program

Ordinance authorizing the City Manager, or designee, to execute all documents necessary to accept a grant of services budgeted for \$70,000 from Texas Department of Public Safety, Governor's Division of Emergency Management, for FY 2016 Hazardous Materials Emergency Preparedness (HMEP) grant program to conduct an update to the 2010 Commodity Flow Study with a hard match of \$14,000; appropriating the \$14,000 in the Local Emergency Planning Committee (LEPC) Fund No. 6060; and changing the FY 2015-16 Operating budget adopted by Ordinance No. 030620 by increasing expenditures in the Local Emergency Planning Committee Fund No. 6060 by \$14,000.

Mayor Martinez referred to Item 20. Fire Chief Robert Rocha stated that the purpose of this item is to accept a grant from the Texas Department of Public Safety to update the 2010 Commodity Flow Study. There were no comments from the Council or the public.

Council Member McIntyre 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: 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

21. First Reading Ordinance - Appropriating funds for the repair of Medic Unit 3

Ordinance appropriating \$8,593.79 received from the Texas Municipal League Intergovernmental Risk Pool into the General Fund No. 1020 to repair Medic Unit 3; and changing the FY 2015-16 Operating Budget adopted by Ordinance No. 030620 by increasing revenue and expenditures in the General Fund No. 1020 by \$8,593.79.

Mayor Martinez referred to item 21. Fire Chief Robert Rocha stated that the purpose of this item is to appropriate \$8,593.79 received from the Texas Municipal League Intergovernmental Risk Pool to repair Medic Unit 3. There

were no comments from the Council or the public.

Council Member Riojas 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: 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

22. First Reading Ordinance - Accepting and appropriating grant for the Senior Companion Program (SCP)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant awarded by the Corporation for National and Community Service in the amount of \$60,060 for the Senior Companion Program; appropriating the \$60,060 grant in the No. 1067 Parks and Recreation Grants Fund for the Senior Companion Program.

Mayor Martinez referred to Item 22. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to appropriate grant funding to allow for the expansion of the Senior Companion Program (SCP). There were no comments from the Council or the public.

Council Member Rubio 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: 8 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

23. First Reading Ordinance - Appropriating funds for a Master Services Agreement for Capital Improvement Program Projects at the Corpus Christi International Airport (CCIA)

Ordinance to appropriate and transfer \$1,500,000 from Fund 4610 Airport Unreserved Fund Balance to Fund 3018 Airport Capital Reserve, amending the FY 2016 Operating Budget adopted by Ordinance No. 030620 and authorizing the City Manager or designee to execute Master Services Agreements with Garver, LLC and KSA Engineers, Inc. to provide professional services for the Corpus Christi International Airport.

Mayor Martinez referred to Item 23. Director of Engineering Services Jeff

Edmonds stated that the purpose of this item is to execute Master Services Agreements for professional services with Garver, LLC and KSA Engineers, Inc. for professional services for the Corpus Christi International Airport. There were no comments from the Council or the public.

Council Member Rubio 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 Riojas, Council Member Rubio, Council Member Rosas and Council Member Vaughn

Absent: 1 - Council Member Scott

Abstained: 0

Q. FUTURE AGENDA ITEMS: (ITEMS 25 - 28)

Mayor Martinez referred to Future Agenda Items. City Manager Olson stated that staff had planned presentation for Items 25 - 28.

25. Resolution authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018 and obligate City to purchase electricity pursuant to said agreement

Resolution of the City Council of Corpus Christi, Texas authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity effective January 1, 2018; authorizing TCAP to act as an agent on behalf of the City to enter into a contract for electricity; authorizing Jay Doegey or Ronald L. Olson or Tom Tagliabue or Constance Sanchez to execute an electric supply agreement for deliveries of electricity effective January 1, 2018 and committing to budget for energy purchases in 2018 through 2022 and to honor the City's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP.

This Resolution was recommended to the consent agenda.

26. Approving Amendment No.1 for the Ocean Drive Park Improvements - Cole Park (Bond 2012)

Motion authorizing the City Manager, or designee, to continue design services through executing Amendment No. 1 to the Contract for Professional Services with HDR Engineering, Inc. of Corpus Christi, Texas in the amount of \$120,000, for a total revised fee of \$131,500 for Ocean Drive Park Improvements - Cole Park, for design, bid and construction phase services.(Bond 2012)

This Motion was recommended to the consent agenda.

27. Appointing Financial Advisor for Certificates of Obligation

Motion authorizing the appointment of M. E. Allison, & Co., as Financial Advisor for the of City of Corpus Christi, Texas, Combination Tax and Limited Pledge Certificates of Obligation, Series 2016A in an amount not to exceed ~~\$20,000,000~~ \$18,140,037.

MOTION OF DIRECTION

Council Member Magill made a motion directing the City Manager to utilize the \$18,140,037 as recommended for the certificates of obligation, seconded by Council Member Vaughn and passed unanimously.

This Motion was recommended to the regular agenda.

28. Resolution authorizing publication of Notice of Intention to issue Certificates of Obligation

Resolution by the City Council of the City of Corpus Christi, Texas, authorizing and approving publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.

This Resolution was recommended to the regular agenda.

R. BRIEFINGS: (ITEM 29)**29. Strategic Plan for Active Mobility, Phase 1 Bicycles
*Presented by Jeff Pollack, Transportation Planning Director for Metropolitan Planning Organization***

Mayor Martinez referred to Item 29. Jeff Pollack, Transportation Planning Director for Metropolitan Planning Organization (MPO), stated that the purpose of this item is to provide an update on the Strategic Plan for Active Mobility, Phase 1 Bicycles. Mr. Pollack stated that last year, he provided a presentation outlining the scope of where infrastructure should be made and in what form to address active mobility. Mr. Pollack added that he made the commitment the MPO to lead the effort, with support of the City and the Corpus Christi Regional Transportation Authority (RTA) to identify a bicycle mobility network. Mr. Pollack discussed the vision and Phase 1 goals to address bicycle mobility. Mr. Pollack provided an overview of the results of the bicycle mobility network: a map reflecting the infrastructure; the key destinations that were reviewed and the percentage within a quarter of mile of the bike network; the outreach process; the methodology and guiding principles; the analysis of hotspots; the vetting process once the network was developed; the types of infrastructure selected; examples of alternative infrastructure; and best practice recommendations.

Council members spoke regarding the following topics: the efficiencies and cost saving measures; bicycle mobility being a positive impact to the

community; savings on bond projects; an example of the Bike Boulevard infrastructure on Longview Street; the one-way cycle tract on a constrained right-of-way providing the ability to reduce utility cost and move bicyclist off-road; funding alternatives and how the MPO receives funding; an example of connectivity at Greenwood and Saratoga; addressing air quality by developing alternative modes of transportation; the engagement process; and next steps for the City to take.

MOTION OF DIRECTION

Council Member McIntyre made a motion directing the City Manager to bring back an ordinance to amend the Urban Transportation Plan to incorporate this plan, seconded by Council Member Riojas and passed unanimously.

S. ADJOURNMENT

The meeting was adjourned at 7:55 p.m.