



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, July 12, 2016

11:30 AM

Council Chambers

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

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

Mayor Martinez called the meeting to order.

**B. Invocation to be given by Pastor Rod Young, Church of Hope.**

Pastor Rod Young gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Steve Viera, Interim Director of Human Resources and Benefits.**

Interim Director of Human Resources Steve Viera 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:**

**Interim City Manager Margie C. Rose, City Attorney Miles K. Risley, 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 July 11-15, 2016, "National Disability Voter Registration Week".  
Proclamation declaring July 16, 2016, "Mandela Day in Corpus Christi".  
Recognition of Mayor's July 4th Big Bang Celebration Essay Contest Winner, Ms. Yuna Jung.

**Mayor Martinez presented the proclamations. Mayor Martinez recognized Ms. Yuna Jung, winner of the Mayor's July 4th Big Bang Celebration Essay**

Contest, and presented her with a Certificate of Commendation.

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

Mayor Martinez deviated from the agenda and referred to City Manager's Comments. Interim City Manager Margie C. Rose discussed the following topics:

**a. OTHER**

1) The City of Corpus Christi, in partnership with Reliant Energy, have established two cooling centers at Lindale Senior Center and Greenwood Senior Center. The cooling centers are open Monday through Friday from 8:00 a.m. to 4:00 p.m. until the end of September. For the past seven years, the City and Reliant Energy have offered the residents a comfortable place to stay during the day to help minimize their electricity usage at home. 2) Interim City Manager Rose announced the appointment of Gilbert Hernandez as Director of Municipal Court. 3) Interim City Manager Rose stated that the City of Corpus Christi would like to extend our sympathies to the City of Dallas and the families of the officers who died in the line of duty last week. In commemoration, the Corpus Christi Police Department's Honor Guard and Chief of Police Mike Markle will be representing the City of Corpus Christi and the Corpus Christi Police Department in Dallas, Texas this week to mourn the fallen officers.

Mayor Martinez asked those present in the Council Chambers to stand in silence to honor and support the men and women of the Corpus Christi Police Department and law enforcement.

**H. MINUTES:**

**2. Regular Meeting of June 21, 2016**

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

**I. BOARD & COMMITTEE APPOINTMENTS:**

**3. Corpus Christi Business and Job Development Corporation (Type A) Planning Commission**

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

Corpus Christi Business and Job Development Corporation

Council Member Garza made a motion to reappoint Bart Braselton, Debbie Lindsey-Opel and Randy L. Maldonado, seconded by Council Member McIntyre and passed unanimously.

Planning Commission

Council Member McIntyre made a motion to reappoint Jeremy Baugh and Eric Villarreal, seconded by Council Member Magill and passed unanimously.

Council Member McIntyre made a motion to appoint Daniel M. Dibble, seconded by Council Member Rubio and passed unanimously.

**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 Property Maintenance Code which requires that address numbers be visible from the street and enforcement of these violations. Susie Luna Saldana, 4710 Hakel and on behalf of LULAC Council No. 1 and Ccause United Teachers and School Employees, spoke in support of all police officers and invited the City Council and public to a community rally being held on Labor Day to show support to police officers. Abel Alonzo, 1701 Thames, spoke regarding the changes he made in life from a former gang member to being a strong supporter of police officers. Steve Harrison, 118 Rossiter, spoke regarding the length of time for placing out bulk trash and the street system. Marcus Haas, 4530 Driftwood, and William Thompson, 8326 Salsa, spoke in support of Item 17, an ordinance to allow for Transportation Network Companies (TNC) to operate at the Corpus Christi International Airport. Barbara Brinkman, 4802 Marie, spoke regarding the need to enforce various City Codes related to Animal Care. Ms. Brinkman requested consideration to create ordinances related to breeding and mandatory spay and neutering. Cheryl Martinez, 3938 Surfside, spoke regarding positions needed at Animal Care Services and requested consideration to increase funding during budget discussions. James Klein, 3501 Monterrey, informed the City Council of an event scheduled for July 31, 2016 to commemorate the 50th Anniversary of the 1966 Farm Workers' March. The march will take place at the Old City Hall Park from 1:00 p.m. to 3:00 p.m. Melissa Zamora, 3917 Brawner Parkway; Dorothy Pena, 5906 Cinnamon Oaks; and Rachel O'Reilly, 925 Park spoke on behalf of For the Greater Good of South Texas regarding local government providing safe, reliable drinking water, a safe environment, and quality infrastructure and the effects the recent water boil had on citizens in the community. Carrie Robertson Meyer, 4401 Gulfbreeze Boulevard, spoke regarding the new Harbor Bridge design and requested a town hall meeting, with representatives from the Texas Department of Transportation (TXDOT) and city staff, be held on North Beach to discuss the impact on traffic at Beach Avenue. Judy Telge, 3554 Santa Fe, made comments related to Agenda Item 12, approval of the FY2016-2017 Comprehensive Annual Action Plan, and the lack of extremely low income rental housing in the City. Gloria Scott, 4422 S. Alameda, requested that the City Council direct the Texas Historical Commission to explore the possibility of designating the northwest area of Corpus Christi a historical site.

**J. EXPLANATION OF COUNCIL ACTION:**

Mayor Martinez referred to Item J., Explanation of Council Action. City Secretary Rebecca Huerta stated that this section of the agenda allows for the City Council to make motions to reconsider. City Secretary Huerta stated that she was informed that Item 19 on the June 21, 2016 City Council agenda may need to be reconsidered. This item is regarding the City Charter amendments proposed for the November 2016 ballot. The City Council may reconsider an item as long as it is reconsidered at the next regularly scheduled City Council meeting by someone on the prevailing side, and would require a two-thirds vote of the City Council to pass.

Council Member Vaughn made a motion to reconsider Item 19 on the June 21, 2016 City Council agenda regarding the City Charter amendments proposed for the November 2016 ballot, seconded by Council Member Garza. The motion to reconsider 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: M2016-070**

**MOTION OF DIRECTION**

Council Member Vaughn made a motion directing the Interim City Manager to remove Proposition 3 regarding council compensation from the list of proposed charter amendments, seconded by Council Member Magill and passed unanimously.

**MOTION OF DIRECTION**

Council Member Vaughn made a motion directing the Interim City Manager to move forward with Propositions 1, 2, 4-8, 10 and 11, seconded by Council Member Magill.

This motion of direction was passed and approved with the following vote:  
Mayor Martinez, Council Members Scott, Vaughn, Garza, Hunter, Magill, McIntyre, and Rosas, voting "Aye", Council Member Rubio voting "No".

**K. CONSENT AGENDA: (ITEMS 4 - 5)****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 Garza, seconded by Council Member Rubio, to approve the Consent Agenda. The consent agenda items were approved by one vote as follows:

**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

**4. Second Reading Ordinance - CenturyLink Communications, LLC renewal of Conduit Use Agreement for Telecommunications (1st Reading 6/21/16)**

Ordinance authorizing the City Manager, or designee, to execute a ten-year Conduit Use Agreement with CenturyLink Communications, L.L.C., to install and maintain telecommunications facilities within city conduit located in Ocean Drive right-of-way between Ennis Joslin Road and Sand Dollar Blvd. in consideration of \$7,886.00 annual revenue payment, to be increased by 4% annually.

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

Enactment No: 030885

**5. Second Reading Ordinance - Amending lease agreement to add additional parking spaces for lessee of City parking lot located at Mann Street and Mesquite Street (1st Reading 6/21/16)**

Ordinance authorizing the City Manager or designee to execute an amendment to the lease agreement with the Results Companies for the City parking lot located at Mann Street and Mesquite Street to allow the lease of the entire City parking lot

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

Enactment No: 030886

**M. PUBLIC HEARINGS: (ITEMS 9 - 11)**

**9. Public Hearing and First Reading Ordinance - Rezoning property located at 2302 and 2314 Saratoga Boulevard**

Case No. 0616-04 Kitty Hawk Development, Ltd.: A change of zoning from the "CG-1" General Commercial District to the "IL" Light Industrial District. The property to be rezoned is described as being a 2.8 acre tract of land encompassing all of Lots 1 through 3, Block 10, Saratoga Place and a portion of Lots 4 through 9 and a portion of Lot 12, Block 10, Saratoga Place, located on the north side of Saratoga Boulevard (State Highway 357) and approximately 120 feet west of Ayers Street.

Planning Commission and Staff Recommendation (June 1, 2016):  
Denial of the change of zoning from the "CG-1" General Commercial

District to the "IL" Light Industrial District and, in lieu thereof, approval of the "IC" Industrial Compatible District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Kitty Hawk Development, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to a 2.8 acre tract of land encompassing all of Lots 1 through 3, Block 10, Saratoga Place and a portion of Lots 4 through 9 and a portion of Lot 12, Block 10, Saratoga Place, from the "CG-1" General Commercial District to the "IC" Industrial Compatible District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor Martinez deviated from the agenda and referred to Item 9. Interim Director of Development Services Daniel McGinn stated that the purpose of this item is to rezone the subject property to allow for light industrial for the construction of a fencing company with a 5,000-square foot building and limited outside storage. The subject tract is adjacent to the Air Installation Compatible Use Zone (AICUZ) surrounding Cabaniss Field. It is staff's opinion that the requested "IL" Light Industrial zoning could negatively impact the surrounding area by allowing uses that could result in the congregation of large groups of people and uses that could impact flight operations. Mr. McGinn stated that the Planning Commission and staff recommend denial of the "IL" District and, in lieu thereof, approval of the "IC" Industrial Compatible District.**

**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: an explanation of why the "IL" District could impact flight operations; compatible uses in the AICUZ area; safety concerns for businesses and neighborhoods within the area; and the Joint Land Use Study (JLUS) recommendations to accommodate the future of U.S. Navy operations.**

**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:** 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

**10. Public Hearing and First Reading Ordinance - Rezoning property located at 3945 Crosstown Expressway (State Highway 286)**

Case No. 0616-02 Coastal King, Ltd.: A change of zoning from the

"CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District. The property to be rezoned is described as Lot 4, Block 4, Roseland Place, located on the northwest corner of Horne Road and Crosstown Expressway (State Highway 286).

Planning Commission and Staff Recommendation (June 1, 2016):  
Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Coastal King, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to Lot 4, Block 4, Roseland Place, from the "CN-1" Neighborhood Commercial 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 10. Interim Director of Development Services Daniel McGinn stated that the purpose of this item is to rezone the subject property to allow for development of a carwash. 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 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

**11. Public Hearing and First Reading Ordinance - Rezoning property located at 1402 Agnes Street**

Case No. 0616-03 J.Z. Auto, LLC: A change of zoning from the "IL" Light Industrial District to the "CI" Intensive Commercial District. The property to be rezoned is described as Lots 15 and 16, Block 3, Chamberlin's Subdivision, located on the northwest corner of Agnes Street and 12th Street.

Planning Commission and Staff Recommendation (June 15, 2016):  
Denial of the rezoning from the "IL" Light Industrial District to the "CI" Intensive Commercial District and, in lieu thereof, approval of the "CI/SP" Intensive Commercial District with a Special Permit subject to

three conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by J.Z. Auto, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lots 15 and 16, Block 3, Chamberlin's Subdivision, from the "IL" Light Industrial District to the "CI/SP" Intensive 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 Daniel McGinn stated that the purpose of this item is to rezone the subject property to allow for the expansion of the existing car repair business and expand with reduced set backs for both the side and rear yards of the property. Mr. McGinn stated that the Planning Commission and staff recommend denial of the "IL" to the "CI" District and, in lieu thereof, approval of the "CI/SP" Intensive Commercial District with a Special Permit subject to three conditions.

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

Interim Director McGinn and Michael Gunning responded to council members who spoke regarding the following topics: whether the business abutts a neighborhood; the allowable uses in the current "IL" and "CL/SP" uses; notification to the adjacent neighbors; whether the applicant is in agreement with the "CL/SP" zoning; the setback with the existing uses; and Planning Commission and staff working creatively with businesses to foster business activity in the community.

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

**Absent:** 1 - Council Member McIntyre

**Abstained:** 0

**N. REGULAR AGENDA: (ITEM 12)**

**12. Second Reading Ordinance regarding the City of Corpus Christi's proposed FY2016-2017 Consolidated Annual Action Plan (1st Reading 6/21/16)**

Ordinance to adopt the fiscal year (FY) 2016-2017 Consolidated Annual Action Plan (CAAP), for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and the HOME



Investment Partnerships (HOME) Programs; to authorize the City Manager or designee to submit the FY2016-2017 CAAP to the U.S. Department of Housing and Urban Development (HUD), and to amend if required by HUD; to authorize the City Manager or designee to execute all documents necessary to accept and appropriate upon receipt the grants from HUD into the Grant Fund No. 1059 for the approved FY2016-2017 CAAP projects and further to execute funding agreements and all other documents necessary to implement the FY2016-2017 CAAP with organizations of approved projects.

**Mayor Martinez referred to Item 12. Director of Housing and Community Development Rudy Bentancourt stated that the purpose of this item is to adopt the FY2016-2017 Consolidated Annual Action Plan for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and the HOME Investment Partnerships (HOME) Programs.**

Council members spoke regarding the following topics: future discussion on repurposing existing projects for very low income affordable housing projects; descriptions of the CDBG Police - Demolition Program and CDBG Police - Code Enforcement Program; and clarifying that the HOME Affordable Housing Project/Program is not dedicated to a specific program or project. There were no comments from the public.

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

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

**Absent:** 1 - Council Member McIntyre

**Abstained:** 0

Enactment No: 030887

**L. EXECUTIVE SESSION: (ITEMS 6 - 8)**

**Mayor Martinez deviated from the agenda and referred to the day's executive sessions. The Council went into executive session.**

- 6. Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining matters, (including litigation) between the City of Corpus Christi and the Corpus Christi Firefighters Association.

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

- 7. Executive Session pursuant to Section Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the removal of Harbor Bridge and pursuant to Texas Government Code § 551.072 to deliberate the purchase, exchange, lease, or value of real**

property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person, related to the removal of Harbor Bridge.

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

- 8. Executive Session pursuant to Texas Government Code § 551.074** (Personnel Matters) to discuss the appointment, employment, and duties of public officers or employees, including, but not limited to, the position of the City Manager.

**Mayor Martinez referred to Item 8 and the following motions was considered:**

**Motion to appoint Margie C. Rose as City Manager.**

**Council Member McIntyre made a motion to approve the motion, seconded by Council Member Rubio. 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: M2016-071

**Motion to authorize the Mayor to negotiate an employment agreement with Margie C. Rose, with execution subject to City Council approval.**

**Council Member Magill made a motion to approve the motion, seconded by Council Member Rubio. 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: M2016-072

**O. FIRST READING ORDINANCES: (ITEMS 13 - 17)**

- 13. First Reading Ordinance - Accepting and appropriating Community Enrichment Funds for park improvements**

Ordinance authorizing the City Manager or designee to execute all

documents necessary to accept and appropriate \$650,025.34 in developer contributions, other donations and interest earnings in the 4720 Community Enrichment Fund for park improvements and other related projects as described on the attached and incorporated Exhibit A.

Mayor Martinez referred to Item 13. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to accept and appropriate \$650,025.34 in developer contributions, other donations and interest earnings in the Community Enrichment Fund for park improvements and other related projects. 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:** 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

**14.**

**First Reading Ordinance - Authorizing City Manager or designee to apply for, accept, and appropriate funds for the Texas State Library Archives Commission (TSLAC) items**

Ordinance authorizing the City Manager or designee to execute documents to apply for and accept grants and reimbursements from the Texas State Library and Archives Commission (TSLAC); and to appropriate funds from TSLAC in the No. 1068 Library Grant Fund for said City programs.

Mayor Martinez referred to Item 14. Library Director Laura Garcia stated that the purpose of this item is to execute documents to apply for and accept grants and reimbursements from the Texas State Library and Archives Commission. There were no comments for 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:** 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

**15.**

**First Reading Ordinance - Authorizing City Manager or designee to appropriate royalties from bequeathed oil, gas, and mineral interest funds to Library fund**

Ordinance authorizing City Manager or designee to appropriate royalties received from oil, gas, and mineral interests bequeathed to the Corpus Christi La Retama Central Library by William T. Neyland into the Library Grants fund No 1068.

Mayor Martinez referred to Item 15. Library Director Laura Garcia stated that the purpose of this item is to appropriate royalties received from oil, gas, and mineral interests bequeathed to the Corpus Christi La Retama Central Library by William T. Neyland. 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

**16. First Reading Ordinance - Amending City Code Chapter 57 to include revisions for vehicles for hire**

Ordinance amending Chapter 57, Article II "TAXICABS" of the Corpus Christi Code; Amending Chapter 57, Article IIIA "LIMOUSINE AND SIGHTSEEING SERVICE" of the Corpus Christi Code; amending Sec. 57-284. - Transportation network company permit fee and Sec. 57-294. - Transportation network vehicles-Inspections of the Corpus Christi Code; providing an effective date, severance, penalty, and publication.

Mayor Martinez referred to Item 16. Interim Assistant City Manager Jay Ellington stated that the purpose of this item is to amend the City of Corpus Christi's Code of Ordinances, Chapter 57, Articles II and IIIA, Sections 57-284 and 57-294 regarding vehicles-for-hire. Interim Assistant City Manager Ellington highlighted the following: Section 57-35, related to the certificate of operation fee which shall be in an amount equal to 2% or a combination, whichever is less; and Section 57-80, related to the State of Texas registration sticker. Police Captain William Breedlove and Assistant City Attorney Buck Brice were available to respond to questions.

Council members and the presentation team spoke regarding the following topics: the removal of the fare caps; industry discussions related to fare caps; items amended in the ordinance that the City Council did not give direction on including: housekeeping measures; contract drivers; grandfathering certificates of operation; identification cards; taxicabs and vehicle-for-hire permit consolidation; limousine services, including black car service (mirroring the language from the City of Houston); the ability to have a supplemental license for limousines; the tiered fee schedule; whether TNCs have a fare cap; and if taxi rates are required to be posted in vehicles.

Mayor Martinez called for comments from the public. Dan Stiefel, 6773 Wood Iron Drive, provided information on taxi cab rates and fee schedules.

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:** 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

**17. First Reading Ordinance - Amending Chapter 9 of the Code of Ordinances to allow for Transportation Network Companies (TNC) to operate at Corpus Christi International Airport**

Ordinance amending Chapter 9 of the Code of Ordinances to establish provisions for transportation network companies and transportation network drivers to operate at the Corpus Christi International Airport; and providing for penalties, severance, publication, and an effective date.

Mayor Martinez referred to Item 17. Director of Aviation Fred Segundo stated that the purpose of this item is to amend the City of Corpus Christi's Code of Ordinances, Chapter 9, to allow for Transportation Network Companies (TNC) and their drivers to operate at the Corpus Christi International Airport (Airport). The amendment will allow TNCs to enter into an airport operating agreement on an annual basis for a fee not to exceed \$600 to allow the TNCs to adopt a geofence, or establish their own, in order to track the TNC drivers doing business at the Airport; and allow for TNC drivers to pick up passengers at curbside with a trip fee of \$2.00. In addition, TNCs will have to comply with the Airport's ground transportation rules and regulations which encompass all vehicles-for-hire at the Airport. Mr. Segundo stated that time constraints did not allow staff to present the ordinance to the Airport Board, however, the board did recommend the \$2.00 trip fee, curbside pickup, and TNCs would be allowed to operate under an agreement and comply with the ground transportation rules and regulations.

Mayor Martinez called for comments from the public. Dan Steifel, 6773 Wood Iron Drive, spoke regarding TNCs getting the upper hand to be able to have curbside pickup whereas taxicabs are not allowed in this area and the use of geofence for taxicabs. Dennis Gilley, 5101 Golden Eye, spoke in support of the ordinance. Judy Tandy, 1330 Peterson Drive, spoke regarding the loading and pickup regulations that apply to taxicabs at the Airport and taxicabs not having the ability to wait for pickups.

Council members and Mr. Segundo discussed the following topics: the reason for allowing TNCs to pickup curbside; Chapter 57 prohibiting TNCs from picking up passengers in the taxicab stand area and loading zone; signage to designate the TNC area; the ability to transfer the permit that vehicles receives from the Airport from vehicle to another; the requirement that taxicabs must call the Airport for pickups; the automatic vehicle identification (AVI) tag permit system; and tracking of the geofencing for TNCs and taxicabs.

Council Member McIntyre made a motion to approve the ordinance, seconded

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

**Aye:** 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

**P. FUTURE AGENDA ITEMS: (ITEMS 18 - 30)**

Mayor Martinez referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 22, 27, and 29. Council members requested information on Items 18, 20, 23, and 28.

**18. Resolution ratifying the submission of a grant application for the Man-Portable X-ray Units project**

Resolution ratifying the submission of a grant application in the amount of \$82,985.59 to the Office of the Governor for the Man-Portable X-ray Units project; and authorizing the City Manager or the City Manager's designee to accept, reject, alter or terminate the grant.

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

**19. Resolution ratifying the submission of a grant application for SWAT Ballistic Protection Equipment**

Resolution ratifying the submission of a grant application in the amount of \$181,873.20 to the Office of the Governor for the SWAT Ballistic Protection Equipment project; and authorizing the City Manager or the City Manager's designee to accept, reject, alter or terminate the grant.

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

**20. Approving the lease of six trucks for the Utilities Department**

Motion approving the lease of six trucks from PV Rentals, for the amount of \$65,880 based on a cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative, dba BuyBoard, of which \$16,470 is required for the remainder of FY 2015-2016. Funds have been budgeted by the Utilities Department. The remaining contract balance will be funded through FY2016-2017. The term of the contract will be for one year with no extensions.

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

**21. Supply Agreement for Liquid Cationic Polymer for treatment of potable drinking water**

Motion approving a Supply Agreement with Polydyne Inc. of Riceboro,

Georgia for water treatment chemicals in accordance with Bid Invitation No. 116, based on the lowest responsive, responsible bid for an estimated annual expenditure of \$345,390.00 of which \$57,565.00 is budgeted by the Water Department for the remainder of FY 2015-2016. The terms of the contract will be for one year with options to extend for up to two additional one year periods, subject to the approval of the Supplier and the City Manager or designee.

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

**22. Change Order No. 2 for the City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program**

Motion authorizing the City Manager, or designee, to execute Change Order No. 2 with National Power Rodding Corporation of Chicago, Illinois in the amount of \$596,194.57 for a total restated fee of \$3,437,500.00 for the City-Wide Collection System Replacement and Rehabilitation Indefinite Delivery/Indefinite Quantity (IDIQ) Program (Program).

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

**23. Purchase of 30 Cabinet Assemblies with Cobalt Controllers and 5 individual Cobalt Controllers**

Motion approving the purchase of 30 Cabinet Assemblies with Cobalt Controllers and 5 individual Cobalt Controllers from Paradigm Traffic Systems, Houston, Texas based on a cooperative purchasing agreement with Texas Local Government Purchasing Cooperative, dba BuyBoard, for the amount of \$338,200.00. The Street Department has set aside funds in FY 2015-16 for this procurement.

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

**24. Resolution for executing the Regional Transportation Authority (RTA) Notification for Additional Funding in 2016 Street Preventative Maintenance Program (SPMP)**

Resolution authorizing the City Manager or designee to execute the "Notification for Additional Funding in 2016 (Street Maintenance Program)" in an amount of \$2,814,839.00 for the Corpus Christi Regional Transportation Authority's fiscal year 2016 allocation to the City's Street Preventative Maintenance Program (SPMP) projects.

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

**25. Construction contract for Greenwood Drive from Gollihar Road to Horne Road (Bond 2012, Proposition 1)**

Motion authorizing the City Manager, or designee, to execute a construction contract with HAAS-Anderson Construction, LTD of Corpus Christi, Texas in the amount of \$3,789,579.60 for Greenwood Drive from Gollihar Road to Horne Road for the total base bid. (BOND 2012 Proposition 1)

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

**26. Engineering Design contracts for North Beach Area Road Improvements and Area Beautification and Pedestrian Improvements and Area Enhancements (Bond 2012 - Proposition 8)**

Motion authorizing the City Manager, or designee, to execute Engineering Design Contracts with LJA Engineering, Inc. of Corpus Christi, Texas in the amount of \$130,524.70 for the North Beach Area - Road Improvements and Area Beautification project and \$121,358.39 for the North Beach Area - Pedestrian Improvements and Area Enhancements for engineering design services. (Bond 2012, Proposition 8)

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

**27. Construction Inspection Staff Augmentation Contracts Amendment No. 1**

Motion authorizing City Manager, or designee, to execute Amendment No. 1 for nine Construction Inspection Staff Augmentation (CISA) contracts totaling \$1,846,875 for a total not to exceed amount of \$2,291,695 providing augmented Construction Inspection staff within Engineering Services Department.

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

**28. Approving the purchase of Cisco SmartNet maintenance for the City's Network Infrastructure and Internet Equipment**

Motion authorizing the City Manager or designee to approve the purchase of three years Cisco SmartNet maintenance with Great South Texas Corp dba Computer Solutions of San Antonio, Texas, DIR-TSO-2542, for a total expenditure of \$485,731.11. Funds are available in the Information Technology Department FY2015-2016 budget.

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

**29. Approving the expenditure of Type A funds for the rehabilitation of La Armada II**



Motion to approve the action of the Corpus Christi Business and Job Development Corporation, authorizing the expenditure of \$150,000 of funding to the Corpus Christi Housing Authority for the rehabilitation of La Armada II.

This Motion was recommended to the consent agenda.

**30. Resolution authorizing the emergency expenditure for HVAC repair at the American Bank Center**

Resolution authorizing the emergency expenditure of \$70,000 for HVAC repair at the American Bank Center, which was approved by the Corpus Christi Business and Job Development Corporation on May 16, 2016.

This Resolution was recommended to the consent agenda.

**Q. BRIEFINGS: (ITEMS 31 - 32)**

**31. Management Review of Engineering Services**

Mayor Martinez referred to Item 31. Assistant Director of Strategic Management Sandra Thaxton stated that the purpose of this item is to present the results of the Management Review of the Engineering Services Department. The study was conducted as part of the City's overall continuous improvement program to identify gaps, improvements needed within the department, benchmarks and look at best practices. Recommendations are integrated into an implementation plan, reviewed in detail and approved by the City Manager, and built into the Annual Business Plans. Assistant Director Thaxton provided the following overview: a review of the prior assessments performed by Strategic Management; a chronology of events that have occurred over the last two years in the Engineering Services Department; a background on Frank C. Brogan Consulting; and a schedule overview.

Frank Brogan, Brogan Consulting, stated that the purpose of the management review was to improve process improvements and review the performance of the Engineering Services Department. Mr. Brogan said the objectives of the review included: providing an independent evaluation, review staffing and processes, and the expectations placed on the department. The review included: a series of interviews with city staff, augmented staff, consulting engineering firms, contractors, former city staff and the chairman of the Street Committee; an analysis of information; the department's recent improvements; and evaluations and recommendations. Mr. Brogan highlighted the following areas of the review: staffing resources, organization, staffing versus workload; salary issues; the architecture/engineering consultant process; construction, and change order processes; engineering fees; administrative fees, accountability; potential conflicts of interest; the reputation of the engineering department; and expectations. Mr. Brogan reported the following conclusions: turnover and inadequate staff resources are a critical problem; augmented staff is a "stop-gap" temporary solution that is not fully effective; the salary structure must be improved; the need to create two new assistant director positions; processes must be improved; and bond programs must be better formulated and executed.

Director of Engineering Services Jeff Edmonds stated that the department concurs with most of the recommendation and many of the recommendations align with initiatives already underway. Mr. Edmonds provided the following information: an overview of the implementation plan and goals; the immediate actions required; the current staffing gaps and remedies; staffing contracts; the benefits of augmented staff and their accomplishments. Executive Director of Public Works Valerie Gray and Interim Director of Human Resources Steve Viera responded to council members' questions.

Council members spoke regarding the following topics: documenting standard operating procedures; changes to the contract approval process; the drivers and opportunities in the private sector other than salary; a survey of other cities with similar turnover rates; the silo effect versus cradle-to-grave project management; support from the City Council; the use of contract staffing; an update on the hiring process; what other cities are doing to solve staffing issues; and recruiting efforts by the Human Resources Department.

**32. FY 2015 Audited Comprehensive Annual Financial Report (CAFR)**

Mayor Martinez referred to Item 32. Director of Financial Services Constance Sanchez stated that the purpose of this item is to provide a presentation on the FY2015 audited Comprehensive Annual Financial Report (CAFR). John Shepherd, Partner with Collier, Johnson & Woods, P.C., stated that the objectives of the presentation include: providing an outline of the information that is contained in the CAFR; reviewing the government-wide net positions and activities of the City; and reviewing the impact of the net pension, including new net pension standards that were implemented in the current year. Mr. Shepherd provided a brief overview of the following: the table of contents; the introduction section; the financial section which includes the auditor's report and management's discussion and analysis; fund information, and the statistical sections in the CAFR. Mr. Shepherd referred to the Emphasis of Matter portion of the independent auditor's report. The Emphasis of a Matter addresses that the City implemented the Governmental Accounting Standards Board's (GASB) Statements No. 68 and 71 related to accounting for pensions. The reasons for the emphasis is related to the material impact it has on the City's net position. Mr. Shepard presented information on the City's benefit plans; the deferred outflows related to pension liability; net pension liability; the unrestricted net position; the breakdown with implementing GASB 68 & 71; and the schedule of contributions.

Council members spoke regarding the following topics: the net pension liability; the percentage of public safety activities; the impact for implementing GASB; the projections for annual repeating; the schedule of contributions; blended discounted rates for benefits; other post employment benefits; why retirees are paying a lesser rate; concern with having a deficit; increasing Texas Municipal Retirement System contributions from 1% to 2%; and the impact on the budget as a result of changes to benefits.

**R. ADJOURNMENT**

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