



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, July 26, 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.

B. Invocation to be given by Pastor Brian Hill, First Baptist Church.

Pastor Brian Hill gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Jay Ellington, Interim Assistant City Manager.

Interim Assistant City Manager Jay Ellington led the Pledge of Allegiance.

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

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

Charter Officers:

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

Present: 7 - Mayor Nelda Martinez, Council Member Rudy Garza, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lucy Rubio, Council Member Mark Scott, and Council Member Carolyn Vaughn

Absent: 2 - Council Member Michael Hunter, and Council Member Brian Rosas

E. Proclamations / Commendations

1. Proclamation declaring July 30, 2016, "Feria de las Flores Pageant Day".
Proclamation declaring July 31, 2016, "1966 Melon March Commemoration Day".
Proclamation declaring July 31-August 2, 2016, "2016 Texas Citizen Police Academy Alumni Association Convention Week".
Presentation of Honorary Citizen Certificates to Five 2016 Sister City

Exchange Students.

City Manager Recognition of the Communication Department
Swearing-in ceremony of newly appointed Board, Commission and
Committee members.

Mayor Martinez presented the proclamations, presented honorary Citizen
Certificates to five 2016 Sister City Exchange Students, and conducted the
swearing-in ceremony of newly appointed board and committee members.

- 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 referred to comments from the public. Jack Gordy, 4118 Bray, spoke regarding enforcement of the ordinance requiring buildings to have address numbers visible from the street. Colin Sykes, 309 Aberdeen, spoke in support of Agenda Item 25, Bicycle Sharing Program, and continued efforts to expand bicycle safety in the City. Steve Harrison, 118 Rossiter, spoke regarding a hazardous concrete structure located at the intersection of Everhart and Staples Street and acidic content in the water. Isabel Araiza, 326 Poenisch, on behalf of For the Greater Good, spoke regarding the following: the hardships of the water boil on citizens; live streaming public meetings to increase citizen awareness; and the recent meetings regarding water supply and wastewater. Rachael O'Reilley, 925 Park Street, spoke regarding requiring industry to pay costs associated with infrastructure and the City's mission statement. Chris Phelan, 1321 Ayers, spoke regarding the following topics: setting the property tax rate; industry and infrastructure; subsidizing entities through tax abatements; and water. Abel Alonzo, 1701 Thames, spoke regarding the negative comments made during City Council meetings regarding the water boil and recommended citizens help bring solutions to the problem. Rick Milby, 4412 High Ridge Drive, requested assistance with the application process regarding a variance on a set-back requirement for the installation of a proposed cross structure. Joan Veith, 5701 Cain Drive, complimented the Solid Waste Department on their operation of Solid Waste trucks in the construction zone on Williams Drive. Susie Luna Saldana, 4710 Hakel, spoke regarding the problems associated with the water boil and thanked City Manager Rose for speaking on her television program last Thursday regarding the water situation and the steps to remedy the situation.

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

Mayor Martinez referred to City Manager's Comments. City Manager Margie C. Rose reported on the following topics:

a. OTHER

- 1) The Communication Department recently won two honors at the Texas

Association of Municipal Information Officers Awards program. The City competed with other big cities and there were more than 350 entries statewide. The first award received was the Award of Excellence in the Special Publication category. Marinna Cardona and Brooks Hooper from the City's in-house print shop were instrumental in designing and printing a unique publication from start to finish for the Parks and Recreation Department. The second award was the Award of Honor in Media Relations. DeAnna McQueen, Michelle Villarreal Leschper and Gabriela Morrow were recognized for their daily work with the news media, the new online newsroom and public information initiatives. 2) City Manager Rose, along with Fire Chief Robert Rocha recognized the new Assistant Chief of Operations Ken Erben. 3) The City recently received the lowest interest rates. On July 14, 2016, the City of Corpus Christi priced certificate of obligations for the completion of Bond 2012 projects and refunded existing general obligation debt. Refunding is essentially the government equivalent of refinancing to a lower interest rate. Financial Services issued \$16.43 million of certificates of obligation at a premium yielding a true interest cost of 2.68% and \$16.13 million of general improvement refunding bonds at a premium yielding a true interest rate of 1.58%. These measures are expected to yield a net savings of approximately \$800,000, which is equivalent to an average annual debt service savings of \$60,000 per year for 15 years. 4) Engineering Services will be holding a public meeting Thursday, July 28, 2016 beginning at 5:30 p.m. at the Lindale Senior Center to discuss upcoming street reconstruction on a section of Kostoryz Road from Brawner Parkway to Staples Street.

H. MINUTES:

2. Regular Meeting of July 19, 2016

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

I. BOARD & COMMITTEE APPOINTMENTS: (NONE)

J. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 3 - 10)

Approval of the Consent Agenda

Mayor Martinez referred to the Consent Agenda. There were no comments from the public. A council member requested that Item 7 be pulled for individual consideration.

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

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

3. Approving a service agreement for a chemical vent hood replacement at the Police Department

Motion approving a service agreement with Haldeman Homme, Inc. of Minneapolis, Minnesota with offices in Austin, Texas and Houston, Texas for the chemical vent hood replacement at the Corpus Christi Police Department, Forensics Division, in accordance with Bid Event No. 84, based on the lowest, responsive, responsible bid for an amount of \$88,215.00. Funds are available in FY 2015-2016.

This Motion was passed on the Consent Agenda.

Enactment No: M2016-083

4. Approving the purchase of a Peterbilt Encore Light and Air Fire Rescue Unit

Motion approving the purchase of a Peterbilt Encore Light and Air Fire Rescue Unit from Siddons-Martin Emergency Group, Houston, Texas for a total amount of \$397,000.00. The award is based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative (TLGPC), dba BuyBoard. Funds have been budgeted by Fleet Maintenance Services in FY 2015-2016.

This Motion was passed on the Consent Agenda.

Enactment No: M2016-084

5. Approving Master Agreement for Facilities Multiple Award Contract (FMAC) for the Minor Construction, Repair, Rehabilitation, and Alteration of Facilities

Motion authorizing the City Manager or designee to execute a Master Agreement for Facilities Multiple Award Contract (FMAC) for a one-year term with option to renew administratively for up to two one-year periods, with no guaranteed minimum and a maximum aggregate of \$2,000,000 per agreement in any one year; authorizing the City Manager or designee to execute all Facilities Multiple Award Contracts thereunder not exceeding \$500,000 with the following:

- Spaw Glass
- Barcom Construction
- Cruz Maintenance & Construction, Inc.
- J E Construction Services (Alternate Contractor)

This Motion was passed on the Consent Agenda.

Enactment No: M2016-085

6. Approving a service agreement for roof repair at Greenwood Senior Center

Motion authorizing the City Manager, or designee, to execute a service agreement with South Texas Metal Roofing of Corpus Christi, Texas, for the roof repair of Greenwood Senior Center, in accordance with Bid Event No. 120, based on lowest, responsive and responsible bid for an amount not to exceed \$184,250.00 and an additional 10% project contingency in the amount of \$18,425 for unforeseen repairs. Funds have been budgeted through a Certificate of Obligation in FY 2015-2016.

This Motion was passed on the Consent Agenda.

Enactment No: M2016-086

8. Second Reading Ordinance - Accepting and appropriating State grant for motor vehicle theft enforcement (1st Reading 7/19/16)

Ordinance authorizing the City Manager or the City Manager's designee to execute all documents necessary to accept a grant from the Texas Automobile Burglary Theft Prevention Authority (ABTPA) grant in the amount of \$410,973 to continue the motor vehicle theft enforcement grant within the Police Department for Year 16, with a City match of \$660,714, in-kind match of \$55,985 in the No. 1020 Police General Fund, and program income match of \$1,020 for a total project cost of \$1,128,692; designating the Chief of Police as Program Director and Director of Finance as financial officer for this ABTPA grant; appropriating \$410,973 from the ABTPA in the No. 1061 Police Grants Fund; and appropriating \$1,020 in program income match in the No. 1061 Police Grants Fund to continue the motor vehicle theft enforcement grant within the Police Department.

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

Enactment No: 030900

9. Second Reading Ordinance - Appropriating abandoned/unclaimed monies from the Police Property Room (1st Reading 7/19/16)

Ordinance appropriating \$5,573.49 from abandoned/unclaimed monies from the Police Property Room, changing the FY 2015-2016 Operating Budget adopted by Ordinance No.030620 by increasing revenue and expenditures in the General Fund No. 1020 by \$5,573.49 each.

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

Enactment No: 030901

10. Second Reading Ordinance - Accepting and appropriating a State grant and approving a Professional Services Contract for an Aquifer Storage and Recovery (ASR) Feasibility Study (1st Reading 7/19/16)

Ordinance amending the FY 2016 Capital Improvement Budget adopted by Ordinance No. 030621 to add Project No. E16265 Corpus Christi Aquifer Storage and Recovery (ASR) Feasibility Study; accepting a Texas Water Development Board grant in the amount of \$433,388; appropriating \$1,099,320 from Raw Water Supply Development Fund No. 4041; and authorizing the City Manager or designee to execute a Professional Services Contract with HDR Engineering, Inc. of Austin, Texas in the amount of \$601,980 for an ASR Feasibility Study.

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

Enactment No: 030902

7. Lease-purchase of four Peterbilt 367 trucks for Solid Waste Operations

Motion approving the lease-purchase of four Peterbilt 367 trucks from Rush Truck Centers of Texas, L.P., of Houston, Texas for a total amount not to exceed \$855,000.00. Two trucks will be truck tractors used to pull large refuse trailers and two trucks will be equipped with Heil low lift 22 ft. roll-off beds to carry roll-off refuse containers. The award is based on the cooperative purchasing agreement with the Houston-Galveston Area Council (H-GAC).

(2) Peterbilt 367 Haul Truck Tractor Roll-Off	(2) Peterbilt 367 with Roll-Off
\$343,922.00	\$456,350.00
Total Lease-Purchase Price	\$800,272.00
Total Allowable Interest for Lease	\$54,728.00
Grand Total:	\$855,000.00

Mayor Martinez referred to Item 7, lease-purchase of four Peterbilt 367 trucks. A council member asked questions regarding the replacement of the trucks, the interest for the lease, the option to pay-as-you-go in the future; and whether the purchase of the trucks would impact raises for drivers. Director of Solid Waste Operations Lawrence Mikolajczyk explained that the current trucks are beyond their useful life and will not impact raises for drivers. Director of Fleet Operations Jim Davis explained the reason for recommending the lease-purchase of the trucks. There were no comments from the public.

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

Council Member McIntyre. This Motion was passed and approved with the following vote:

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

Enactment No: M2016-087

M. PUBLIC HEARINGS: (ITEMS 14 - 15)

14. Public Hearing and First Reading Ordinance - Rezoning property located at 822 Graham Road

Case No. 0616-05 CCSemloh Partnership, Ltd.: A change of zoning from the "RE" Residential Estate District and "CG-1" General Commercial District to the "CG-2" General Commercial District. The property to be rezoned is described as Tract 1: Being 10.536 acres out of Lots 6 and 11, Section 48, Flour Bluff and Encinal Farm and Garden Tracts and Tract 2: Being 0.552 acres out of Lots 7 and 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Compton Road approximately 1,250 feet west of Waldron Road.

Planning Commission and Staff Recommendation (June 29, 2016):

Tract 1: Denial of the change of zoning from the "RE" Residential Estate District and "CG-1" General Commercial District to the "CG-2" General Commercial District, and in lieu thereof, approval of a "RE/SP" Residential Estate District with a Special Permit for a boat and recreational vehicle storage facility subject to compliance with the setbacks and buffering elements identified in the site plan and thirteen conditions.

Tract 2: Approval of the rezoning from the "RE" Residential Estate District and "CG-1" General Commercial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by CCSemloh Partnership, Ltd. ("Owner"), by changing the UDC Zoning Map in reference to 10.536 acres out of Lots 6 and 11, Section 48, Flour Bluff and Encinal Farm and Garden Tracts (Tract 1) from the "RE" Residential Estate District and "CG-1" General Commercial District to the "RE/SP" Residential Estate District with a Special Permit for a boat and recreational vehicle storage facility, and in reference to 0.552 acres out of Lots 7 and 10, Section 48, Flour Bluff and Encinal Farm and Garden Tracts (Tract 2) from the "RE"

Residential Estate District and "CG-1" General 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 deviated from the agenda and referred to Item 14. Interim Director of Development Services Daniel McGinn stated that the purpose of this item is to rezone the subject property to allow construction of an enclosed boat and recreational vehicle storage facility on Tract 1 and general commercial uses on Tract 2. Mr. McGinn stated that the Planning Commission and staff recommend on Tract 1: denial of the "CG-2" General Commercial District, and in lieu thereof, approval of a "RE/SP" Residential Estate District with a Special Permit for a boat and recreation vehicle storage facility subject to compliance with the setback and buffering elements identified in the site plan and 13 conditions; Tract 2: Approval of the rezoning to the "CG-2" General Commercial District.

Mayor Martinez opened the public hearing. There were no comments from the public. A council member requested clarification of the address listed on Graham Road. Mayor Martinez closed the public hearing.

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

15. Public Hearing and First Reading Ordinance - Rezoning property located at 1322 Rhew Road

Case No. 0616-06 Isaias Franco: A change of zoning from the "R-MH" Manufactured Home District to the "IL/SP" Light Industrial District with a Special Permit on Tract 1 for a concrete batching plant and to the "IL" Light Industrial District on Tract 2. Tract 1 is described as a 4.00-acre tract and Tract 2 is described as a 25.003-acre tract, both tracts being out of the Anthony C. Page Survey 591, Abstract 1010 and the A.M. French Survey 312, Abstract 1018. The subject property is located on the east side of Rhew Road between Leopard Street and Sedwick Road.

Planning Commission and Staff Recommendation (June 29, 2016):

Tract 1: Approval of the "IL/SP" Light Industrial District with a Special Permit subject to nine conditions.

Tract 2: Approval of the "IL" Light Industrial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Isaias Franco ("Owner"), by changing the UDC Zoning Map in reference to Tract 1, described as a 4.00-acre tract, to the "IL/SP" Light Industrial District with a Special Permit for a concrete batching plant, and in reference to Tract 2, described as a 25.003-acre tract, to the "IL" Light Industrial District, both tracts being out of the Anthony C. Page Survey 591, Abstract 1010 and the A.M. French Survey 312, Abstract 1018; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Martinez referred to Item 15. Interim Director of Development Service Daniel McGinn stated that the purpose of this item is to rezone the subject property to allow construction of a temporary concrete batch plant on Tract 1 and future light industrial uses on Tract 2. Mr. McGinn stated that the Planning Commission and staff on Tract 1: Approval of the "IL/SP" Light Industrial District with a Special Permit subject to nine conditions; Tract 2: Approval of the "IL" Light Industrial District. Mr. McGinn stated that the zoning request received 20% opposition from a landowner to the south of the subject property which would require a super majority vote of the City Council to pass.

Council members spoke regarding the following topics: the reason for the opposition; platted construction near the property; the length of time the temporary concrete batch plant will operate; compatible uses in the area; and consistent light industrial uses in the area.

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

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

N. REGULAR AGENDA: (ITEMS 16 - 19)

16. Resolution authorizing a natural gas supply contract

Resolution authorizing the City Manager, or the City Manager's designee, to execute a five-year natural gas supply contract with NextEra Energy Power Marketing, LLC ("NextEra"), Juno Beach, Florida for an estimated amount \$125,000,000.00, of which \$1,500,000.00 is needed for the remainder of the FY 2015-2016, for the purchase of 100% of the City's natural gas requirement from August 1, 2016 to July 31, 2021.

Mayor Martinez referred to Item 16. Director of Gas Operations Bill Mahaffey stated that the purpose of this item is to execute a five-year natural gas supply contract with NextEra Energy Power Marketing, LLC for an estimated amount of \$125,000,000, of which \$1,500,000 is needed for the remainder of FY2015-2016, for the purchase of 100% of the City's natural gas requirement from August 1, 2016 to July 31, 2021. There were no comments from the Council or the public.

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

Aye: 6 - Mayor Martinez, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Scott and Council Member Vaughn

Absent: 3 - Council Member Garza, Council Member Hunter and Council Member Rosas

Abstained: 0

Enactment No: 030903

17.

One Reading Action Item - Engineering Contract for Water System Assessment and Optimization

Ordinance amending the FY 2016 Capital Improvement Budget adopted by Ordinance No. 030621 to add Project No. E16332 City of Corpus Christi Water System Assessment and Optimization; transferring funds in the amount of \$555,000 from Water Capital Reserves; and authorizing the City Manager or designee to execute a contract for professional services with Hazen and Sawyer of Corpus Christi, Texas in the amount of \$500,000 for the City of Corpus Christi Water System Assessment and Optimization Project; and declaring an emergency.

Mayor Martinez referred to Item 17. City Manager Margie Rose stated that Items 17 and 18 are related to the water system. The City issued a water boil advisory in May 2016 and contracted with LNV, Inc. to provide assistance with the water quality issues. LNV, Inc. teamed with Hazen and Sawyer as a sub-consultant on the project. The purpose of Item 17 is to enter into a contract with Hazen and Sawyer, with LNV, Inc. as the subcontractor. The purpose of Item 18 is to expedite the procurement of materials and services associated with water quality issues. Interim Director of Water Utilities Dan Grimsbo provided a brief overview of the project scope of the contract with Hazen and Sawyer to evaluate the current water treatment operations, and to develop and implement short-term improvements and modifications to optimize the overall water system. Dan Leyendecker with LNV Inc. and Dr. Bill Becker with Hazen and Sawyer were available to respond to questions.

Council members and the presentation team discussed the following topics: the continuation of the project to assess and evaluate the entirety of the water system from raw water through distribution with product delivery expected in August; evaluating whether the materials and processes are most beneficial considering our water; the purpose of the Granular Activated Carbon (GAC)

Pilot Study and its feasibility at the O.N. Stevens Water Treatment Plant; the benefit of a pilot plant; the nitrification action plan; the technical expertise of personnel; development of best practices; a status of the water investigation committee; the differences between the process used by the City in 1996 and the recommendations today regarding GAC; a recent interview provided by Bob Bowcock; issues associated with exceeding turbidity levels; the benefit of having a pilot program in place for future water sources; data trending; and updates to standard operating procedures.

There were no comments from the public regarding Item 17.

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

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

Enactment No: 030904

18.

One Reading Action item - Authorization to declare emergency and expedite procurement of goods and services associated with water quality

Resolution declaring an emergency and expediting the procurement of goods and services necessary for water quality improvements in an amount not to exceed \$2,720,000, and authorizing the City Manager, or designee, to execute all documents necessary for these emergency procurements pursuant to State law and Article X, Section 2 of the Charter of the City of Corpus Christi.

Mayor Martinez referred to Item 18. Interim Director of Water Utilities Dan Grimsbo presented a hard copy of the resolution reflecting a change to Exhibit A, goods and services, which removed the chlorine analyzer filters. The purpose of this item is to declare an emergency and expedite procurement not to exceed \$2,720,000 to expedite the procurement of materials and services associated with water quality issues. There were no comments from the Council or the public.

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

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

Enactment No: 030905

19. One Reading Action Item - Transfer of Wastewater Reserves to expedite payment to contractor for work already completed

Ordinance authorizing transfer of Wastewater Reserves in the amount of \$241,335.85 in Fund No. 4249 to project E16331 for payment to National Power Rodding for emergency wastewater repairs on May 17 and May 22, 2016; changing the FY 2015-2016 Capital Improvement Budget adopted by Ordinance No. 030621 to increase expenditures by \$241,335.85; and declaring an emergency.

Mayor Martinez referred to Item 19. Interim Director of Water Utilities Dan Grimsbo stated that the purpose of this item is to authorize the transfer of wastewater reserves in the amount of \$241,335.85 to the Indefinite Delivery/Indefinite Quantity (IDIQ) contract for payment to National Power Rodding for emergency wastewater repairs on May 17 and May 22, 2016. To ensure public health, safety, and welfare as well as prevent additional damage to City infrastructure, the Utilities Department issued an emergency delivery order to make immediate repairs on two wastewater breaks which led to two street cave-ins. Mr. Grimsbo explained that although there is an emergency clause in the IDIQ contract to make emergency repairs, he should have ensured the correct protocol for an emergency declaration was followed. The work was performed quickly and there were no related injuries to staff or the public as a result of the collapse of the streets.

Mayor Martinez called for comments from the public. Abel Alonzo, 1701 Thames, spoke regarding the comments made on the previous items regarding the good staffing at the Water Department. A council member spoke regarding Mr. Grimsbo taking responsibility for this item.

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

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

Enactment No: 030906

O. FIRST READING ORDINANCES: (ITEM 21)

21. First Reading Ordinance - Amending City Code regarding Sister City Committee

Ordinance amending City Code of Ordinances regarding Sister City Committee and authorizing the City Manager or designee to execute a Memorandum of Agreement with the Corpus Christi Convention and

Visitors Bureau regarding management of the committee

Mayor Martinez deviated from the agenda and referred to Item 21. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to amend the City's Code of Ordinances regarding the Sister City Committee and execute a Memorandum of Agreement (MOA) with the Corpus Christi Convention and Visitors Bureau (CVB). Ms. Anaya provided a brief overview of the Sister City Committee and explained that in recent years, the committee has struggled due to reduction in city funding, lack of administrative support, a singular focus on the student exchange program, and difficulty meeting quorum for the 15-member committee. Ms. Anaya presented information on the changes to the ordinance and the proposed MOA. Paulette Kluge, CVB, was available to respond to questions. There were no comments from the public.

Council members spoke in appreciation to the partnership between the Parks and Recreation Department and the CVB.

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

L. EXECUTIVE SESSION: (ITEMS 11 - 13)

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

- 11. 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.

- 12. 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 (including TCEQ and EPA regulations) related to the provision of utility services in industrial districts, desalination, utility rate design, and water and wastewater treatment and distribution and pursuant to **Texas Government Code § 551.072** to discuss and deliberate the purchase, exchange, lease, and/or value of property for a potential desalination plant where deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

This E-Session Item was discussed in executive session.

- 13. 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 13 and the following motion was considered:

Motion to authorize the Mayor to execute the employment agreement with City Manager Margie C. Rose provided to City Council and the City Secretary, with a base salary of \$220,000 annually.

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

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

Enactment No: M2016-088

O. FIRST READING ORDINANCES: (ITEMS 20, 22 - 24 and 26)

- 20. First Reading Ordinance - Accepting a grant from KaBOOM! and a donation from Beautify Corpus Christi Association (BCCA) to build a playground and improve Dr. H. C. Dilworth Park**

Ordinance authorizing the City Manager or designee to execute documents to apply for and accept park equipment estimated value of \$300,000 from KaBOOM! for park improvements at Dr. H. C. Dillworth Park and to accept \$8,500 in donated funds from Beautify Corpus Christi Association, and to appropriate said funds in the no. 4720 Community Enrichment Fund for the park improvements.

Mayor Martinez deviated from the agenda and referred to Item 20. Interim Director of Parks and Recreation Stacie Talbert Anaya stated that the purpose of this item is to execute documents to apply for and accept park equipment with an estimated value of \$300,000 from KaBOOM! for park improvements at Dr. H.C. Dillworth Park and to accept an \$8,500 donation from Beautify Corpus Christi. 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: 7 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Scott and Council Member Vaughn

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

22. First Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for Nueces Garden No.2, Lot 49A located south of Leopard Street and west of Starlite Lane within Allison Service Area

Ordinance exempting Nueces Garden No.2, Lot 49A located south of Leopard Street and West of Starlite Lane, from the payment of wastewater lot and acreage fees pursuant to Section 8.5.2.G.1. of the Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Mayor Martinez deviated from the agenda and referred to Item 22. Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to exempt the subject property from payment of wastewater lot and acreage fees as described in the Unified Development Code. Staff is recommending waiver of the wastewater lot and acreage fees and that the applicant enter into a Santuary Sewer Connection Agreement that would require the applicant to connect to future wastewater service should the city extend service within the next 15 years. 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: 7 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Scott and Council Member Vaughn

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

23. First Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of a water distribution main located alongside Up River Road, south of Interstate Highway 37, east of McKenzie Road and north of Leopard Street.

Ordinance authorizing city manager or designee to execute a distribution main extension and construction and reimbursement agreement ("Agreement") with Vantage at Corpus Christi, LLC., ("Developer"), for the construction of a water distribution main line and appropriating \$4,154.50 from the No. 4030 Water Distribution Main Trust Fund to reimburse the Developer in accordance with the Agreement.

Mayor Martinez referred to Item 23. Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to execute a distribution main extension and construction and reimbursement agreement in the amount

of \$4,154.50 with Vantage at Corpus Christi, LLC for the construction of a distribution line and to appropriate \$4,154.50 from the Water Trust Fund. The developer is required to build a 6-inch water distribution line to provide service to their development. 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: 7 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Rubio, Council Member Scott and Council Member Vaughn

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

24. First Reading Ordinance - Closing a utility easement located at 4000 S. Staples

Ordinance abandoning and vacating a 0.041-Acre portion of an existing utility easement out of a part of Lots 7 and 8, Block 5 of Hamlin Place Unit 2-Corpus Christi Subdivision, located at 4000 S. Staples and requiring the owner, American Electric Power (AEP) Texas Central Company, to comply with the specified conditions.

Mayor Martinez referred to Item 24. Assistant Director of Development Services Julio Dimas stated that the purpose of this item is to abandon and vacate an easement located at an American Electric Power (AEP) substation. AEP is proposing future development and this easement would interfere with the development. Staff recommends waiving the fair market value since the owner will be dedicating an equivalent easement. There were no comments from the Council or the public.

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

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

26. First Reading Ordinance - Appropriating estimated increased revenues related to Warehouse merchandise sold

Ordinance appropriating estimated increased revenues of \$700,000 in the No. 5010 Stores Fund to cover projected increased expenses in the City's Warehouse related to the cost of Warehouse merchandise sold and amending the FY 2015-2016 operating budget adopted by Ordinance No. 030620 by increasing revenues and expenditures by

\$700,000 each.

Mayor Martinez deviated from the agenda and referred to Item 26. Director of Financial Services Constance Sanchez stated that the purpose of this item is to appropriate a projected increase in warehouse revenue of approximately \$700,000 in the Stores Fund to cover projected expenses in the warehouse related to the cost of warehouse merchandise sold through the end of the fiscal year. There were no comments from the public. In response to council members, Assistant Director of Financial Services Kim Baker provided information on the items sold in the warehouse; operations at the warehouse; and warehouse facility repairs.

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 27 - 31)

Mayor Martinez referred to Future Agenda Items: City Manager Margie C. Rose stated that staff had planned presentations on Items 27, 28 and 31.

27. Setting the City Council Meeting Date to Adopt the Property Tax Rate

Motion setting September 13, 2016 as the date of the adoption of the ad valorem tax rate of \$0.606264 per \$100 valuation.

This Motion was recommended to the regular agenda.

28. Scheduling Two Public Hearings Related to Fiscal Year 2016-2017 Property Tax

Motion setting a public hearing on the ad valorem tax rate for August 23, 2016 and a second public hearing for August 30, 2016 during the City Council meeting beginning at 11:30 a.m. at City Hall, 1201 Leopard Street, Corpus Christi, Texas.

This Motion was recommended to the regular agenda.

29. Resolution for the purchase of Body Worn Video Cameras for the Police Department

Resolution authorizing the City Manager, or designee, to purchase body worn video cameras for the Police Department from Coban Technologies Inc., of Houston, Texas, for a total cost of \$130,414.00,

with funding available in the FY 2015-2016 Police Grants Fund.

This Resolution was recommended to the consent agenda.

30. Purchase of 37 Ford Explorer Vehicles for the Police Department

Motion approving the purchase of 37 Ford Explorer Vehicles from Caldwell Country Ford-Chevrolet, Caldwell, Texas for a total amount of \$1,077,680.90. The award is based on the cooperative purchasing agreement with Texas Local Government Purchasing Cooperative (TLGPC), dba BuyBoard. Funds have been budgeted by CC Crime Control and Fleet Maintenance Services in FY 2015-2016.

This Motion was recommended to the consent agenda.

31. Renewal of state and federal external legislative consultant contracts

Motion authorizing the City Manager to execute 24-month renewal agreements for governmental relation services with Focused Advocacy for state governmental relations services for \$108,000 per year plus reasonable expenses and with Meyers & Associates for federal governmental relations services for \$78,000 per year plus reasonable expenses.

This Motion was recommended to the consent agenda.

O. FIRST READING ORDINANCES: (ITEM 25)

25. First Reading Ordinance - Authorizing a Participation Agreement for Bicycle Sharing Program with the Corpus Christi Downtown Management District

Ordinance authorizing the City Manager or designee to execute a participation agreement for Bicycle Sharing program with the Corpus Christi Downtown Management District for \$90,000 over 3 years; and authorizing the City Manager or his designee to execute Licenses for Use of City Property to install bicycle racks for bicycle sharing service with Zagster, Inc ("Licensee")

Mayor Martinez deviated from the agenda and referred to Item 25. Business Liaison Alyssa Barrera stated that the purpose of this item is to execute a three-year funding agreement with the Corpus Christi Downtown Management District (DMD) for a Bike Share Program in the amount of \$30,000 per year for three years. Terry Sweeney, DMD, provided a brief overview of the following: the bike share program process; the goals of the program: to achieve health and fitness, support tourism, increase economic development; and bridge the gap of the last mile between where transit ends and the rider's final destination; the turn-key offerings of Zagster, Inc.; bike share locations; and the program timeline.

Mayor Martinez called for comments from the public. Abel Alonzo, 1701 Thames, spoke in support of the program and the partnership.

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

R. APPEALS OF DECISIONS OF THE BUILDING STANDARDS BOARD (ITEMS 35 - 36)

- 35.** Consideration of an appeal filed by Oscar De Los Santos of the Building Standards Board's decision to require demolition of the residential and accessory structures of the property located at 3769 Wilson Drive.

Mayor Martinez deviated from the agenda and referred to Item 35, consideration of an appeal filed by Oscar De Los Santos of the Building Standards Board's decision to require demolition of the residential and accessory structures on property located at 3769 Wilson Drive. Tracey Cantu, Code Enforcement Administrator, presented the statement of facts: the structure was deemed substandard in August 2014; communication between Code Enforcement and the property owner from August 2014 through September 2015 regarding progress made toward the renovation of the residential structure and maintenance of the exterior property; the lack of communication on the progress on the property; a complaint was filed with the Building Standards Board on November 6, 2015 and presented to the Board on November 19, 2015. Mr. De Los Santos was not present at the Building Standards Board meeting. Due to the substandard and dilapidated condition of the residential and accessory structures, a hazard to the health and safety of the public was declared and the Building Standards Board ordered the structures at 3769 Wilson Drive to be removed or demolished by the owner within 30 days. If demolition was not started or completed as required, the City was authorized to demolish. On December 21, 2015, Mr. De Los Santos submitted a notice of appeal in writing. In April 2016, the appeal was to be heard by City Council but was rescheduled due to severe weather which prevented Mr. De Los Santos from attending. Ms. Cantu provided an brief overview of the abatements and taxes owed on the property for a total of \$3,110.11. The property has been neglected and vandalized multiple times, requiring Code Enforcement to secure the home to reduce the risk of fire damage and further deterioration to protect the integrity of the neighborhood.

Oscar De Los Santos, Appellant, stated that Ms. Cantu has been very helpful walking him through process once the decision was made and explaining the appeal process. Mr. De Los Santos said he agreed to demolish the garage because the structure is no longer repairable due to a fallen tree, vandalism, and on-going theft of the materials that were being used to renovate the

structure. Mr. De Los Santos stated that the main living structure was boarded several times, both by himself and by the City, and when he was notified by Code Enforcement that the property had been accessed again, he would board it back up. Mr. De Los Santos expressed concern that if the entire structure is demolished without establishing a rental property, the property would be open to illegal dumping. The property has been vacant for 12 years and has accumulated over \$12,000 in cleaning fees from illegal dumping. Mr. De Los Santos requested consideration to allow him to demolish the garage structure and continue to move forward with repairing the residential structure.

Council members spoke regarding the following topics: the willingness of the appellant to demolish the garage; the appellant's ability to renovate the property; the timeline to bring the structure up to code; state law requirements which require the appellant to detail repairs; the reasons improvements have not been made on the property since 2014; notification to the property owner regarding the Building Standards Board meeting; the property being a nuisance to the neighborhood; the timeframe that the property has been vacant; the neglect and delinquent taxes on the property; the timeframe when there was a contractor renovating the property; the abatement schedule; and the financial commitment needed to renovate the property.

Mayor Martinez called for comments from the public and there were none.

Assistant City Attorney Yvette Aguilar provided a packet of the applicable and relevant laws related to the case. Assistant City Attorney Aguilar stated that the following are the facts of the appeal: the Appellant has not alleged and shown that the Board's decision is erroneous; the Appellant has not alleged and shown that the Board's decision would cause undue hardship; and the Appellant has not alleged and shown that enforcement of the Board's order or any provision of the Code would be manifestly unjust and contrary to the public's interest.

City Secretary Huerta explained the three options for Council Action: 1) To deny the appeal (upholding the decision of the Building Standard Board's decision; 2) To sustain the appeal (reversing the Board's decision); or 3) Amend the Board's decision (in whole or in part).

Council Member McIntyre made a motion to approve the resolution denying Oscar De Los Santos' appeal, thereby upholding the Building Standards Board order to demolish the buildings and structures on the property located at 3769 Wilson Drive, seconded by Council Member Garza. This Resolution was passed and approved with the following vote:

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

Absent: 2 - Council Member Hunter and Council Member Rosas

Abstained: 0

Enactment No: 030907

36.

Consideration of an appeal filed by Beatrice Rodriguez of the Building Standards Board's decision to require demolition of the residential and accessory structures on the property located at 4501 Mokry Drive.

Mayor Martinez referred to Item 36, consideration of an appeal filed by Beatrice Rodriguez of the Building Standards Board's decision to require demolition of the residential and accessory structures on the property located at 4501 Mokry Drive. City Secretary Huerta announced that the City Council was provided information on Friday from Ms. Rodriguez requesting to reset the hearing. Ms. Rodriguez was present at the meeting and agreed to continue the hearing.

Council Member Scott made a motion to move forward with the hearing, seconded by Council Member Vaughn and passed unanimously (Council Members Hunter, Rosas, and Rubio were absent).

Tracey Cantu, Code Enforcement Administrator, presented the statement of facts for the property located at 4501 Mokry Drive including: the initial complaint that was brought to the attention of the Code Enforcement Department; the Code Enforcement has worked with the property owner to provide options for maintaining the property; in November 2015, Code Enforcement moved forward with the case against the property and deemed the property substandard; a notice of violation was posted on the property on March 8, 2016; a complaint was filed with the Building Standards Board on March 14, 2016 and notification was sent to the property owner; the case was presented to the Building Standards Board on March 31, 2016 and Ms. Rodriguez was not present at the hearing. The Building Standards Board ruled that due to the substandard and dilapidated condition of the residential and accessory structures, a hazard to the health, safety and well-being of the public was declared and ordered the structure to be removed or demolished by the owner within 30 days. Ms. Cantu provided photos of the property. Ms. Cantu provided information on the abatements on the property totaling \$816.00. A demolition grant was made available to Ms. Rodriguez, but Ms. Rodriguez did not avail herself of it. The Code Enforcement Department has a history of trying to work with Ms. Rodriguez at this property and a property located on 11th Street where arrangements for pro bono work have been made to assist her. Ms. Rodriguez has submitted numerous letters in response to activity taken by Code Enforcement against her properties. There has not been any progress with the properties and often Code Enforcement has had to seek a warrant because Ms. Rodriguez becomes volatile during abatements. In consideration of the health and safety of the neighborhood and the property being on the corner of a major roadway with overgrown grass which causes a vision obstruction for traffic and pedestrians, Code Enforcement has had to abate the property. There have also been numerous complaints about the property from neighbors, including a petition regarding the condition of the property.

Beatrice Rodriguez, Appellant, stated that the home has not been in bad condition since 2007. Ms. Rodriguez stated that there had been minimal fire damage to the property in 2005 and added that she has been living at the residence. Ms. Rodriguez said that the photos presented were misleading and that a majority of the damage was caused by a storm in 2005. Ms. Rodriguez said she has been under a hardship taking care of her father. Ms. Rodriguez stated that she has applied for a grant from the Federal Emergency Management Agency (FEMA) and that FEMA has classified the home as livable. Ms. Rodriguez said she also applied for a grant from the City in November and it was not awarded. Ms. Rodriguez stated that she has not been given the help she has asked for and has responded to Code Enforcement continuously through letters.

Mayor Martinez called for comments from the public. Estela Narvaez stated that her brother owns the property next to Ms. Rodriguez and is currently renting it to her daughter and boyfriend over the past two months. Ms. Narvaez explained that the home is in really bad condition and rats, opossums and snakes are often seen on the property. Ms. Narvaez said the property has been vacant since 2005.

City Attorney Miles K. Risley presented a series of questions to Ms. Rodriguez regarding statements made in her appeal letter. Assistant City Attorney Yvette Aguilar stated that the relevant provisions apply to this case. Assistant City Attorney Aguilar explained that this house was ordered to be demolished by the owner, and if the owner didn't demolish it, the City would do so. Assistant City Attorney Aguilar stated that the following are the facts of the appeal: the Appellant has not alleged and shown that the Board's decision is erroneous; the Appellant has not alleged and shown that the Board's decision would cause undue hardship; and the Appellant has not alleged and shown that enforcement of the Board's order or any provision of the Code would be manifestly unjust and contrary to the public's interest.

Council Member Scott made a motion to approve the resolution denying Beatrice Rodriguez's appeal, thereby upholding the Building Standards Board order to demolish the buildings and structures on the property located at 4501 Mokry Drive, seconded by Council Member Vaughn. This Resolution was passed and approved with the following vote:

Aye: 6 - Mayor Martinez, Council Member Garza, Council Member Magill, Council Member McIntyre, Council Member Scott and Council Member Vaughn

Absent: 3 - Council Member Hunter, Council Member Rubio and Council Member Rosas

Abstained: 0

Enactment No: 030908

Q. BRIEFINGS: (ITEMS 32 - 34)

32. Bond Continuation Projects

Mayor Martinez deviated from the agenda and referred to Item 32, Bond Continuation Projects. City Manager Margie C. Rose stated that staff provided a list of continuous bond projects to continue additional work on these projects. The purpose of this item is to have dialogue and direction from the City Council on how to proceed with these projects. Executive Director of Public Works Valerie Gray provided a project description on the following eight transportation related improvement projects: Rodd Field Road and Yorktown Boulevard Intersection Improvements; Six Points Intersection Improvements; TxDOT Participation & Mobility Improvements; Traffic Signal & Intersection Infrastructure Improvements; Traffic Signal Communications & Network Improvements; Street Lighting Improvements; ADA Improvements; and Developer Participation.

Council members and staff discussed the following topics: support for Rodd Field Road and ADA improvements; the location and distance of the Six Points Intersection Improvements; the increased growth and traffic on Rodd Field

Road, including a new southside campus for Del Mar College; a continuation project for Laguna Shores from Bond 2004; the cost for reconstruction of Laguna Shores, specifically the section between Hustlin' Hornet and Mediterranean; the wetland issue that impacts Laguna Shores; the possibility of having a substitute road for Laguna Shores; the debt capacity to ensure there is not a tax increase; the initial concerns City Council had with having a Bond 2016; improvements to traffic signalization; infrastructure being economic development; consideration to include a residential street reconstruction program in Bond 2016; the language from the 2014 Arlington Bond Program for residential street reconstruction program; the scope and design for Laguna Shores; staff shortages in the Engineering and Street Departments; City Council's previous decision to not have a Bond 2016; concern with rushing a decision to include a bond package without vetting the 3D process (Discovery, Discuss, and Decide); and providing information to City Council that demonstrates a ten-year plan for streets, including a residential street reconstruction program.

MOTION OF DIRECTION

Council Member McIntyre made a motion directing the City Manager to get a feasibility for Laguna Shores continuation of Bond 2004, to look at all three phases, with a priority on the center section, seconded by Council Member Magill. The motion passed with the following vote: Mayor Martinez, Council Members Garza, Magill, McIntyre, and Scott; Council Member Vaughn voting "No"; Council Members Hunter, Rosas, and Rubio - absent.

MOTION OF DIRECTION

Council Member Magill made a motion directing the City Manager to move forward with Rodd Field Road and Yorktown Boulevard Intersection Improvements; Six Points Intersection Improvements; TxDOT Participation & Mobility Improvements; Traffic Signal & Intersection Infrastructure Improvements; Traffic Signal Communications & Network Improvements; Street Lighting Improvements; ADA Improvements; and Developer Participation, seconded by Council Member Garza and passed unanimously; Council Members Hunter, Rosas, Rubio, and Vaughn - absent.

33.

Draft Ballot Language for November 8, 2016 Special Election

Mayor Martinez referred to Item 33. City Secretary Rebecca Huerta stated that at the July 19, 2016 City Council meeting, the draft ballot language was discussed and the City Council directed staff to provide options for the ballot language for Proposition 1, 1/8th cent sales tax and Proposition 3, residential street reconstruction tax. The draft ordinance incorporates the discussed options for the City Council to review, including language regarding engineering and utility costs for the residential street reconstruction.

Council members reviewed the options for the ballot language and the following motions of direction were considered:

MOTION OF DIRECTION

Council Member Magill made a motion directing the City Manager to move forward with the following ballot language:

Replacing the portion of the Type A sales tax that expires in 2018 with the adoption of a one-eighth of one percent sales and use tax to be administered by a Type B Corporation under Chapter 505 of the Texas Local Government

Code, to be effective for 20 years, with the use of the proceeds for:

- (1) 50% for Economic Development, specifically the promotion and development of new and expanded business enterprises to the full extent allowed by Texas law;
- (2) Up to \$500,000 annually on affordable housing; and
- (3) Balance of proceeds to be used for construction, maintenance and repair of arterial and collector streets and roads.

The motion was seconded by Council Member Garza and passed unanimously (Council Members Hunter, Rosas, and Rubio - absent).

MOTION OF DIRECTION

Council Member Garza made a motion directing the City Manager to move forward with the following ballot language:

Amending the City Charter to establish a dedicated fund to be used solely for residential street reconstruction and authorizing the City Council to levy, assess and collect a property tax not to exceed six cents per one hundred dollars of assessed value for the purpose of residential street reconstruction, to be gradually implemented at a rate of not more than two cents per one hundred dollars of assessed value per year.

The motion was seconded by Council Member McIntyre and passed unanimously (Council Members Hunter, Rosas, and Rubio - absent).

34.

Discussion regarding Nueces County's application to the Secretary of State for participation in the Countywide Polling Place Program

Mayor Martinez referred to Item 34, Countywide Polling Place Program. City Secretary Rebecca Huerta stated that on July 13, 2016, the Nueces County Commissioners Court approved for Nueces County Clerk Kara Sands to apply for participation in the Countywide Polling Place Program. The program allows voters to vote at any polling location on Election Day. The Commissioners Court concurred with including 91 polling locations in the application. The City currently has 108 polling precincts and this change would bring down the number of polling locations to 76. City Secretary Huerta stated that information was provided to the City Council regarding the distribution of polling locations within the council member districts and on the methodology that was used to determine the polling locations. City Secretary Huerta said a letter of support is being requested by the City Council to include with the application to the state. The application is due by August 25, 2016. Interim Director of Facilities Edgar Leonard and City Manager Margie C. Rose participated in the discussion.

Council members and staff discussed the following topics: discussion on the potential sites; the six City sites that do not meet the Americans with Disabilities Act (ADA) requirements; the temporary ADA fixes used during the last election that could be used again; potential financial implications to repair the polling sites; the deadline to submit the letter of support; the cost for the temporary improvements in the last election; whether there are new sites that have ADA issues; the projected costs to repair sites; consideration to draft a letter of support; to bring back all the financial implications and data for

council approval on August 9; whether ADA compliance for voting is different than use of the facility as a senior center; and a plan to permanently address ADA compliance at the senior centers.

There was a general consensus to authorize Mayor Martinez to signed a letter of support for Nueces County regarding the Countywide Polling Place Program, without obligating financial commitments until receiving further information.

S. ADJOURNMENT

The meeting was adjourned at 7:19 p.m.