



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
forward.cctexas.com

## Meeting Minutes

### City Council

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Tuesday, August 8, 2017

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.**

**MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.**

**A. Mayor Joe McComb to call the meeting to order.**

Mayor McComb called the meeting to order at 11:34 a.m.

**B. Invocation to be given by Paulette M. Guajardo, Council Member At-Large.**

Council Member At-Large Paulette M. Guajardo gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States to be led by Jay Ellington, Director of Parks and Recreation.**

Director of Parks and Recreation Jay Ellington led the Pledge of Allegiance.

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

City Secretary Rebecca L. 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 L. Huerta.

**Present:** 9 - Mayor Joe McComb, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Debbie Lindsey-Opel, Council Member Ben Molina, Council Member Lucy Rubio, Council Member Greg Smith, and Council Member Carolyn Vaughn

**E. Proclamations / Commendations**

1. Proclamation declaring August 6-12, 2017, "National Farmers' Market Week".  
Proclamation declaring August 10-13, 2017, "Solomon Melvin Coles Alumni Association 31st Reunion Days".  
Proclamation declaring August 2017, "National Immunization Awareness Month".

Mayor McComb presented the proclamations.

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

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

**a. OTHER**

1) The City is hosting a series of public meetings using an interactive online tool to allow citizens the opportunity to provide input on the City's proposed general fund budget. The meetings will be held in each council member district over the next two weeks at the following locations and times: Wednesday, August 9, 2017 at 6:00 p.m. at the Dr. Clotilde P. Garcia Library, 5930 Brockhampton Street; Thursday, August 10, 2017 at 4:00 p.m. at Northwest Senior Center, 9725 Up River Road; Monday, August 14, 2017 at 4:00 p.m. at Janet F. Harte Public Library, 2629 Waldron; Wednesday, August 16, 2017 at 6:00 p.m. at Broadmoor Park Senior Center, 1651 Tarlton; and Thursday, August 17, 2017 at 4:00 p.m. at Ben F. McDonald Public Library, 4044 Greenwood Drive. A virtual meeting will be held on Thursday, August 24, 2017 at 6:00 p.m. where residents can participate via online video-stream, Facebook Live, CCTV and social medial channels. An English and Spanish version, along with the complete schedule of the meeting locations and times can be found on the City's website at [www.cctexas.com/balancer](http://www.cctexas.com/balancer). 2) The Engineering Services Department will host a public hearing regarding Old Robstown Road from State Highway 44 to Leopard Street on Thursday, August 10, 2017 at 5:30 p.m. at Joe Garza Recreation Center, 3204 Highland Avenue. The improvements included: a full-depth reconstruction from a two-lane road to a three-lane road with asphalt pavement; new concrete bus pads; curb and gutter; sidewalks; ADA ramps; an off-street cycle track; and upgrades to utilities and street lighting. 3) City Manager Rose provided a list of engineering projects that have started or will be started soon: Ayers Street from Alameda Street to Ocean Drive, Bond 2014 - Proposition 1; Yorktown Boulevard from Everhart Road to Staples Street, Bond 2014 - Proposition 1; Creekview Drive Extension, Bond 2014 - Proposition 2; and Naval Air Station - Corpus Christi Truck Inspection Staging Area, Texas Military Fund.

**G. MINUTES:**

2. Regular Meeting of July 25, 2017 and Workshop of July 19, 2017.

Mayor McComb referred to approval of the minutes. Council Member Molina made a motion to approve the minutes, seconded by Council Member Rubio and passed unanimously.

**H. BOARD & COMMITTEE APPOINTMENTS:**

3. Community Youth Development (78415) Program Steering Committee  
Crime Control and Prevention District  
Marina Advisory Committee  
Parks and Recreation Advisory Committee

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

**Community Youth Development (78415) Program Steering Committee**

Council Member Molina made a motion to reappoint Carlos A. Barrera (78415 Resident), Rick Barrera, and Lisa Torres (78415 Resident), seconded by Council Member Rubio and passed unanimously.

Council Member Vaughn made a motion to appoint Odelia Soto, seconded by Council Member Rubio and passed unanimously.

**Crime Control and Prevention District**

Council Member Lindsey-Opel made a motion to appoint Wendi Pollock (Council Member Debbie Lindsey-Opel's Representative), seconded by Council Molina and passed unanimously.

City Secretary Huerta announced that Brian Rosas (Council Member Carolyn Vaughn's Representative) submitted his resignation and Council Member Vaughn has nominated Sylvia Oliver Tryon as her representative. Council Member Vaughn made a motion to appoint Sylvia Oliver Tryon, seconded by Council Member Lindsey-Opel and passed unanimously.

**Marina Advisory Committee**

Council Member Vaughn made a motion to appoint Martha A. Avery (Restaurant Representative), seconded by Council Member Hunter and passed unanimously.

**Parks and Recreation Advisory Committee**

Council Member Molina made a motion to reappoint Robert A. Alvarez, Alissa Mejia, and Ricardo Pedraza, seconded by Council Member Rubio and passed unanimously.

Council Member Rubio nominated Harry O. Hallows. Council Member Guajardo nominated Mandy Cox. Council Member Smith nominated Florence D. East. Council Member Molina nominated Elizabeth Perez.

Mandy Cox and Elizabeth Perez were appointed with Council Members Lindsey-Opel, Garza, Smith, Guajardo, McComb, Vaughn, Rubio, Molina and Hunter voting for Mandy Cox; Council Members Garza, Smith, Guajardo, McComb, Vaughn, Rubio, Molina and Hunter voting for Elizabeth Perez; Council Member Lindsey-Opel, Smith, Guajardo, McComb, and Hunter voting for Florence D. East; and Council Members Lindsey-Opel, Garza, Vaughn, Rubio, and Molina voting for Harry O. Hallows.

A run-off was conducted between Harry O. Hallows and Florence D. East. Florence D. East was appointed with Council Members Hunter, McComb, Guajardo, Smith, and Lindsey-Opel voting for Florence D. East and Council Members Molina, Rubio, Vaughn and Garza voting for Harry O. Hallows.

**I. EXPLANATION OF COUNCIL ACTION:**

- J. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M.** 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. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak **MUST** be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

Mayor McComb referred to comments from the public. Jack Gordy, 4118 Bray Drive, spoke regarding blocked sidewalks and requested that an item be placed on a future City Council agenda. Cheryl Martinez, 3938 Surfside, spoke regarding the Animal Care Services' budget and addressed the need for the following items: full-time Animal Control night officers; an Education/Public Relations position; Live Release Coordinator; maintenance of an empty building; and Vector Control to have a separate budget. Bill King, 1649 Brentwood Drive, provided information on the costs savings associated with helping the homeless versus leaving homeless persons on the streets. Linda Gibeaut, 410 Southern Street, spoke regarding Animal Care Services and requested that the budget include: improvements to the kennels; maintenance of the facility; a Program Manager; and additional veterinary staff. Tony C. Diaz, 6041 Oso Parkway, requested that the City Council consider not adopting the 2018 proposed employee insurance plan and discussed the impact the increase in premiums will have on employees. Susie Luna Saldana, 4710 Hakel, requested that the City Council investigate the hiring process and advice given by staff regarding the Municipal Court Judge position. Carolyn Moon, 4902 Calvin, requested that the City Council consider approving a resolution supporting the Paris Climate Accord. Ken Baker, 7421 Idle Hour, addressed the need for Corpus Christi to have a State Veterans Office. Margareta Fratila, 3606 Tripoli, spoke regarding contractors for AT&T damaging property on Carroll Lane from Tiger Lane to Holly Road.

**K. CONSENT AGENDA: (ITEMS 4 - 22)**

## Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. There were no comments from the public. Mayor McComb requested that Item 5 be pulled for individual consideration.

A motion was made by Council Member Vaughn, seconded by Council Member Lindsey-Opel, to approve the Consent Agenda. The consent agenda items were passed and approved by one vote as follows:

**Aye:** 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

**4. Construction Contract for Corona Drive from Flynn Parkway to Everhart Road (Bond 2014, Proposition 1)**

Motion authorizing the City Manager, or designee, to execute a construction contract with Berry Contracting, L.P. dba Bay LTD. of Corpus Christi, Texas in the amount of \$4,679,371.25 for Corona Drive from Flynn Parkway to Everhart Road for the total Base Bid. (Bond 2014 Proposition 1)

**This Motion was passed on the consent agenda.**

Enactment No: M2017-111

**6. Resolution for executing the Regional Transportation Authority (RTA) Notification for Additional Funding in 2017 Street Preventative Maintenance Program (SPMP)**

Resolution authorizing the City Manager or designee to execute the "Notification for Additional Funding in 2017 (Street Maintenance Program)" in an amount of \$2,716,127.00 accepting the Corpus Christi Regional Transportation Authority's fiscal year 2017 allocation to the City's Street Preventative Maintenance Program (SPMP) projects.

**This Resolution was passed on the consent agenda.**

Enactment No: 031203

**7. Purchase of Four Chevrolet Spark Vehicles for the Police Department**

Motion approving the purchase of four Chevrolet Spark vehicles from Caldwell Country Chevrolet, from Caldwell, Texas, based on a cooperative purchasing agreement with Local Government Purchasing Cooperative, dba BuyBoard for the total amount not to exceed

\$65,458.60. Funds are budgeted in FY2016-2017.

**This Motion was passed on the consent agenda.**

Enactment No: M2017-113

**8. Purchase of One Freightliner Flatbed Crew Truck and One Freightliner 5-Yard Dump Truck for Utilities Wastewater Department**

Motion authorizing the City Manager, or designee, to purchase one Freightliner flatbed crew truck and one Freightliner 5-yard dump truck from Houston Freightliner, Inc., of Houston, Texas, based on the cooperative purchasing agreement with Houston-Galveston Area Council, for a total amount not to exceed \$219,914. Funds are budgeted in FY2016-2017.

**This Motion was passed on the consent agenda.**

Enactment No: M2017-114

**9. Service Agreement for Pump and Motor Repairs for Water Utilities Department**

Motion authorizing City Manager, or designee, to execute a service agreement with Smith Pump Company, Inc., of Woodway, Texas for pump and motor repairs in response to Request for Bid (RFB) No. 1048 based on the lowest, responsive, responsible bid for a total amount not to exceed \$301,230, with an estimated expenditure of \$ 50,205 in FY2016-2017 funded by the Water Department Fund. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

**This Motion was passed on the consent agenda.**

Enactment No: M2017-115

**10. Lease Purchase Agreements for Computers, Laptops and Peripherals and Purchase of Servers and Monitors for Information Technology Services**

Motion authorizing the City Manager, or designee, to execute lease-purchase agreements with Hewlett Packard Enterprise Financial Services, of Berkeley Heights, New Jersey, for approximately 575 desktop computers for a lease-purchase term of 48-months, 420 laptop computers for a lease-purchase term of 36-months and peripherals, respectively, in accordance with the State of Texas cooperative purchasing program DIR-TSO-2538 for a total expenditure not to exceed \$1,190,712; and to purchase ten servers and 300

monitors for an amount \$92,850. No funds are required for FY2016-17; however, the total expenditure not to exceed \$1,283,562 will be requested in future budget years.

**This Motion was passed on the consent agenda.**

Enactment No: M2017-116

**11. Construction Contract for Residential Street Rebuild Program (RSRP) Test Project for Rogerson Drive from McArdle Road to Sunnybrook Road**

Motion authorizing the City Manager, or designee, to execute a construction contract with J.E. Construction Services of Corpus Christi, Texas in the amount of \$699,807.62 for the Rogerson Drive Project - McArdle Road to Sunnybrook Road for Base Bid 2 - Portland Cement Concrete (PCC) as part of the Residential Street Rebuild Program (RSRP) test projects.

**This Motion was passed on the consent agenda.**

Enactment No: M2017-117

**12. Second Reading Ordinance - Construction Contract for Residential Street Rebuild Program (RSRP) Test Projects for Ralston Avenue from Staples to Alameda (1st Reading 7/25/17)**

Ordinance amending the Fiscal Year 2017 Operational Budget adopted by Ordinance No. 030965 by increasing expenditures in the amount of \$1,000,000 in Fund 1042 Residential / Local Streets and authorizing the City Manager, or designee, to execute a construction contract with J.E. Construction Services of Corpus Christi, Texas in the amount of \$1,453,476.33 for the Ralston Avenue - Staples Street to Alameda Street for Base Bid B - HMAC (Asphalt) as part of the Residential Street Rebuild Program (RSRP) test projects.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031204

**13. Second Reading Ordinance - Amending the Unified Development Code Codifying Community Home use (1st Reading 7/25/17)**

Ordinance amending the Unified Development Code to codify Community Home use in residential districts; providing for severance; providing for penalty; providing for publication; and effective date.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031205

**14. Second Reading Ordinance - Accepting and appropriating funds**

**for the Health Promotions and Chronic Disease Prevention/Texas Healthy Communities (HPCDP/TXHC) grant amendment for the Health Department (1st Reading 7/25/17)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an amendment to a grant contract for the Health Promotions and Chronic Disease Prevention/Texas Healthy Communities (HPCDP/TXHC) grant in the amount of \$50,000.00, increasing the total amount to \$150,000.00, from the Texas Department of State Health Services in the No. 1066 Health Grants Fund to provide funds to implement systems and strategies that address one or more Texas Healthy Communities priority indicators for the amended contract period October 1, 2015, through September 30, 2018; and appropriating the increased grant amount.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031206

**15. Second Reading Ordinance - Accepting and appropriating grant funds for the Immunization Branch-Locals (IMM/LOCALS) grant for the Health Department (1st Reading 7/25/17)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Immunization Branch-Locals (IMM/LOCALS) grant in the amount of \$241,637.00 from the Texas Department of State Health Services in the No. 1066 Health Grants Fund, to provide for personnel costs and other expenses to fund an immunization program for children, adolescents, and adults, with special emphasis on children three years of age or younger for the contract period September 1, 2017, through August 31, 2018; and appropriating related program income in the estimated amount of \$70,000.00 in the Health Grants Fund No. 1066.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031207

**16. Second Reading Ordinance - Accepting and appropriating grant funds for Infectious Disease Control Unit/Surveillance and Epidemiology Ebola (IDCU/SUREB) grant for the Health Department (1st Reading 7/25/17)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept, amend, and appropriate a grant contract for the Infectious Disease Control Unit/Surveillance and Epidemiology Ebola (IDCU/SUREB) grant in the amount of \$204,855.00, from the Texas Department of State Health Services in



the Health Grants Fund No. 1066, to perform surveillance and epidemiology activities for infectious diseases for the contract period September 1, 2017, through August 31, 2019.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031208

**17. Second Reading Ordinance - Executing a Lease Agreement for Heritage Park Properties (1st Reading 7/25/17)**

Ordinance authorizing the City Manager or designee to execute a five-year lease agreement with Corpus Christi Convention & Visitors Bureau for the following Heritage Park properties in consideration of total monthly rental payment of \$3,000.00 with annual increase of 2%, and authorizing credit for improvements: (1) the Jalufka House located at 1513 North Chaparral Street; (2) the Merriman-Bobys House located at 1521 North Chaparral Street; and (3) the McCampbell House located at 1501 North Chaparral; with one five-year extension option upon agreement of the parties.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031209

**18. Second Reading Ordinance - Purchase of Three 2017 Ford F-250 CNG Trucks for Parks and Recreation (1st Reading 7/25/17)**

Ordinance appropriating \$153,814.00 from the reserved future replacement account into the capital outlay expenditure account in Maintenance Services Fund No. 5110 for the purchase of three 2017 Ford F-250 CNG trucks; amending the FY2016-17 operating budget adopted by Ordinance No. 030965 by increasing expenditures by \$153,814.00; authorizing the City Manager or designee to execute all necessary documents to purchase a total of three 2017 Ford F-250 CNG trucks for \$153,814.00 from Rush Truck Center, of New Braunfels, through a Local Government Purchasing Cooperative dba Buyboard, for use by the Parks and Recreation Department for park operations.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031210

**19. Second Reading Ordinance - Purchase of Five Brush Trucks for Solid Waste Operations (1st Reading 7/25/17)**

Ordinance appropriating \$832,628.52 from the reserved future replacement account into the capital outlay expenditure account in Maintenance Services Fund No. 5110 for the purchase of two brush trucks, two rear steer loader brush trucks and one self-loader brush

truck; amending the FY2016-17 operating budget adopted by Ordinance No. 030965 by increasing expenditures by \$832,628.52; authorizing the City Manager or designee to execute all necessary documents to purchase a total of five 2018 Freightliner Chassis for \$510,871.00 from Houston Freightliner, of Houston, Texas, and five brush truck bodies for \$321,757.52 from Petersen Industries, Lake Wales, Florida, based on the cooperative purchasing agreements with Houston-Galveston Area Council and National Joint Powers Alliance, for a total amount not to exceed \$832,628.52, for use by the Solid Waste Operations.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031211

**20. Second Reading Ordinance - Appropriating Grant Funds for the Purchase of Aircraft Rescue Fire Fighting (ARFF) Vehicle (7/25/17)**

Ordinance appropriating \$765,790 from Federal Aviation Administration Grant No. 3-48-0051-055-2017 in the No. 3020 Airport Capital Improvement Fund for the purchase of a Class 4 Aircraft Rescue Fire Fighting (ARFF) vehicle for use at Corpus Christi International Airport; amending the FY2016-2017 Capital Budget by increasing revenues and expenditures by \$765,790 each; authorizing the City Manager or designee to execute a supply agreement with Oshkosh Airport Products, LLC, of Appleton, Wisconsin, to purchase the ARFF vehicle in accordance with Request for Bid (RFB) No. 1093 based on the lowest responsive, responsible bid of \$855,155, with the 10% match and additional funds for the purchase paid from Airport fund reserves.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031212

**21. Second Reading Ordinance - Appropriating funds to extend Taxiway "K" (Kilo) Construction at the Corpus Christi International Airport (7/25/17)**

Ordinance appropriating \$274,267 from Federal Aviation Administration Grant No. 3-48-0051-050-2013, Amendment No. 5, in the No. 3020 Airport Capital Improvement Fund for additional funding for construction of approximately 7,150 square yards of new pavement to expand and extend Taxiway Kilo at the Corpus Christi International Airport and necessary drainage, electrical, lighting and signage improvements, with the 10% match provided from the Airport Capital Reserve Fund; amending the FY2016-2017 Capital Budget by increasing revenues and expenditures by \$274,267 each.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031213

**22. Second Reading Ordinance - Amending City Code to Allow 24-hour Commercial Loading Zones (7/25/17)**

Ordinance amending Chapter 53, Section 163 "Standing or parking in commercial loading zones; restrictions" of the Corpus Christi Code of Ordinances to allow 24-hour commercial loading zones; and providing an effective date, for severance, for penalty and for publication.

**This Ordinance was passed on second reading on the consent agenda.**

Enactment No: 031214

**5. Construction Contract and Professional Services Contract for Lifecycle Curb and Gutter Replacement Project**

Motion authorizing the City Manager, or designee, to execute a construction contract with A. Ortiz Construction & Paving, Inc. of Corpus Christi, Texas in the amount of \$536,850 and to execute a professional services contract with Engineering and Construction Management Services, LLC (ECMS) of Corpus Christi, Texas in the amount of \$95,040 for the Lifecycle Curb & Gutter Replacement project. Both contracts will be executed for one base year with two (2) administrative one-year options.

**Mayor McComb referred to Item 5, execution of a construction contract and professional services contract for the Lifecycle Curb & Gutter Replacement Project. Executive Director of Public Works Valerie Gray and council members discussed the following topics: the execution of two contracts for the project; the use of Indefinite Delivery/Indefinite Quantity (IDIQ) construction contract to oversee the work; the project scope; whether there are standard specifications that can be used to design the project; the project budget; and consideration to use in-house engineers to design the project in the future.**

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

**Aye:** 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: M2017-112

**M. PUBLIC HEARINGS: (ITEMS 23 - 25)**

**23. Public Hearing and First Reading Ordinance - Rezoning property located at 15057 Aruba Drive**

Case No. 0617-06 Aruba Bay Resort, LLC.: A change of zoning from the “CR-1/IO” Resort Commercial District with the Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with the Island Overlay and a Planned Unit Development Overlay. The property is described as being Padre Island-Corpus Christi, Section C, Lots 17 thru 20 and Padre Island-Corpus Christi, Section E, Block 1, Lots 1 and 2, located along the west side of Leeward Drive at the intersection with Aruba Drive, and north of Windward Drive.

Planning Commission and Staff Recommendation (July 12, 2017):

Approval of the change of zoning from the “CR-1/IO” Resort Commercial District with the Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with the Island Overlay and a Planned Unit Development Overlay with specified conditions.

Ordinance:

Ordinance amending the Unified Development Code (“UDC”), upon application by Aruba Bay Resort, LLC. (“Owner”), by changing the UDC Zoning Map in reference to Padre Island-Corpus Christi, Section C, Lots 17 thru 20 and Padre Island-Corpus Christi, Section E, Block 1, Lots 1 and 2, from the “CR-1/IO” Resort Commercial District with the Island Overlay to the “RM-AT/IO/PUD” Multifamily AT District with the Island Overlay and a Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

**Mayor McComb referred to Item 23. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property to allow for the construction of a planned community that will consist of 52 single-family lots, 3 common areas, and 1 commercial lot. Mr. Green presented information including: an aerial view of the subject property; the Planned Unit Development (PUD) layout; a master site plan and utility plan; a deviation table; and the zoning pattern for the development. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change.**

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

**Council members and staff discussed the following topics: the proposed width of the streets; fire trucks and emergency vehicles access on the streets; prohibited parking on Aruba Drive; whether the property is in a flood plain; elevation of properties; the Planning Commission's vote on the rezoning; and connectivity of sidewalk to Aruba Drive.**

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

**Aye:** 8 - Mayor McComb, Council Member Garza, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Nay:** 1 - Council Member Guajardo

**Abstained:** 0

**24. Public Hearing and First Reading Ordinance - Rezoning property located at 3701 Airline Road**

Case No. 0617-02 Margaret A. Markins and Linda Kay Cox: A change of zoning from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District. The property is described as being Flour Bluff and Encinal Farm and Garden Tract, Section 20, 5 acres out of Lot 26, located along the west side of Airline Road, north of Lipes Boulevard, and south of Saratoga Boulevard.

Planning Commission and Staff Recommendation (June 28, 2017): Approval of the change of zoning from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Margaret A. Markins and Linda Kay Cox ("Owner"), by changing the UDC Zoning Map in reference to Flour Bluff and Encinal Farm and Garden Tract, Section 20, 5 acres out of Lot 26, from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor McComb referred to Item 24. City Secretary Rebecca L. Huerta announced that Council Member Lindsey-Opel was abstaining from this item. Interim Director of Development Services Bill Green stated that the purpose of this item is to rezone the subject property to allow for the construction of a small retail center of approximately 10,000 square feet in size. Mr. Green presented the following information: an aerial view of the subject property; the zoning pattern; and the Unified Development Code requirements. Mr. Green stated that the Planning Commission and staff are in favor of the zoning change.

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

Council members and staff discussed the following topics: the shape of the subject property; the type of business being considered for the property; the applicant requesting that the property be rezoned prior to the sale of the property; the buyer being Elaine Hoffman; the restrictions on the square footage if a restaurant is built on the property; the property being located on an arterial street; the development increasing tax revenue; and opposition to a light at Lipes Boulevard and Airline Road.

During the discussion of the buyer of the property, Mayor McComb announced that he was abstaining from this item.

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

**Aye:** 7 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 2 - Mayor McComb and Council Member Lindsey-Opel

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

Ordinance amending the Unified Development Code by revising Table 4.4.3.A "Residential Development (Two-Family and Townhouse districts)", subsection 5.2.14 "Self-Service Storage, Including Boat and RV Storage" and subsection 7.3.12.E "Tree of Palm Requirement"; and providing for severance, penalties, and publication.

Mayor McComb referred to Item 25. Interim Director of Development Services Bill Green stated that the purpose of this item is to amend the Unified Development Code (UDC) with the following amendments: clarifying the townhouse lot design standards by adding the word "lot"; eliminating the building height limitation for boat and recreation vehicle storage areas in the Resort Commercial zoning districts to allow taller building that accommodate larger boats or recreational vehicles; and correcting a typo "of" to "or" regarding Tree or Palm Requirements. Mr. Green stated that the Planning Commission and staff are in favor of the UDC text amendments.

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

Council members and staff spoke regarding the following topics: landscaping restrictions and requirements; continued amendments to the UDC to make the ordinance more user-friendly; a background on the development of the UDC; future amendments related to commercial buildings; and the City enforcing the UDC requirements on City properties.

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

**Aye:** 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

**L. RECESS FOR LUNCH**

Mayor McComb called for a recess at 1:37 p.m. Mayor McComb reconvened the Council meeting at 2:14 p.m.

**Q. BRIEFINGS: (ITEM 35)****35. Old Bayview Cemetery**

Mayor McComb deviated from the agenda and referred to Item 35. Karen Howden, Board Secretary for the Nueces County Historical Society, stated that the purpose of this item is to provide an update on the Old Bayview Cemetery. The Old Bayview Cemetery is approximately 4 acres and has been owned and maintained by the City of Corpus Christi for the past 165 years. The cemetery has been designated as a Historical Cultural Landmark, a Texas Historic Cemetery and State Archaeological Landmark by the Texas Historical Commission, and is eligible for the National Registry of Historic Places. The Corpus Christi Public Library has produced a website with information on the cemetery. Ms. Howden presented photos and information regarding the historical landmarks on the property including: the overview of Old Bayview Cemetery; the Explosion of the Steamship Dayton; Thomas S. Parker; Louis De Planque; John Dix; Eli Todd Merriman; and William DeRyee. Ms. Howden provided a briefing to the City Council on the individuals buried at the cemetery who served in various wars and made Corpus Christi their home. Ms. Howden emphasized that the cemetery is not segregated and has no sections. The Voices of South Texas is a walk through Old Bayview Cemetery which brings history to the community through storytellers and reenactors. This year's walk is scheduled for November 4, 2017 from 10:00 a.m. to 2:00 p.m. Ms. Howden stated that with the City's support, Old Bayview Cemetery can continue to share its story to future generations with the Voices of South Texas. The cemetery is in need of lighting, fencing, protection and preservation.

Council members spoke regarding the following topics: appreciation to the Nueces County Historical Commission for their passion and commitment to the cemetery; grant opportunities to support the cemetery; consideration for the use of hotel occupancy tax (HOT) funds; and a future fundraiser by Friends of Old Bayview Cemetery.

**N. REGULAR AGENDA: (NONE)****O. FIRST READING ORDINANCES: (ITEM 26)****26. First Reading Ordinance - Lease Agreement for Arts Alive! Event**

Ordinance authorizing the City Manager or designee to execute an agreement with the Arts Community Center of Corpus Christi, Inc. to allow use of area generally bounded by current and former N. Shoreline Blvd., between Coopers Alley and Williams Street, for the Arts Alive! Event and related activities on September 2-3 2017; September 1-2 2018; and August 31-September 1 2019.

Mayor McComb deviated from the agenda and referred to Item 26. Assistant Director of Parks and Recreation Becky Perrin stated that the purpose of this item is to execute an agreement with the Arts Community Center of Corpus Christi, Inc. to allow use of the area generally bounded by current and former

N. Shoreline Boulevard, between Coopers Alley and Williams Street, for the Arts Alive! Event and related activities on September 2-3, 2017; September 1-2, 2018; and August 31-September 1, 2019. There were no comments from the Council or the public.

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

**Aye:** 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

**P. FUTURE AGENDA ITEMS: (ITEMS 27 - 34)**

Mayor McComb referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 29 and 30.

**27. Resolution ratifying the submission of grant applications from the Homeland Security Grant Program**

Resolution ratifying the submission of grant applications in the amount of \$98,235.59 to the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program for law enforcement terrorism prevention activities.

This Resolution was recommended to the consent agenda.

**28. Authorizing settlement payment for Oso Golf Course cart barn damage**

Motion authorizing payment to Foresight Corpus Christi Golf LLC for claim settlement of \$60,250 in construction expenses for the Oso Golf Course cart barn damaged by fire on September 30, 2016.

This Motion was recommended to the regular agenda.

**29. Resolution authorizing the City Manager to move forward with a Bond 2018 Street Program as outlined at the July 13, 2017 Council Workshop**

Resolution authorizing the City Manager to move forward with a 2018 Bond Program including an Implementation Plan as outlined by City Staff at the July 13, 2017 City Council Workshop.

This Resolution was recommended to the consent agenda.



**30. Resolution to fund repair of streets impacted by the Harbor Bridge Relocation Project with lowest cost financing option**

Resolution directing the City Manager to fund repair of selected streets impacted by the Harbor Bridge Relocation Project using the financing option which provides the lowest cost to the City.

**MOTION OF DIRECTION**

Council Member Smith made a motion directing the City Manager to consider alternate sources of lower-cost financing, seconded by Council Member Guajardo and passed (Council Member Hunter - absent).

This Resolution was recommended to the regular agenda.

**31. Service Agreement for On-Call Plumbing Repair Services for the Utilities Department**

Motion authorizing City Manager, or designee, to execute a service agreement with Javier M. Reyna dba Spring Plumbing and Construction, of Corpus Christi, Texas for plumbing repair services in accordance with Request for Bids (RFB) No. 1123 based on the lowest, responsive and responsible bid for a total amount not to exceed \$39,312.50, with an estimated expenditure of \$6,552.08 in FY2016-2017. The term of the agreement is for one year with option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

This Motion was recommended to the consent agenda.

**32. Service Agreement for Emergency Spill and Remediation to Protect Storm Sewer System**

Motion authorizing City Manager, or designee, to execute a service agreement with Horizon Environmental, of Houston, Texas for emergency spill response and remediation services in response to Request for Bid No.1036 based on the lowest, responsive, responsible bid for a total amount not to exceed \$22,762.30, with an estimated expenditure of \$3,793.72 in FY2016-2017, and funded by the Utilities Department-Storm Water Division. The term of the agreement is for one year with an option to extend for up to two additional one- year periods, subject to the sole discretion of the City.

This Motion was recommended to the consent agenda.

**33. Supply Agreement for hydrofluorosilicic acid for treatment of potable water at the O.N. Stevens Water Treatment Plant**

Motion authorizing the City Manager, or designee, to execute a supply agreement with Pencco, Inc. of San Felipe, Texas for the purchase of hydrofluorosilicic acid in response to Request for Bid (RFB) No. 1106

based on the lowest, responsive, responsible bid for a total amount not to exceed \$182,250.00, with an estimated expenditure of \$30,375.00 in FY2016-2017 funded by the Water Fund. The term of the agreement is for one year with an option to extend for up to two additional one-year periods, subject to the sole discretion of the City.

This Motion was recommended to the consent agenda.

**34. Purchase of 18 2017 Ford Trucks for the Utilities Department**

Motion authorizing the City Manager, or designee, to purchase 16 2017 Ford F-150 Service Trucks from Silsbee Ford, of Silsbee, Texas, for the amount of \$478,877.50 and two 2017 Ford F-550 Service Trucks from Grande Truck Center of San Antonio, Texas, for \$192,598.00 based on the Local Government Purchasing Cooperative dba Buyboard, for a total amount not to exceed \$671,475.50. Funds are budgeted in FY2016-17.

This Motion was recommended to the consent agenda.

**R. LEGISLATIVE UPDATE:**

None.

**Q. BRIEFINGS: (ITEM 36)**

**36. Review of Type B Corporation**

Mayor McComb referred to Item 36. Business Liaison Alyssa Barrera stated that the purpose of this item is to provide an overview of the Type B Corporation and next steps for appointing the Board of Directors. Ms. Barrera presented the following information: an overview of the Type A and Type B Sales Tax local economic development toolbox; a graph illustrating the top 10 Texas' largest cities use of local sales tax; a timeline of the Corpus Christi sales tax; a comparison of Type A versus Type B membership; the 2016 voter-approved Type B ballot; frequently asked questions; the public hearing requirements for 4B projects; steps to creating the corporation; and next steps. A draft of the Certificate of Formation and bylaws was provided in the packet.

City Secretary Rebecca L. Huerta proposed the following schedule for appointment of the Board of Directors: Wednesday, August 9, 2017 - send out a press release advertising the vacancy of 7 members; August 9 - 23, 2017 - accept applications; August 24 - 28, 2017 - provide the City Council with the board packet for consideration; August 29, 2017 - City Council would make appointments to the Corporation; and September 12, 2017 - the ceremonial swearing-in would be conducted during the City Council meeting.

Council members and staff discussed the following topics: the status of the Type A Board; formation of the Type B Board; consideration to have council members serve as members on the Board; the administrative costs for service of City staff and officers; the reason Type A Board members cannot serve on

the Type B Board; and the Council policy prohibiting individuals from servicing on more than one board.

**MOTION OF DIRECTION**

Council Member Lindsey-Opel made a motion directing the City Secretary to delay the public advertisement by two weeks and to bring back an item to discuss the council policies and composition of the Type Board, to include the 5 members from the Type A Board and 2 council members, seconded by Council Member Garza and passed unanimously.

**S. EXECUTIVE SESSION: (ITEMS 37 - 39)**

Mayor McComb referred to the day's executive sessions. The Council went into executive session at 3:20 p.m. The Council returned from executive session at 5:36 p.m.

- 37. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the City's professional service management agreement for the Corpus Christi Museum of Science and History.**

Mayor McComb referred to Item 37 and the following motion was considered:

Motion to authorize the City Manager or designee to execute a one-month extension to the Professional Services Management Agreement for the Corpus Christi Museum of Science and History with CCMJV, LLC to allow for negotiation of a future agreement.

Council Member Lindsey-Opel made a motion to approve the motion, seconded by Council Member Smith. This Motion was passed and approved with the following vote:

**Aye:** 9 - Mayor McComb, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Lindsey-Opel, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

**Abstained:** 0

Enactment No: M2017-118

- 38. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to disposal of waste in Type IV Landfill (as described in 30 TAC § 330.5) located at/near 1435 County Road 26 (also known as Gulley-Hurst Landfill) and municipal solid waste fees.**

This E-Session Item was discussed in executive session.

- 39. Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the right to**

remove and/or appoint members to the Board of Directors of the Corpus Christi Crime Control and Prevention District and the Corpus Christi Regional Economic Development Corporation and Article II of the City Charter, Section 2-311 of the City Code, restrictions on actions that may be taken by governmental entities against their employees pursuant to 42 USC 1983, 1st, 5th, & 14th Amendments to the U.S. Constitution, related federal laws, City charter provisions, ordinances, and state laws and **Executive session pursuant to Texas Government Code § 551.074** (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officer(s) (Directors of the Corpus Christi Crime Control and Prevention District) or to hear a complaint or a charge against public officer(s) (Directors of the Corpus Christi Crime Control and Prevention District).

This E-Session Item was discussed in executive session.

**T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS**

Mayor McComb referred to Identify Council Future Agenda Items.

**MOTION OF DIRECTION**

Council Member Smith made a motion directing the City Manager to bring back a briefing regarding the proposed convention center expansion and hotel for future discussion, seconded by Council Member Hunter and passed unanimously.

**U. ADJOURNMENT**

The meeting was adjourned at 5:45 p.m.