



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, October 26, 2021

11:30 AM

Council Chambers

Addendums may be added on Friday.

A. Mayor Paulette M. Guajardo to call the meeting to order.

Mayor Guajardo called the meeting to order at 11:38 a.m.

B. Invocation to be given by Pastor Richard Milby, Corpus Christi Cross Project.

Pastor Richard Milby, Corpus Christi Cross Project, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Christian Nieto, Foy H. Moody High School student

Christian Nieto, Foy H. Moody High School student, led the Pledge of Allegiance to the Flag of the United States and to the Texas Flag.

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: Chief of Staff Michael Rodriguez, City Attorney Miles K. Risley and City Secretary Rebecca L. Huerta.

Present: 9 - Mayor Paulette M. Guajardo, Council Member Roland Barrera, Council Member Gil Hernandez, Council Member Michael Hunter, Council Member Billy A. Lerma, Council Member John Martinez, Council Member Ben Molina, Council Member Mike Pusley, and Council Member Greg Smith

E. Proclamations / Commendations

1. [21-1521](#) Proclamation declaring October 2021 as "Breast Cancer Awareness Month".
Commendation recognizing Junior League of Corpus Christi's 75th Anniversary of Service to the Community.
Commendation recognizing Ariel Garcia's 37 Years of Business with Geico Insurance.

The Proclamations and Commendation were presented.

F. PUBLIC COMMENT

Mayor Guajardo opened the public comment period.

Shirin Delsooz, 6030 Tapestry, called in regarding safer and better bike paths.

Lydia Ponce, Venice, CA, called in regarding environmental health.

Frankie Orona, San Antonio, TX, called in opposition to the desalination and oil infrastructure build out.

Amanda Stukenberg, 3502 Aransas St., spoke in support of the Council's decision to create their own health department.

Richard Milby, 4412 High Ridge Dr., spoke regarding proposed amendments to the City charter.

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

Mayor Guajardo referred to City Manager's comments.

a. Health District Transition Update

Chief of Staff Michael Rodriguez presented a brief update on the Health District Transition. He stated that the City issued a 90 day notice that will be effective January 18, 2022. Health services will continue to operate as normal for the next 90 days and the City will continue to work with the Health District. Assistant City Manager Steve Viera will lead the new work group in developing the new business plan.

b. FEMA Floodplain Management Rating System Update by Rolando Mata, Director of Public Works

Director of Public Works Rolando Mata gave an update on FEMA Floodplain Management Rating System. The community rating system is a voluntary incentive program and offers discount rates on floodplain insurances. The purpose is to address the storm water and reduce floodplain damages.

c. Regional Hispanic Contractors Association LUNA Award Recognition of Velma Pena, Contracts/Funds Administrator for Public Works

Director of Public Works Rolando Mata recognized the recipient of the 2021 LUNA award to Public Works Contracts/Funds Administrator Velma Pena.

H. BOARD & COMMITTEE APPOINTMENTS: (NONE)

I. EXPLANATION OF COUNCIL ACTION:

J. CONSENT AGENDA: (ITEMS 2 - 20)

Consent - Second Reading Ordinances

Approval of the Consent Agenda

Mayor Guajardo referred to the Consent Agenda. Council Members requested that Item 14 be pulled for individual consideration.

A motion was made by Council Member Pusley, seconded by Council Member Lerma to approve the Consent Agenda with the exception of Item 14. The motion carried by the following vote:

Aye: 9 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Lerma, Council Member Martinez, Council Member Molina, Council Member Pusley and Council Member Smith

Abstained: 0

2. [21-1496](#) Approval of the October 19, 2021 Regular Meeting Minutes.

The Minutes were approved on the consent agenda.

3. [21-1323](#) Ordinance authorizing the acceptance of a \$15,000 grant from the Coastal Bend Regional Advisory Council for the Corpus Christi Fire Department Web Emergency Operations Center operations; and appropriating \$15,000 into the Fire Grants Fund.

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

Enactment No: 032580

4. [21-1089](#) Zoning Case No. 0621-07, John C. Tamez (District 5). Ordinance rezoning property at or near 2302 County Road 43 from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032581

5. [21-1382](#) Ordinance amending the Urban Transportation Plan map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by shifting a proposed C1 Minor Residential Collector to the east, thereby extending Martin Street toward the south approximately 1,100 feet and connecting Martin Street to Lands Road.

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

Enactment No: 032582

6. [21-1381](#) Ordinance accepting and appropriating three Federal Emergency Management Agency - Public Assistance reimbursement grants in the amounts of up to

\$4,315,109.40 (sidewalk project), \$9,214,870.50 (channel project) and \$49,841.92 (stormwater project) for the Packery Channel Restoration to the Parks and Storm Water CIP Funds; and awarding a construction contract to Callan Marine, Ltd., in an amount of \$12,359,049.30 for the Packery Channel Restoration Project, located in Council District 4, with FY2022 funding available from the Parks, TIF2, and Storm Water CIP Funds.

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

Enactment No: 032583

7. [21-1391](#) Ordinance authorizing a special events agreement with the Buccaneer Commission, Inc. for 2022-2026 Buc Day Festival and related activities to allow use of City property including Shoreline Blvd. between Water's Edge Park and Resaca as well as the barge dock and the circle driveway adjacent to the American Bank Center, with payment of fees not to exceed \$50,550 in 2022, with an annual 3% revenue escalation.

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

Enactment No: 032584

8. [21-1475](#) Ordinance authorizing an interlocal agreement with Nueces County ("County") for park improvements including a splash pad water feature at Westhaven Park located near the intersection of Cliff Maus Drive at Rockford Drive, with third party construction costs not to exceed \$375,000.00, of which the County will pay \$200,000.00 and the City will pay up to \$175,000.00 for construction, with the City also responsible for the installation of water and wastewater lines needed for the project, estimated to be \$75,000.00, and permitting for the project; appropriating \$250,000.00 from the unreserved fund balance in the Community Enrichment Fund; and amending the operating budget.

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

Enactment No: 032585

9. [21-1424](#) Ordinance approving the First Amended and Restated Addendum No. 1 to Lease Agreement with Foresight Corpus Christi Golf, L.L.C. a Texas Limited Liability Company, which provides for \$500,000.00 from the Corpus Christi B Corporation for the addition of lighting improvements at the practice range and executive 9-hole course at the Gabe Lozano Golf Course; appropriating \$500,000 from the Type B Fund; and amending the operating and capital budgets.

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

Enactment No: 032586

10. [21-0133](#) Ordinance authorizing the acceptance of the Gulf of Mexico Energy Security Act ("GOMESA") grant funding from the Texas General Land Office - Coastal Management Program and appropriating an amount of \$130,043.00 in the

Community Development Grant Fund; and authorizing a Real Estate Sales Contract with Tracy Duncan in an amount of \$355,000.00 for the acquisition of 22.2427 acres of land located adjacent to Laguna Madre and in the Redhead Pond area, for stormwater re-route associated with the Bond 2018 Laguna Shores street reconstruction projects, located in Council District 4, with FY 2022 funding available from the Community Development Grant Fund.

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

Enactment No: 032587

11. [21-1185](#) Ordinance authorizing execution of all documents necessary to accept, amend, and appropriate a grant contract between the Department of State Health Services (DSHS) and the Corpus Christi-Nueces County Public Health District in the amount of \$1,550,000 for the period August 18, 2021 through June 30, 2023 for activities to establish, expand, train and sustain public health workforce in support of Coronavirus 2019 (COVID-19) response through the following: hiring four full-time public health positions (two project managers, one public information officer and one accountant), adjusting compensation for current Health District staff who were involved in the pandemic response March 2020 through May 2021, providing indirect cost reimbursement for general government support, and procuring office supplies.

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

Enactment No: 032588

Consent - Contracts and Procurement

12. [21-1303](#) Resolution authorizing a five-year master service agreement with Intergraph Corporation dba Hexagon Safety & Infrastructure, of Madison, Alabama, in an amount not to exceed \$2,885,084.09, for updated software and maintenance of the Public Safety Records Management System (RMS) / Intergraph Law Enforcement Automated Data System (I/LEAD) and Computer Aided Dispatch (CAD), with funding for FY 2022 in the amount of \$1,402,000.00 from the MetroCom Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032589

13. [21-1304](#) Resolution authorizing the lease-purchase, via KS StateBank, of mobile data computers from Turn-Key Mobile, Inc., of Jefferson City, Missouri, for Police, Fire, Animal Control, and Airport Public Safety to be purchased through the TX DIR Cooperative for a total amount of \$2,000,000.00, with funding for FY 2022 in the amount of \$1,000,000.00 available through the Info Tech Fund and the remaining lease-purchase payment to commence in FY2023 and execution of all necessary contract documents related to this transaction.

This Resolution was passed on the consent agenda.

Enactment No: 032590

14. [21-1075](#) Motion authorizing a one-year service agreement with Four M Drilling Corporation, dba Martin Water Wells of Robstown, Texas, for a total amount not to exceed \$55,084.74 to plug three unusable water wells located near Lake Corpus Christi, with FY 2022 funding in an estimated amount of \$55,084.74 available through the Water Fund.

Mayor Guajardo referred to Item 14.

Council Members and Assistant Director of Water Quality & Treatment Gabriel Ramirez discussed the following topics: these wells are unusable because the wells did not pass the water quality standards, specifically the radiological testing that was done in 2015; these water wells only provide 3 Million Gallons per Day (MGD), and the average is 75 MGD, so staff made the decision to not rehabilitate these wells as they can be costly; a Council Member's request for staff to provide a cost analysis to Council in the future; and a Council Member's request for more detail before moving forward with plugging these wells.

Council Member Hernandez made a motion to table this item for more information, seconded by Council Member Smith. The motion to table failed.

Council Member Barrera made a motion to approve the motion as presented, seconded by Council Member Pusley. This Motion was passed and approved with the following vote:

Aye: 6 - Mayor Guajardo, Council Member Barrera, Council Member Hunter, Council Member Martinez, Council Member Molina and Council Member Pusley

Nay: 2 - Council Member Hernandez and Council Member Smith

Absent: 1 - Council Member Lerma

Abstained: 0

Enactment No: M2021-196

15. [21-1072](#) Motion authorizing a one-year supply agreement, with an additional one-year option, with Univar Solutions USA, Inc. of Kent, Washington, for an estimated amount of \$192,600.00, with a total estimated amount not to exceed \$390,600.00 if the option period is exercised, for the purchase of Hydrofluorosilicic acid to be used during the water treatment process at the O. N. Stevens Water Treatment Plant, with FY 2022 funding available through the Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-197

16. [21-1318](#) Motion to authorize Amendment No. 2 to Supply Agreement No. 1261 with Chemtrade Chemicals, LLC, for the continued purchase of liquid ammonium

sulfate solution for the Utilities Department and to amend the unit price for liquid ammonium from \$204 per ton to \$219 per ton and increase the total contract amount by \$58,500.00 due to this higher cost per pound, with funding in the amount of \$29,250.00 available in the FY 2022 Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-198

17. [21-1319](#) Motion to authorize Amendment No. 2 to Supply Agreement No. 1266 with Carus Corporation, for continued purchase of sodium permanganate for the treatment of potable drinking water at the O. N. Stevens Water Treatment Plant and to amend the unit price for sodium permanganate from \$1.23 per pound to \$1.63 per pound and increase the total contract amount by \$1,165,080.00 due to this higher cost per pound, with FY 2022 funding in the amount of \$582,540.00 available in the Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-199

General Consent Items

18. [21-1406](#) Motion approving the 2021 Property Tax Levy of \$149,146,111.13 based on the adopted property tax rate of \$0.646264 per \$100 valuation, in accordance with Section 26.09 (e) of the Texas Tax Code.

This Motion was passed on the consent agenda.

Enactment No: M2021-200

19. [21-1484](#) Resolution authorizing 24 month extensions for a Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement not to exceed \$109,354.20 for installation of a water arterial transmission and grid main line, and a Developer Participation Agreement not to exceed \$207,386.85 for partial construction of Oso Parkway with MPM Development, LP for a planned residential development, Royal Creek Estates Unit 7, located south of Yorktown Boulevard and east of Cimarron Boulevard at 8399 Rock Crest Drive (District 5)

This Resolution was passed on the consent agenda.

Enactment No: 032591

20. [21-1485](#) Resolution authorizing 24 month extensions for a Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement not to exceed \$183,810.74 for installation of a water arterial transmission and grid main line, and a Developer Participation Agreement not to exceed \$185,005.37 for partial construction of Oso Parkway with MPM Development, LP for a planned residential development, Royal Creek Estates Unit 8, located south of Yorktown Boulevard and east of Cimarron Boulevard at 8399 Rock Crest Drive. (District 5)

This Resolution was passed on the consent agenda.

Enactment No: 032592

K. RECESS FOR LUNCH: NONE

L. PUBLIC HEARINGS: (ITEM 21)

21. [21-1387](#) Ordinance amending the Wastewater Collection System Master Plan for the Allison Service Area, a public utility element of the Comprehensive Plan of the City of Corpus Christi, by adjusting the boundary line between basins 37 and 40, adding 15 acres to basin 40, with the subject area located on the southside of Northwest Boulevard (FM 624) between FM 1889 and CR 69.

Mayor Guajardo referred to Item 21.

Assistant Director of Water Quality & Treatment Gabriel Ramirez presented information on the following topics: location map; background; proposed amendment; wastewater system; and planning commission and staff recommend approval.

Mayor Guajardo opened the public hearing.

There were no comments from the Council or the public.

Mayor Guajardo closed the public hearing.

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

Aye: 8 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Martinez, Council Member Molina, Council Member Pusley and Council Member Smith

Absent: 1 - Council Member Lerma

Abstained: 0

M. INDIVIDUAL CONSIDERATION ITEMS: (NONE)

N. FIRST READING ORDINANCES: (NONE)

O. BRIEFINGS: (ITEM 22)

22. [21-1180](#) Update on the current Community Enrichment Fund (CEF) process and the proposed new practices and priorities to utilize the CEFs.

Mayor Guajardo referred to Item 22.

Assistant City Manager Neiman Young presented information on the following topics: open space; land dedication vs. Fee in Lieu of Land (FILO); park development fee vs. park development improvements; park fee vs. actual development of a 1 acre park; community enrichment fund (CEF); challenges in the current process-budget line items; challenges in the current process-FILO five mile radius requirement; simplify the FILO five mile radius requirement; Northwest zone (16 parks); Airport zone (1 park); Westside zone (30 parks); Downtown zone (23 parks); Midtown zone (40 parks); Southside zone (60 parks); London zone (1 park); Flour Bluff zone (9 parks); Padre Island zone (7 parks); challenges in the current process-land dedication; Airline Crossing Homes; Moorland View Homes; Queen's Crossing Homes; proposed methodology for CEF expenditures; community enrichment fund balance; and proposed FY22 community enrichment fund budget.

Council Members, Assistant City Manager Young and Assistant Director of Parks and Recreation Dante Gonzalez discussed the following topics: the five mile radius affects Districts 1, 4 and 5; a Council Member's request for staff to provide presentations to Council prior to meetings; monies will only be spent in the specific area within the five mile restriction; the importance of including the Builders Association when making development decisions; the auditor is conducting a forensic audit on the CEF; and the City needs to appropriately expend funds in a fair and equitable distribution across all parks.

Strategic Planning and Innovation Officer Christopher Anderson presented information on the following topics: why change the CEF; Texas cities comparison; community enrichment fund; current level of service (parks); land dedication vs. actual level of service; current vs. proposed land dedication; community enrichment fund; proposed park development fee implementation; Texas cities comparison with proposed fees; the cost of not updating land dedication and park development fee; recommendations; recommendations-development community; and actions.

Council Members, Mr. Anderson, Assistant City Manager Young and Assistant Director of Parks and Recreation Gonzalez discussed the following topics: Council Members' request for staff to consider looking at the big picture before increasing park development fees.

P. EXECUTIVE SESSION: NONE

Q. ADJOURNMENT

There being no further business, Mayor Guajardo adjourned the meeting at 2:34 p.m.