



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, July 19, 2022

11:30 AM

Council Chambers

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**Addendums may be added on Friday.**

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

Mayor Guajardo called the meeting to order at 11:35 a.m.

**B. Invocation to be given by Reverend John Fletcher, Kelsey Memorial United Methodist Church.**

Reverend John Fletcher, Kelsey Memorial United Methodist Church, gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Logan Farrell, Sophomore at Richard King High School .**

Logan Farrell, Sophomore at Richard King High School, led the Pledge of Allegiance to the Flag of the United States of America and to the Texas Flag.

**D. City Secretary Rebecca L. 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 Peter Zanoni, City Attorney Miles K. Risley and City Secretary Rebecca Huerta

**Present:** 9 - Mayor Paulette 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. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**

Mayor Guajardo referred to City Manager's comments.

**a. Drought Response and Water Supply Project Updates**

Chief Operating Officer Michael Murphy presented information on the following topics: drought impact on Texas surface water; 7 day precipitation outlook; current combined lake levels; projection; action; citations; stage 1 water restrictions; stage 1 code enforcement; stage 2 water restrictions; seawater desalination; alternative water supply options; and elevated storage tanks.

Council Members, City Manager Peter Zaroni, Chief Operating Officer Murphy, and Director of Intergovernmental Relations Tammy Embrey discussed the following topics: stage 2 water restrictions may be enforced by mid-August; a Council Member's concern that the Port is receiving desalination permits before the City; concern that the TCEQ has placed the City's desalination permit applications on hold; assurances that area state legislators are engaged in the process; in response to a Council Member's desire to quickly identify an additional water supply, staff stated that the City is looking into Evangeline Groundwater, Barney Davis/Talen project and aquifer storage and recovery, which will take approximately two years to develop; conservation efforts are the short-term solution to the drought; the importance of having an affordable rate model; the City needs to be more proactive searching for alternative water sources; a Council Member's request for another workshop regarding water supply; and the importance of investing in a conservation plan.

**b. FY 2023 Budget Preparation**

City Manager Peter Zaroni reported on the FY 2023 proposed budget workshops to be held on August 5, 11, 18 and 25; and FY 2023 proposed budget community input sessions on August 8, 10, 11, 15 and 17. The new budget will be adopted on Tuesday, September 6.

A Council Member and City Manager Zaroni discussed the following topic: 15 police officers have been added to the FY 2023 budget.

**F. PUBLIC COMMENT**

Mayor Guajardo opened the public comment period.

The following citizens spoke in opposition to reprogramming North Beach Bond 2018 street projects: Carrie Meyer, 4401 Gulfbreeze Blvd.; Peter Meyer, 4401 Gulfbreeze Blvd.; Darlene Gibson, 4242 Gulfbreeze Blvd.; and Anne Foote, 4207 Gulfbreeze Blvd.

Ricardo Elizondo, 723 Fifth St., spoke regarding concerns with homeless people in a park.

Tony Reyes, 5905 Harvest Hill Rd., thanked the City for opening shelters for those struggling with the heat and for the programs that the City provides for the poverty.

The following citizen submitted a written public comment which is attached to the minutes: Christopher Phelan, 3806 Kingston Drive.

**G. BOARD & COMMITTEE APPOINTMENTS:**

1. [22-1225](#) Capital Improvements Advisory Committee (1 vacancy)  
Committee for Persons with Disabilities (1 vacancy)

Library Board (1 vacancy)  
 Planning Commission (3 vacancies)  
 Airport Zoning Commission (3 vacancies)

Mayor Guajardo referred to Item 1. The following appointments were made:

Capital Improvements Advisory Committee:

Appointment: Patricia Aitken

Committee for Persons with Disabilities:

Appointment: Angela Brengman

Library Board:

Postponed

Planning Commission and Airport Zoning Commission:

Reappointments: Mike A. Munoz and Michael C. York

Appointment: Jahvid R. Motaghi

**I. CONSENT AGENDA: (ITEMS 2 - 23)**

**Approval of the Consent Agenda**

Mayor Guajardo referred to the Consent Agenda and asked if a Council Member would like to pull an item for individual consideration. Council Members pulled Items 21 and 22.

A motion was made by Council Member Molina, seconded by Council Member Barrera to approve the Consent Agenda with the exception of Items 21 and 22. 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. [22-1234](#) Approval of the June 28, 2022 Regular Meeting Minutes**

The Minutes were approved on the consent agenda.

*Consent - Second Reading Ordinances*

**3. [22-0493](#) Ordinance authorizing the execution of a 30 year commercial land lease agreement with Blue Marlin Holdings, LLC in lieu of a current five year lease for two tracts of City owned land totaling 1.268 acres for use as a recreational vehicle park called Puerto del Sol Recreational Vehicle Park, located at the northern end of North Beach in Council District 1, for a 30-year term from October 1, 2022, and ending September 30, 2052 for a monthly fee of \$1,225**

with a fee escalation rate calculated based on the Consumer Price Index beginning on October 1, 2026.

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

Enactment No: 032802

4. [22-1037](#) Ordinance authorizing the acceptance of a grant from the Motor Vehicle Crime Prevention Authority in the amount of \$429,518 to continue the Auto Theft Task Force unit activities in the Corpus Christi Police Department, with a City cash match of \$247,432 and an in-kind match of \$571,895 for a total project cost of \$1,248,845 to fund three sworn officers, two civilians, and operational needs; and designating the Chief of Police as the authorized official and the Deputy Chief of Police of the Criminal Investigations Division as Program Director, and Director of Finance, or Director of Finance's Designee, as financial officer for this grant; and appropriating \$429,518 in the Police Grants Fund.

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

Enactment No: 032803

5. [22-1083](#) Ordinance authorizing the acceptance of a grant from the Motor Vehicle Crime Prevention Authority in the amount of \$57,925.00 for the Rapid Response Strikeforce Grant in the Corpus Christi Police Department to fund overtime for seven sworn officers and to purchase equipment, and designating the Chief of Police as the authorized official and the Deputy Chief of Police of the Criminal Investigations Division as Program Director, and Director of Finance, or Director of Finance's Designee, as financial officer for this grant; and appropriating \$57,925.00 in the Police Grants Fund.

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

Enactment No: 032804

6. [22-0951](#) Zoning Case No. 0422-03, Manuel Gonzalez Et Al (District 3): Ordinance rezoning a portion of a property at or near 1753 Gollihar from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily District. (Planning Commission and Staff recommend approval)

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

Enactment No: 032805

7. [22-0663](#) Ordinance Adopting the 10-Year Parks and Recreation Master Plan and amending the Comprehensive Plan of the City of Corpus Christi to include the Master Plan.

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

Enactment No: 032806

8. [22-1063](#) Ordinance authorizing a month-to-month lease agreement with Al Dodds

Aviation LLC for aviation office space, apron area and vehicular parking area at the Corpus Christi International Airport.

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

Enactment No: 032807

9. [22-1079](#) Ordinance authorizing a month-to-month lease agreement with Ocean Air Center for aviation equipment maintenance space, apron area and vehicular parking area at the Corpus Christi International Airport.

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

Enactment No: 032808

*Consent - Contracts and Procurement*

10. [22-0918](#) Motion authorizing a one-year service agreement with two additional one-year options with AV Cleaning, Inc., of Corpus Christi, Texas, for custodial services for outlying City of Corpus Christi Police Department buildings in an amount not to exceed \$107,997.24 and a potential amount not to exceed \$323,991.72 if both options are exercised, with FY 2022 funding of \$27,000.00 from the General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-107

11. [22-0949](#) Motion authorizing a two-year supply agreement with Galls, LLC., of Lexington, Kentucky, through the BuyBoard cooperative, in an amount not to exceed \$414,180.00 for the purchase of police uniforms and accessories for the Corpus Christi Police Department's cadets and sworn officers, with FY 2022 funding of \$41,773.00 from the General Fund and \$10,000.00 from the Crime Control and Prevention District Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-108

12. [22-1104](#) Motion ratifying Amendment No. 3 to the billing and collection service agreement for emergency medical services with Advanced Data Processing, Inc. to extend the agreement an additional six months for an estimated cost of \$483,199.00, retroactively effective April 20, 2022, with FY 2022 funding in the amount of \$241,599.50 from the General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-109

13. [22-0803](#) Resolution authorizing a three-year service agreement, with two one-year options, with International Dioxide, Inc., of North Kingstown, Rhode Island, in an amount not to exceed \$111,900.00 and a potential amount not to exceed

\$192,500.00 if the options are exercised, for preventative maintenance and parts for the chlorine dioxide system at the O. N. Stevens Water Treatment Plant, with FY 2022 funding of \$12,033.36 from the Water Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032809

14. [22-0866](#) Motion authorizing a one-year service agreement with TD Total Backflow Services LLC, dba Total Fire and Backflow Protection Services of Orange Grove, for an amount not to exceed \$84,450.00, for Backflow prevention testing and repairs for Corpus Christi Water (CCW), with FY 2022 funding of \$21,112.52 from the Water and Wastewater Funds.

This Motion was passed on the consent agenda.

Enactment No: M2022-110

15. [22-1060](#) Motion authorizing a two-year service agreement with Davenport Electric Motors, LLC, with an office in Corpus Christi, in an amount not to exceed \$213,900.00, for blower repairs and alignments at the wastewater treatment plants for Corpus Christi Water, with FY 2022 funding of \$26,737.50 from the Wastewater Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-111

16. [22-0922](#) Motion authorizing a one-year supply agreement, with two one-year option periods, with G.P. Transport, Inc of Gregory, in an amount not to exceed \$440,000.00 and a potential amount not to exceed \$1,320,000.00 if option periods are exercised, for dump Truck hauling services for Corpus Christi Water, with FY 2022 funding of \$110,000.00 available from the Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-112

17. [22-1201](#) Motion authorizing a 16-month service agreement, with five one-year options with NewGen Strategies and Solutions, LLC, of Richardson, Texas, in an amount not to exceed \$233,770.00 and a potential amount not to exceed \$458,770.00 if the options are exercised, for utility rate model development and consulting services for the City's water and wastewater system utilized by Corpus Christi Water (CCW), with FY 2022 funding of \$144,938.00 from the Water Fund and \$88,832.00 from the Wastewater Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-113

18. [22-0745](#) Motion authorizing a three-year service agreement with #1 Reliable Smart Plumbing Inc., of Corpus Christi, in an amount not to exceed \$417,000.00, for

plumbing services and repairs for Asset Management, with FY 2022 funding of \$46,333.33 from the Facility and Property Management Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-114

19. [22-0877](#) Motion authorizing a three-year supply agreement with Northern Safety and Industrial of Corpus Christi through the OMNIA Cooperative, for an amount not to exceed \$960,000.00, for the purchase of various commodities to be utilized by all divisions of the Gas Department, with FY 2022 funding in the amount of \$80,000.00 from the Gas Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-115

20. [22-1082](#) Motion authorizing an amendment to the license agreement with Corpus Christi Retail Venture, LP, for space at La Palmera Mall used by the Corpus Christi-Nueces County Public Health District for COVID-19 vaccinations and testing in the amount of \$20,000.00, increasing the total agreement to \$60,000.00, with FY 2022 funding from the Health Grants Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-116

*Consent - Capital Projects*

21. [22-1093](#) Motion awarding thirty-two, 2-year, Master Services Agreements (MSAs) for various Engineering Professional Services in an aggregate not-to-exceed amount of \$18,600,000.00, with projects located Citywide, with FY 2022 funding available from the Utility Capital Program, Bond Program Funds and operating budgets.

Mayor Guajardo referred to Item 21.

Council Members, Director of Engineering Services Jeff Edmonds, and Assistant Director of Finance & Procurement Josh Chronley discussed the following topics: a Council Member's request to setup a formal process for the submission of a Request for Qualification (RFQ); why local companies were not being given preference; and in response to a Council Member's question, staff stated that MSAs are an efficient method to expedite smaller and more immediate engineering assignments.

Council Member Hernandez made a motion to approve the motion, seconded by Council Member Barrera. This Motion was passed and approved with 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

Enactment No: M2022-117

*General Consent Items*

22. [22-1120](#) Resolution amending Financial Budgetary Policies adopted by Resolution 032506 and providing financial policy direction on preparation of the annual budgets.

Mayor Guajardo referred to Item 22.

A Council Member, City Manager Peter Zanoni, and Director of Management and Budget Eddie Houlihan discussed the following topics: in response to a Council Member's question regarding closing out old bond projects, staff stated that a report will be given after the budget.

Council Member Hernandez made a motion to approve the resolution, seconded by Council Member Pusley.

Council Member Hernandez made a motion to amend the resolution in Section 24 to add "within the appropriate area development plans," seconded by Council Member Pusley and passed unanimously.

Council Member Hernandez made a motion to approve the resolution as amended, seconded by Council Member Pusley. This Resolution was passed as amended and approved with 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

Enactment No: 032810

23. [22-1267](#) Resolution Opposing Texas Windstorm Insurance Association Rate Increase.

This Resolution was passed on the consent agenda.

Enactment No: 032811

**J. RECESS FOR LUNCH**

Mayor Guajardo recessed the Council meeting for lunch at 1:56 p.m. Executive Session Items 30-34 were held during the lunch recess. Mayor Guajardo reconvened the meeting at 3:22 p.m. (Please see section O for any actions taken)

**K. PUBLIC HEARINGS: (ITEMS 24 - 26)**



24. [22-1141](#) Case No. 0422-04, Danial Homes LLC (District 4): Ordinance rezoning property at or near 14825 Granada Drive (Located along the west side of Granada Drive, west of Leeward Drive, and north of Whitecap Boulevard) from the “RM-AT/IO” Multifamily Apartment Tourist District with an Island Overlay to the “RM-AT/IO/PUD” Multifamily Apartment Tourist District with an Island Overlay and a PUD Overlay. *(Planning Commission and Staff recommended Denial of the change of zoning from the “RM-AT/IO” Multifamily Apartment Tourist District with the Island Overlay to the “RM-AT/IO/PUD” Multifamily Apartment Tourist District with the Island Overlay and a PUD Overlay. (Planning Commission and Staff recommend Denial - ¾ Vote Required to Overrule Planning Commission’s recommendation)*

Mayor Guajardo referred to Item 24.

Director of Development Services Al Raymond presented information on the following topics: zoning and land use; PUD deviations; master site plan; public notification; and analysis and recommendation.

Council Members, Director Raymond, and Administrator of Development Services Andrew Dimas discussed the following topic: there could be 37 units per acre if the lot was 85 feet.

Mayor Guajardo opened the public hearing.

Zara Shafie, submitted a written public comment which is attached to the minutes.

Mayor Guajardo closed the public hearing.

Council Member Smith made a motion to deny the ordinance, seconded by Council Member Pusley. This Ordinance was denied with 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

25. [22-1142](#) Case No. 0422-01, Robert Dominiguez (District 1): Ordinance rezoning property at or near 4040 Violet Road (Located along the east side of Violet Road, north of Sunny Drive, south of Leopard Street, east of Brendel Lane, and west of Leonard Drive) from the “RS-6” Single Family 6 District to the “CG-2” General Commercial District. *(Planning Commission and Staff recommended Denial of the “CG-2” General Commercial District and in lieu thereof “RS-6/SP” Single-Family 6 District with a Special Permit) (3/4 vote required to approve due to public opposition).*

Mayor Guajardo referred to Item 25.

Director of Development Services Al Raymond presented information on the following topics: zoning and land use; public notification; analysis and recommendation; special permit conditions; and planning and staff recommend approval.

A Council Member and Director Raymond discussed the following topic: there is a 15 foot buffer on all sides of the subject property with a 12 foot height maximum.

Mayor Guajardo opened the public hearing.

Robert Dominguez, 3822 Dunstain St., stated that he bought this property to build a small storage facility about 150 feet from Violet Road.

Council Members and Mr. Dominguez discussed the following topics: Mr. Dominguez planned to build 426 units; and there will be only one entrance and exit off of Violet Rd.

Mayor Guajardo closed the public hearing

Council Member Smith made a motion to deny the CG-2 and in lieu thereof approve the RS-6/SP as recommended by staff, seconded by Council Member Hernandez. This Ordinance was passed on first reading and approved with 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

26. [22-1252](#) Ordinance adopting the City of Corpus Christi Fiscal Year 2022-2023 and United States Department of Housing and Urban Development (HUD) Program Year 2021-2022 Consolidated Annual Action Plan (CAAP) for the Community Development Block Grant (CDBG) budget in the amount of \$2,680,058, the Emergency Solutions Grant (ESG) budget in the amount of \$234,034, and the HOME Investment Partnerships Program (HOME) budget in the amount of \$1,355,913 for a total of \$4,270,005 annual HUD funding; authorizing the execution of all necessary documents to submit the CAAP; authorizing a staff complement of 12 positions; accepting and appropriating funding for the approved CAAP projects and authorizing the execution of funding agreements, amendments and other documents necessary to implement the FY 2022-2023 PY 2021-2022 CAAP.

Mayor Guajardo referred to Item 26.

Director of Neighborhood and Community Services Linda Stewart presented information on the following topics: FY2022-2023 CAAP

A Council Member and Assistant Director of Neighborhood Services Jennifer Buxton discussed the following topics: the funding for the Coastal Bend Food Bank and Rising

Tide Ministries did not need to be refinanced this year; and there is a new program for utility assistance.

Mayor Guajardo opened the public hearing.

The Salvation Army Case Manager Specialist Kyle Knutson thanked the City for helping out the homeless and thanked Neighborhood Services for their help.

Coastal Bend Center for Independent Living Housing Specialist Atlee McCampbell stated he is seeking approval for the application of the HUD home tenant based rental assistance program.

Executive Director of Corpus Christi Hope House Melissa Juarez expressed her appreciation for the funds they have received.

Mayor Guajardo closed the public hearing.

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

#### **L. INDIVIDUAL CONSIDERATION ITEMS: (ITEM 27)**

27. [22-1235](#) Resolution approving 33 infrastructure projects for the 2022 Bond Program including Streets, Parks and Recreation, Public Safety and Facilities projects totaling \$125 million to be considered by the voters on November 8, 2022, with no City property tax rate increase.

Mayor Guajardo referred to Item 27.

Assistant City Manager Neiman Young presented information on the following topics: recent G.O. bond programs; bond 2020 principles; bond 2022 program summary; guiding principles; Bond 2022-draft street project list citywide and Council District 1; Bond 2022-draft street project list Council District 2 and 3; Bond 2022-draft street project list Council District 4 and 5; Bond 2022 draft park projects; sports complex phase 1; draft fire safety projects; draft police projects; draft library project; rough proportionality; stakeholders briefed; and key dates for bond 2022.

Council Members, City Manager Peter Zanoni, Assistant City Manager Young, Director of Engineering Services Jeff Edmonds, Assistant Director of Engineering Services Ratna Pottumutha, Director of Parks and Recreation Robert Dodd, Fire Chief Robert Rocha, Police Chief Mike Markle, and Libraries Director Laura Garcia discussed the

following topics: some of the ADA ramps will be reconstructed as needed on Surfside Street; a Council Member's concern about spending \$4 million on the Westside Pony League field on Greenwood Dr.; a Council Member's request that staff look into cost estimates for the baseball field turf; a Council Member's request for staff to hold organizations accountable for field maintenance when working on new lease agreements; a Council Member suggests that instead of using irrigation systems for these baseball fields, the fields could be watered using effluent from the Greenwood treatment plant; preventative maintenance plans for the baseball fields are being ensured; the purpose of the proposed wellness and training center is to help firefighters stay in better health and be more prepared; Police Chief Markle commended the City for investing in new police substations and infrastructure in the bond program; an observation deck for birding will be added to the La Retama Central Library, as well as new landscaping and exterior painting; and a Council Member's request to consider adding a coffee shop to the library.

Mayor opened public comment.

There were no comments from the public.

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

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

**Absent:** 1 - Council Member Hunter

**Abstained:** 0

Enactment No: 032812

**M. FIRST READING ORDINANCES: (ITEMS 28 - 29)**

28. [22-0601](#) Zoning Case No. 0322-02 Elizabeth and Edelmiro Garza: (District 1). Ordinance rezoning a property at or near 11110 Interstate Highway 37 (AKA Up River Road) from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood District. (Planning Commission and Staff recommend denial and in lieu of a Special Permit) (Tabled on 4/19/2022)

Mayor Guajardo referred to Item 28.

Director of Development Services Al Raymond stated that staff reached out to TxDOT regarding Council Members' concerns about safety at this location. TxDOT had no concerns with the subject property and they said no additional signage is needed.

Council Members and Director Raymond discussed the following topic: Council Members' ongoing concerns about traffic and safety issues in this area.

Council Member Lerma made a motion to approve the ordinance, seconded by Council Member Hernandez. 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 Lerma, Council Member Martinez, Council Member Molina and Council Member Smith

**Nay:** 1 - Council Member Pusley

**Abstained:** 0

29. [22-1268](#) Ordinance authorizing a Water Arterial Transmission Grid Main Construction and Reimbursement Agreement (“Agreement”) for up to \$471,488.10 with Cypress Point Capital, LLC (“Developer”) for the construction of a water arterial transmission grid main line for a proposed residential and commercial development located South of Farm Road 2444 on County Road 43 with a completion date of within 24 months; appropriating \$471,488.10 from the Water Arterial Transmission & Grid Main Trust Fund to reimburse the developer in accordance with the agreement.

Mayor Guajardo referred to Item 29.

Council Member Pusley made a motion to table the ordinance, seconded by Council Member Hernandez. This Ordinance was tabled with 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

**N. BRIEFINGS: (NONE)**

**O. EXECUTIVE SESSION: (ITEMS 30 - 34)**

Mayor Guajardo referred to Executive Session Items 30-34. The Council went into Executive Session at 1:56 p.m. The Council returned from Executive Session at 3:22 p.m.

30. [22-1254](#) **Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning construction claims and litigation including, but not limited to, the case of *Justin T. Garcia, individually, and Diana Dominguez, as power of attorney for and next friend of Justin Garcia v. City of Corpus Christi, Texas and William M. Hobbs*, including potential consideration of settlement offers and/or fees for attorneys, engineers, other expert witnesses assisting in this case, deposition fees, and court costs, and updates on litigation in other cases.**

This E-Session Item was passed after executive session.

The following motion was considered:

Motion to authorize the execution of agreements with attorneys, experts, and service providers to assist in the lawsuit of Justin T Garcia, individually, and Diana Dominguez, as power of attorney for and next friend of Justin Garcia v. City of Corpus Christi, Texas and William M. Hobbs in a cumulative added amount of \$350,000.

Council Member Molina made a motion to approve the motion, seconded by Council Member Hunter. This Motion was passed and approved with 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

Enactment No: M2022-118

31. [22-1255](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning construction claims and litigation including, but not limited to, the case of *Lina Monique Garza, Richard Mojica, Individually and on Behalf of the Estate of Emilio Mojica, Deceased v. City of Corpus Christi, Texas; Phillip Peterson, in his individual capacity; Antonio Contreras, in his individual capacity; Zakquery Rodgers, in his individual capacity; and Jimmy Leal, in his individual capacity*, including potential consideration of settlement offers and/or fees for attorneys, engineers, other expert witnesses assisting in this case, deposition fees, and court costs, and updates on litigation in other cases.

This E-Session Item was passed after executive session.

The following motion was considered:

Motion to authorize the execution of agreements with attorneys, experts, and service providers to assist in the lawsuit of Lina Monique Garza, Richard Mojica, Individually and on Behalf of the Estate of Emilio Mojica, Deceased v. City of Corpus Christi, Texas; Phillip Peterson, in his individual capacity; Antonio Contreras, in his individual capacity; Zakquery Rodgers, in his individual capacity; and Jimmy Leal, in his individual capacity in a cumulative added amount of \$350,000.

Council Member Pusley made a motion to approve the motion, seconded by Council Member Lerma. This Motion was passed and approved with 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

Enactment No: M2022-119

32. [22-1256](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning construction claims and litigation including, but not limited to, the case of *Oscar Renda Contracting, Inc. v. City of Corpus Christi*, including potential consideration of settlement offers and/or fees for attorneys, engineers, other expert witnesses assisting in this case, deposition fees, and court costs, and updates on litigation in other cases.

This E-Session Item was passed after executive session.

The following motion was considered:

Motion to authorize the City Manager or designee to execute all documents necessary to settle the case of Oscar Renda Contracting, Inc. v. City of Corpus Christi in an amount not to exceed \$1,350,000.

Council Member Smith made a motion to approve the motion, seconded by Council Member Molina. This Motion was passed and approved with 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

Enactment No: M2022-120

33. [22-1263](#) **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 matters related to the Caroline Heights Subdivision, provisions of Texas law related to the right to annex property into the City limits, Chapter 43 of the Texas Local Government Code, and a requested Water Arterial Transmission Grid Main Construction and Reimbursement Agreement for up to \$471,448.10 with Cypress Point Capital, LLC (“Developer”) for the construction of a water arterial transmission grid main line for a proposed residential and commercial development located South of Farm Road 2444 on County Road 43 with a completion date of within 24 months; transferring \$76,510.32 from the Sewer Trunk System Trust and \$79,036.81 from the Water Distribution Main Trust to the Water Arterial Transmission & Grid Main Trust Fund to reimburse \$471,448.10 the Developer in accordance with the agreement and a potential ordinance to authorize said agreement and appropriate \$471,488.10 from the Water Arterial Transmission & Grid Main Trust Fund to reimburse the developer in accordance with the agreement.

This E-Session Item was discussed in executive session.

34. [22-1287](#) **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 Auditor and **Texas**

**Government Code § 551.074** (personnel matters) to deliberate the appointment, employment, evaluation, reassignment, or duties of a public officer or employee (City Auditor).

This E-Session Item was discussed in executive session.

**P. ADJOURNMENT**

There being no further business, Mayor Guajardo adjourned this meeting at 5:15 p.m.



## Norma Duran

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**From:** Jotform <noreply@jotform.com>  
**Sent:** Tuesday, July 19, 2022 11:03 AM  
**To:** CitySecretary; Norma Duran  
**Subject:** [EXTERNAL]Public Input: 07-19-2022 - Christopher Phelan

[ [ **WARNING:** External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to SecurityAlert@cctexas.com. ] ]

Warning: Replies to this message will go to returns@jotform.com. If you are unsure this is correct please contact the Helpdesk at 826-3766.



### Public Comment & Input Form

Date of Meeting	07-19-2022
Name	Christopher Phelan
Address	Street Address: 3806 Kingston Drive City: Corpus Christi State / Province: TX Postal / Zip Code: 78415
Topic	Desalination
Agenda Item Number	29
Describe Feedback:	It is irresponsible to continue to add taps to the water system when we do not meet TCEQ requirements for elevated storage and have not for 12 years. Relying on stimulus money to piecemeal replacing in some cases 90-year-old water pipes that leak next to sewer pipes that are also leaking is inexcusable. You burn our community with more and more debt, residence and Commercial water users already according to you and what you tell credit rating agencies bear 79% of the burden of our water system. Once again I'm telling you cease and desist the purchase of the contaminated Flint Hills land we do not want to buy and have the liability for that land. Stop pursuing this desalination for more polluting Industries and prioritize the drinking water for your constituents.
Provide an email to receive a copy of your submission.	copanotexian@gmail.com

Good afternoon I'm zara Shafie my husband and I are owners of Daniel homes company before I start talking about our case I have a complaint about service and incorrect information that Mr. Andrew Dimas offers to us as a member of the municipality . before everything I have to talk about our document that stucked for about eight months and we are just paying interest . we could star this project earlier while he recommended that would be great to go to the paud . Our plans showed six units that designer draw . first he said you need to remove one unit and go with five and sit back were 5 feet and he said we have to change to 10 feet for easier access for fire department that they can have to access to all units. all of those was OK and we fix it .we came to the meeting for the first time with my husband and sat for four hours and we saw no one talked about our case and meeting end .we got shocked and didn't know what happened until we ask Mr: Dimas

Then he said I received a phone call from your designer and asked to cancel the meeting for today I don't know how it's possible that he do something like that without let us know and only by getting phone call no email and he didn't let us know before meeting getting start that we don't waste our time for four hours and leave my two kids alone at home while our meeting was canceled it was not acceptable for us .we didn't receive any email or even called that do not get present for this meeting . a couple days afters we went to the city for several times and ask him what other changes is better to do to get some ideas we asked him how about we go with three units and again he said he received the phone call from designer and it's OK to go ahead with that plan that he talked about it with designer <sup>that shows 5 units</sup> . we try to ask questions and get more information to see what's the better option between our ideas and designers ideas that he talk about it with him that was five units and he just keeps saying I don't know I don't have any idea . While I feel that he know designeer idea not ~~not~~ gonna work and just refusal to provide correct information to us ! until last meeting in June he start talking about our case very bad and talk about all problems while he was saying he don't know about it and don't have a idea and denied our case while he expressing ignorance of how to fix or suggest plan bugs I can't understand that dual behavior and I am very dissatisfied with his very poor customer service and now I want to know do you think does it have an economic justification to build only two units in 50 to 300 lengths lot !we gonna have 250 length driveway ! do you think looks good

And now we want to know if we can go with <sup>2</sup> 3 units .

as investor that trying to develop the area . 2 unit's doesn't have

any Economic justification for us

and now we are looking for if we can go ~~1925~~ ahead with 3 units .

~~also talk about the refund.~~

1925 Granada