



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, October 12, 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 11:34 a.m

B. Invocation to be given by Chaplain, Detective Mike Ilse, Corpus Christi Police Department.

Chaplain, Detective Mike Ilse, Corpus Christi Police Department, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Aanya Wheat, Mary Carroll High School Student.

Aanya Wheat, Mary Carroll 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: City Manager Peter Zaroni, City Attorney Miles K. Risley and City Secretary Rebecca L. Huerta.

Present: 7 - Mayor Paulette M. Guajardo, Council Member Roland Barrera, Council Member Gil Hernandez, Council Member Michael Hunter, Council Member John Martinez, Council Member Ben Molina, and Council Member Greg Smith

Absent: 2 - Council Member Billy A. Lerma, and Council Member Mike Pusley

E. Proclamations / Commendations

- [21-1403](#) Proclamations declaring September 8, 2021 as "International Literacy Day" and September 2021 as "National Literacy Month".
Proclamations declaring October 10-16, 2021 as "Court Observance Week".
Proclamation declaring October 2021 as "Domestic Violence Awareness and Prevention Month".
Commendation recognizing International Westside (IWS) Astros Shetland Baseball Team.

The Proclamations were presented. The commendation was postponed.

F. PUBLIC COMMENT

Mayor Guajardo opened the public comment period.

Julie Rogers, 710 Furman Avenue, submitted a written public comment, which is attached to the Minutes.

Christopher Phelan, 3806 Kingston Dr., called in opposition to the desalination plant.

The following citizens spoke in support of a Desalination Town Hall: Melissa Zamora, 3917 Brawner Parkway; Isabel Araiza, 326 Poenisch Dr.; Lia Araiza Ortiz, 326 Poenisch Dr.; and Brandon Marks, 319 Rosebud Avenue.

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

Mayor Guajardo referred to City Manager's comments.

a. COVID-19 / Flu Season Update

Assistant Director of Public Health Luis Wilmot presented an update on COVID-19/flu season: Nueces County COVID-19 cases; weekly cases; hospitalizations/ICU; Nueces County COVID-19 deaths; Nueces County daily fatalities; positive COVID tests since July 1; vaccine breakthrough cases in Nueces County; upcoming FDA approvals; COVID vaccination clinics; virtual town hall; 2021-22 flu season; and re-opening the Health Department.

A Council Member and Assistant Director Wilmot discussed the following topics: the Health Department will be open to the public beginning on October 18, 2021 from 8:00 a.m. to 5:00 p.m. Monday through Friday, closed for lunch from 12:00 p.m. to 1:00 p.m.; and beginning November 1st, other clinics within the department will open.

b. FY 2022 Adopted Budget Initiatives

City Manager Peter Zanoni reported on the FY 2022 Adopted Budget Initiatives. In FY 2021, there were close to 70 budget initiatives totaling \$23 million; the majority were completed by the end of the fiscal year, with about 44% on schedule to be completed by the end of calendar year; there are 130 budget initiatives in 2022, totaling \$45 million of improvements; and quarterly plans are reviewed by the Executive Leadership Team members and the City Manager to ensure plans are being implemented on time.

c. Infrastructure Design Standards Manual Update

City Manager Peter Zanoni reported on the Infrastructure Design Standards Manual Update. In the next two months, staff will bring forward other infrastructure requirements like water, wastewater and storm water. The 2013 streets design standards are not as rigorous as they need to be, so the guidelines are being updated.

d. Potential Impact of Natural Gas Price Surge

Director of Gas Operations Bill Mahaffey presented information on the following topics: historic volatility; factors in the energy market causing volatility; what do market traders think; what does it mean; and potential impact of higher pricing to residential customers.

A Council Member and Director Mahaffey discussed the following topics: the gas department is negotiating with NextEra Energy for other rate options.

e. Recognition of Service and Retirement of Lisa Aguilar, Sr. Assistant City Attorney

City Manager Zanoni recognized the service and retirement of Senior Assistant City Attorney Lisa Aguilar after 29 years with the City. Her last day with the City is October 15, 2021.

H. BOARD & COMMITTEE APPOINTMENTS:

2. [21-1408](#) Corpus Christi Convention & Visitors Bureau (7 vacancies)
Nueces County Tax Appraisal District (2 vacancies)

Mayor Guajardo referred to Item 2.

Corpus Christi Convention & Visitors Bureau:

Blanche Candelaria-Morris (Reappointed)

Johnny Philipello (Reappointed)

Ramon Pineda (Reappointed)

Mitchell Davis Kalogridis (Realigned to Restaurant Industry)

Deven Bhakta (Appointed)

Amy Granberry (Appointed)

Gabriele Hilpold (Appointed)

Lance Hancock (Appointed)

Nueces County Tax Appraisal District:

Robert Adler (Reappointed)

Gerardo "Jerry" Garcia (Reappointed)

I. EXPLANATION OF COUNCIL ACTION:**J. CONSENT AGENDA: ITEMS 3 - 17)****Approval of the Consent Agenda**

Mayor Guajardo referred to the Consent Agenda. Council Members requested that Item 9 be pulled for individual consideration.

A motion was made by Council Member Hunter, seconded by Council Member Barrera to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Martinez, Council Member Molina and Council Member Smith

Absent: 2 - Council Member Lerma and Council Member Pusley

Abstained: 0

3. [21-1407](#) Approval of the September 21, 2021 Regular Meeting Minutes and May 21-22, 2021 City Council Retreat.

The Minutes were approved on the consent agenda

Consent - Second Reading Ordinances

4. [21-1178](#) Zoning Case No. 0821-01, Jeffery C. Lundquist: (District 4) Ordinance rezoning a property at or near 4121 Waldron Road from the "FR" Farm Rural District to the "RE" Estate Residential District. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032564

5. [21-1179](#) Zoning Case No. 0821-03, Sima and Steve, Inc.: (District 2) Ordinance rezoning property at or near 3413 South Staples Street from the "ON" Neighborhood Office District to the "CN-1" Neighborhood Commercial District. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032565

6. [21-1189](#) Zoning Case No. 0821-02, Dominga Flores: (District 1) Ordinance rezoning property at or near 3617 Violet Road from the "FR" Farm Rural District to the "RS-22" Single-Family 22 District. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032566

7. [21-1222](#) Ordinance amending the Unified Development Code to establish tree requirements in residential street yards for new construction within the City and its extraterritorial jurisdiction, reducing impermeable surface allowed in residential street yards, increasing open space requirements for residential street yards, modifying landscaping requirements for residential districts; modifying alternative compliance for landscaping; and providing for penalty. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032567

8. [21-1257](#) Ordinance authorizing a second amendment to the Wastewater Lift Station Construction and Reimbursement Agreement with Peterson Properties, Ltd. to construct the Wastewater Lift Station for the Greenwood Service Area 5 and according to the Wastewater Master Plan approved on July 6, 2020 and located at the intersection of Westpoint Rd. and S. Padre Island Drive (Highway 358 FWY); and appropriating \$33,921.16 from the Wastewater Trunk System Trust Fund to reimburse developer. (District 3)

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

Enactment No: 032568

9. [21-1221](#) Ordinance amending Chapter 21 of the Corpus Christi Code by adding compliance provisions pertaining to recyclables, use of recycling carts, and establishing a special collection fee for servicing contaminated carts.

Mayor Guajardo referred to Item 9.

Council Members, Director of Solid Waste David Lehfeldt and City Manager Zaroni discussed the following topics: the City's goal is to save \$500,000 a year by preventing garbage from being placed in the recycle bins; approximately 40% of the recycle bins are contaminated with garbage; and if a citizen wishes for their recycle bins to be removed or if they would like to receive an additional bin, they can call 311 or 826-CITY.

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

Aye: 7 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Martinez, Council Member Molina and Council Member Smith

Absent: 2 - Council Member Lerma and Council Member Pusley

Abstained: 0

Enactment No: 032569

Consent - Public Safety First Reading Ordinances

10. [21-1325](#) Ordinance accepting a grant in the amount of \$59,000.00 from the State of Texas Governor's Homeland Security Grants Division for overtime and retirement for sworn police officers supporting the FY 2022 Local Border Security Program; and appropriating \$59,000.00 in the Police Grants Fund.

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

Consent - Contracts and Procurement

11. [21-0725](#) Resolution authorizing a two-year service agreement with an additional two-year option period, in an amount not to exceed \$433,890.21 and a maximum amount not to exceed \$883,890.21 if the option period is exercised, for preventative maintenance and repairs of the Breakpoint Chlorination equipment feed system at the Oso Water Reclamation Plant with Grace Water Services, LLC from Katy, Texas, effective upon issuance of notice to proceed, with first-year funding in the amount of \$216,945.11 available from the FY 2022 Wastewater Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032570

12. [21-0740](#) Resolution authorizing a two-year supply agreement for the purchase of laboratory supplies to conduct enterococci testing at the Greenwood Wastewater Treatment Plant Laboratory with IDEXX Distribution Inc. of Westbrook, Maine for an estimated amount of \$60,749.82, with FY 2022 funding in an amount not to exceed \$30,374.91 available from the Wastewater Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032571

13. [21-1051](#) Motion authorizing two three-year supply agreements with Sames Motor Company, Inc. of Corpus Christi, Texas and Arnold Oil Company of Corpus Christi, Texas, for Original Equipment Manufacturer Ford Parts for Fleet for a total estimated amount not to exceed \$725,000.00, with FY 2022 funding in an amount not to exceed \$241,666.00 available through the Fleet Maintenance Service Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-188

14. [21-1210](#) Resolution authorizing a two-year service agreement extension to provide investment advisor services with Meeder Public Funds, Inc., in an amount not to exceed \$60,000.00 for the first of two option periods, effective September 4, 2021, with first year funding available in the FY 2021-2022 Budget through the General Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032572

Consent - Capital Projects

15. [21-1218](#) Motion awarding a construction contract to MAX Underground Construction, LLC, Corpus Christi, Texas, for the Storm Water Infrastructure Indefinite Delivery Indefinite Quantity program, which includes Bridge Rehabilitation, Channel Ditch Improvements, and Citywide Storm Water Infrastructure

Rehabilitation/Replacement, in an amount up to \$6,000,000.00 for a one-year term, with FY 2022 funding available from Storm Water Capital Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-189

16. [21-1305](#) Motion authorizing the approval of Change Order No. 1 with Jhabores Construction Company, Inc., Corpus Christi, Texas, for the installation of a wastewater main crossing under Crosstown Expressway at Holly Road, located in Council District 3, in a total amount of \$170,108.24, with FY 2022 funding available from the Wastewater Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-190

General Consent Items

17. [21-1091](#) Motion authorizing seven Corpus Christi B Corporation Small Business Assistance Agreements with the following entities for one year: LiftFund, Inc., Service Corps of Retired Executives, Texas A&M University - Corpus Christi, and Del Mar College for a total amount not to exceed \$701,800 to support small businesses within the City of Corpus Christi.

This Motion was passed on the consent agenda.

Enactment No: M2021-191

K. RECESS FOR LUNCH

Mayor Guajardo recessed the Council meeting for lunch at 1:55 p.m. Executive Session Item 24 was held during the lunch recess. Mayor Guajardo reconvened the meeting at 2:29 p.m.

L. PUBLIC HEARINGS: (ITEMS 18 - 19)

18. [21-1277](#) Zoning Case No. 0821-04, Michael Gallardo and Nancy Torres: (District 2) Ordinance rezoning property at or near 4110 Molina Drive from the "CN-1" Neighborhood Commercial District to the "RS-6" Single-Family 6 District. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 18.

Director of Development Services Al Raymond presented information on the following topics: aerial overview; zoning pattern and adjacent development; land use; public notification; planning commission and staff recommend approval.

A Council Member and Director Raymond discussed the following topics: the current zoning is commercial, so the applicant is requesting residential zoning to allow for the

construction of a single-family home.

Mayor Guajardo opened the public hearing.

There were no comments from the public.

Mayor Guajardo closed the public hearing.

Council Member Barrera 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 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Martinez, Council Member Molina and Council Member Smith

Absent: 2 - Council Member Lerma and Council Member Pusley

Abstained: 0

19. [21-1278](#) Zoning Case No. 0821-05, Michael McDonough: (District 3) Ordinance rezoning property at or near 6342 Old Brownsville Road from the "RS-6" Single-Family 6 District to the "FR" Farm Rural District. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 19.

Director of Development Services Al Raymond presented information on the following topics: aerial overview; zoning pattern and adjacent development; land use; public notification; and planning commission and staff recommend approval.

Mayor Guajardo opened the public hearing.

There were no questions 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 Hernandez. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Martinez, Council Member Molina and Council Member Smith

Absent: 2 - Council Member Lerma and Council Member Pusley

Abstained: 0

M. INDIVIDUAL CONSIDERATION ITEMS: None

N. FIRST READING ORDINANCES: (ITEMS 20 - 23)

20. [21-0997](#) Zoning Case No. 0721-01, Southern Builders Co, LLC (District 2). Ordinance rezoning a property located at or near 548 Cole Street from the "CG-2" General Commercial District and "RS-6" Single-Family 6 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Development. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 20.

Director of Development Services Al Raymond stated that the purpose of this item is to allow for the construction of an 8-unit townhome development and presented information on the following topics: master site plan; renderings; and planning commission and staff recommend approval.

Council Members, Director Raymond and City Manager Zanoni discussed the following topics: the applicant has eliminated short-term rentals and adjusted the site plan; constructing these townhomes will not change the zoning for the rest of the neighborhood; if this development is not approved, then any commercial development that is allowed in a CG-2 zoning district can be built; and staff is working on a short-term rental policy for Council consideration.

Mayor Guajardo opened the public comment.

There were no comments from the public.

Mayor Guajardo closed the public comment.

Council Member Molina 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: 7 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Martinez, Council Member Molina and Council Member Smith

Absent: 2 - Council Member Lerma and Council Member Pusley

Abstained: 0

21. [21-1213](#) Ordinance authorizing the execution of the First Amended Lease and Operating Agreement with Texas State Aquarium Association to adjust the term to 20 years from the effective date of this amendment and provide up to \$3,000,000.00 for construction of new Wildlife Rescue Center.

This Item was postponed.

22. [21-1395](#) Ordinance amending the City's Film Ordinance to only require permits for filming that excludes the public from public property, providing for fee and insurance waivers, and providing for existing penalties.

Mayor Guajardo referred to Item 22.

Director of Finance Heather Hurlbert stated that this Ordinance has been updated with clarifying language that reflects best practices.

Council Members, Director Hurlbert and President and CEO of Visit Corpus Christi Brett Oetting discussed the following topics: a Council Member thanked City staff for listening to local film makers' input, and incorporating their comments into these amendments; the City will be creating Standard Operating Procedures that will be used by the film commission; and this ordinance states that the only time a permit and insurance are needed is if a filmmaker is blocking access to public property.

Mayor Guajardo opened public comment.

There were no comments from the public.

Mayor Guajardo closed public comment.

Council Member Barrera 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 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Martinez, Council Member Molina and Council Member Smith

Absent: 2 - Council Member Lerma and Council Member Pusley

Abstained: 0

23. [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 Item was postponed.

O. **BRIEFINGS: None**

P. **EXECUTIVE SESSION: (ITEMS 24)**

Mayor Guajardo referred to Executive Session Item 24. The Council went into Executive

Session at 1:55 p.m. The Council returned from Executive Session at 2:29 p.m.

24. [21-1321](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning the acquisition and negotiation of property rights adjacent or near the Laguna Madre, Hustlin' Hornet Drive, Redhead Pond, Debra Lane, and/or Beasley Road and **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, lease, and/or value of real property rights in the aforesaid area(s) where deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

This E-Session Item was discussed in executive session.

Q. **ADJOURNMENT**

There being no further business, Mayor Guajardo adjourned the meeting at 2:29 p.m

Sarah Brunkenhoefer

From: CitySecretary
Sent: Tuesday, October 12, 2021 10:31 AM
To: Rebecca Huerta
Cc: Sarah Brunkenhoefer; Norma Duran; Ruth Bocchino
Subject: FW: Public Input: 10-12-2021 - Julie Rogers

FYI.



Thank you,
Aly Berlanga
Executive Assistant
Office of the City Secretary
City of Corpus Christi
361-826-3105

From: Jotform <noreply@jotform.com>
Sent: Tuesday, October 12, 2021 10:30 AM
To: CitySecretary <CitySecretary@cctexas.com>; Norma Duran <NormaD2@cctexas.com>
Subject: Public Input: 10-12-2021 - Julie Rogers

[[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: The email has been flagged for potential inappropriate content. If you are unsure of the sender do not reply or open links. If you have any questions or concerns, please contact the Service Desk at 826-3766. Thank you!

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	10-12-2021
Name	Julie Rogers
Address	Street Address: 710 Furman Avenue City: Corpus Christi State / Province: TX Postal / Zip Code: 78404
Topic	Desalination Town Hall
Agenda Item Number	N/A

Describe Feedback:

This is Julie Rogers, 710 Furman Ave. I am asking you to please participate in the proposed Desalination Town Hall as outlined by the eleven Community Organizations in a letter sent to Mayor Guajardo and the City Council. I have tried to give input during public comment but it is not genuine on the City's part when your comment is limited by time and by the rule of no engagement from local officials, even though it is considered ample by the City. Democracy requires transparency, fairness and openness. And, when an elected official says they're going to do something, they should do it! During this last budget process we were promised a town hall at the end of September. You all work very hard, often in another job, so I understand that you might be busy. Let the groups who are offering to plan and have the Desalination Town Hall proceed with your blessing and participation. This should help alleviate any burden that is preventing you from having a town hall as you promised. Thank you.

Provide an email to receive a copy of your submission.

rogersjuliet@gmail.com