



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, September 13, 2022

11:30 AM

Council Chambers

Addendums may be added on Friday.

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

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

B. Invocation to be given by Pastor Rick Barrera, Believe Church.

Pastor Rick Barrera, Believe Church, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag will be led by Yvette Hazzard, Senior at Mary Carroll High School.

Yvette Hazzard, Senior at Mary Carroll 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.

Assistant City Secretary Ruth Bocchino 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 Assistant City Secretary Ruth Bocchino.

Note: Council Member Smith attended by video conference at 12:10 p.m. Council Member Hunter arrived at 12:14 p.m.

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. Corpus Christi Metropolitan Planning Organization Update

Assistant City Manager Neiman Young presented information on the following topics: summary; what is Metropolitan Planning Organization (MPO); and Unified Transportation program projects.

Council Members, Assistant City Manager Young, City Manager Peter Zanoni, and Director of Planning Department Dan McGinn discussed the following topics: the Regional Parkway did not receive funding in this ten year period; the MPO is meeting with TxDOT about a corridor study for more pedestrian accessibility and to widen FM 624; and Council Members' requests for staff to work with TxDOT about better traffic signals at FM 624.

b. Summer Season Review by Brett Oetting, President/CEO of Visit Corpus Christi

President/CEO of Visit Corpus Christi Brett Oetting presented information on the following topics: Gulf Coast Capital; hotel occupancy tax trends; visitor sentiment survey; where people stay; visitor sentiment varied by survey location; in state vs. out of state; visitors from farther away stay longer; Texas markets travel in similarly sized parties; in state visitation; out of state visitation; ads and summer visitors; in state vs. out of state; visitor comments; summer campaign report, April-July 2022; 2021-2022 achievements; less than 200 cities worldwide have the Destination Marketing Accreditation Program (DMAP); 2022 awards; FY 2022-2023 strategy and goals; 2022-2023 media markets; group incentive program; and overnight stays to sales tax return on investment.

Council Members, City Manager Peter Zanoni, and Mr. Oetting discussed the following topics: a Council Member's concern about the lack of signage for tourists; the lack of restaurants and entertainment on the beach and T-Heads; a Council Member's request for staff to put all presentations on the City's website; Visit Corpus Christi has a \$2.7M budget for marketing this year, which includes digital ads and advertisements; a Council Member encourages staff to get with vendors about permitting and how to enhance experience for visitors; the new Economic Development Department can look into bringing businesses to the beaches; in response to a Council Member's concern about the lack of cleanliness along the seawall, City Manager Zanoni stated that staff has implemented larger trash cans and are pressure washing the seawall; and a Council Member's desire to increase entertainment in downtown Corpus Christi and add more trash receptacles.

c. Conquer the Coast 2022 on Saturday, September 17

City Manager Zanoni reported that Conquer the Coast 2022 will be held on Saturday, September 17, 2022 at 7:15 a.m. City Manager Zanoni thanked all sponsors and stated that funds raised will be used for education at Texas A&M Corpus Christi.

F. PUBLIC COMMENT

Mayor Guajardo opened the public comment period.

Jack Gordy, 4118 Bray Dr., spoke about the violation of state law regarding the price increase of a DVD pertaining to a previous records request.

Christopher Phelan, 3806 Kingston Dr., spoke in opposition to desalination.

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

G. BOARD & COMMITTEE APPOINTMENTS:

1. [22-1560](#) Coastal Bend Council of Governments (2 vacancies)
Corpus Christi Convention & Visitors Bureau (7 vacancies)
Ethics Commission (3 vacancies)
Watershore and Beach Advisory Committee (1 vacancy)

Mayor Guajardo referred to Item 1.

Coastal Bend Council of Governments:

Appointments: Neiman Young and Gabriel Hinojosa

Corpus Christi Convention and Visitors Bureau:

Reappointments: Sam Canavati, Gabriele Hilpold, Daniel Suckley, and Jennifer Vela
(At-Large)

Realignment: Sam Canavati from At Large to the Restaurant Industry

Appointments: Natalie Villarreral and Chris Hamilton (At Large)

Reinstatement: Richard Lomax (Restaurant)

Ethics Commission:

Appointments: Dane F. Fuller, Trevor H. Mauck, and Kent L. Teague

Watershore and Beach Advisory Committee:

Appointment: Philip J. Blackmar (At-Large Engineer)

I. CONSENT AGENDA: (ITEMS 2-12)

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. No Items were pulled.

A motion was made by Council Member Pusley, seconded by Council Member Lerma to approve the Consent Agenda. 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. [22-1561](#) Approval of the August 25, 2022 Budget Workshop Minutes

The Minutes were approved on the consent agenda.

Consent - Second Reading Ordinances

3. [22-1119](#) Ordinance amending the FY 2021-22 Operating budget to appropriate \$2,000,000 of anticipated revenues and expenditures in the Fleet Maintenance Fund due to increased fuel costs.

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

Enactment No: 032860

Consent - Contracts and Procurement

4. [22-1353](#) Resolution authorizing a five-year lease-purchase agreement with Axon Enterprise, Inc., of Scottsdale, Arizona, in the amount of \$1,521,900.00 for the purchase of 445 tasers, supplies, software licenses, and training for the Police Department, with funding of \$304,380.16 requested in the FY 2023 budget from the Crime Control and Prevention District and Police Grants Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032861

5. [22-1411](#) Motion authorizing a three-year service agreement with T7 Enterprises, LLC, dba Reliable Tire Disposal, for the tire collection and recycling/disposal services, in an amount not to exceed \$202,500.00, with FY 2022 funding of \$5,625.00 from the General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-137

6. [22-1564](#) Resolution authorizing the expenditure of additional funds in the amount of \$280,398.18 for the acquisition of 19 previously approved vehicles and equipment for various departments, with FY 2022 funding of \$59,065.00 for four purchases and the balance of \$221,333.18 for the remaining purchases and lease-purchases from future FY 2023 funding, subject to appropriation.

This Resolution was passed on the consent agenda.

Enactment No: 032862

7. [22-1404](#) Resolution authorizing the acquisition of 15 vehicles and equipment by various departments, of which five units will be outright purchases and 10 units will be lease-purchases through JP Morgan, for an estimated total of \$3,288,795.82, with such items to be acquired in the manner, at the amounts, and from the sources stated, with FY 2022 funding of \$536,630.69 for the purchases and the remaining balance of \$2,752,165.13 for the lease-purchase items from future FY

2023 funding, subject to appropriation.

This Resolution was passed on the consent agenda.

Enactment No: 032863

8. [22-1308](#) Motion authorizing a three-year service agreement with eLynx Technologies, LLC, of Tulsa, Oklahoma, in an amount not to exceed \$255,737.32 for the purchase of a web-based Supervisory Control and Data Acquisition (SCADA) system suite for Gas Operations, with FY 2022 funding from the Gas Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-138

9. [22-0617](#) Motion authorizing a two-year service agreement with Corpus Groundworks, LLC, of Corpus Christi, for utility worksite restoration services at various locations for Corpus Christi Water in an amount not to exceed \$95,705.80, with FY 2022 funding of \$15,950.97 from the Water and Wastewater Funds.

This Motion was passed on the consent agenda.

Enactment No: M2022-139

Consent - Capital Projects

10. [22-1248](#) Motion awarding a construction contract to Viking Industrial Painting, Inc., Omaha, Nebraska, for Alameda & Gollihar Elevated Storage Tank Rehabilitations in an amount of \$2,072,640.00 located in City Council District 3 (Gollihar Elevated Storage Tank) and District 2 (Alameda Elevated Storage Tank), with FY 2022 funding available from the Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-140

General Consent Items

11. [22-1421](#) Resolution authorizing payment of \$1,003,635.42 for the annual renewal of Excess Liability and Workers' Compensation policy through Broker of Record, Carlisle Insurance Agency, for upcoming policy year October 1, 2022 - September 30, 2023

This Resolution was passed on the consent agenda.

Enactment No: 032864

12. [22-1585](#) Motion authorizing an Addendum to the Agreement for the City-Operated Corpus Christi-Nueces County Public Health District identifying Nueces County membership contributions for FY 2022-2023 of \$1,765,296 for Public Health Services and \$1,567,620 for 1115 Waiver services for a total contribution of \$3,332,916.

This Motion was passed on the consent agenda.

Enactment No: M2022-141

J. RECESS FOR LUNCH

Mayor Guajardo recessed the Council meeting for lunch at 1:32 p.m. Executive Session Items 20 and 21 were held during the lunch recess. Mayor Guajardo reconvened the meeting at 3:04 p.m.

L. INDIVIDUAL CONSIDERATION ITEM: (ITEM 13)

13. [21-0770](#) Motion authorizing a professional services contract with Ardurra Group, Inc, Corpus Christi, Texas, to provide design, bid, and construction phase services for a new clarifier, odor control equipment, filter and chemical feed improvements and drainage improvements at the Broadway Wastewater Treatment Plant in an amount not to exceed \$845,575.00, located in Council District 1, with FY 2022 funding available from Wastewater Capital Fund.

Mayor Guajardo referred to Item 13.

There were no comments from the Council.

Council Member Hunter made a motion to approve the motion, seconded by Council Member Pusley. 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: M2022-142

M. FIRST READING ORDINANCES: (ITEMS 14 - 17)

14. [22-1499](#) Ordinance authorizing acceptance of grant funds in an amount of \$184,929.55 from the Texas Department of Transportation for the 2023 Comprehensive Selective Traffic Enforcement Project for overtime for police officers to increase traffic enforcement in the City, with a City match of \$46,247.50 in fringe benefits and fuel expenses, with funds available from the FY 2023 General Fund; and appropriating \$184,929.55 in the Police Grants Fund.

Mayor Guajardo referred to Item 14.

Mayor Guajardo opened public comment.

There were no comments from the Council or the public.

Mayor Guajardo closed public comment.

Council Member Barrera 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: 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

15. [22-1236](#) Ordinance amending sections 57-231, "Denial, suspension and revocation of permit-procedure, appeal"; 57-233, "Promulgation of wrecker regulations"; 57-243, "Responding to calls"; and 57-249, "Maximum auto wrecker service and storage fees" of the City Code and providing for severance, publication, and an effective date of October 1, 2022.

Mayor Guajardo referred to Item 15.

Assistant Police Chief David Blackmon presented information on the following topics: ordinance amendment; Section 57-231 denial, suspension and revocation of permit-procedure, appeal; Section 57-233 promulgation of regulation; Section 57-243-responding to calls; Section 57-249 maximum auto wrecker service and storage fees; Section 57-249 section b5 rotators; 57-249 c. daily storage fees; and staff recommends approval.

Council Members, Assistant Police Chief Blackmon, Police Chief Mike Markle, City Manager Peter Zaroni, Assistant City Attorney Gabriel Rodriguez, and City Attorney Miles Risley discussed the following topics: this amendment would allow police officers an opportunity to explore better options for efficiencies; the current ordinance restricts the police department as the only party who could manage the wrecker company; the police department is asking to explore modernization of active management of the wrecker company; a third-party vendor would allow an officer to return to the streets and will reduce the overall time that the officers have to wait for a wrecker on the roadway; and the rotation list is not being eliminated by these changes.

Mayor Guajardo opened public comment.

John Bell, 555 N. Carancahua St., spoke on behalf of the wrecker companies. Mr. Bell stated that they did not receive any notifications from the city and is asking Council to delay this item to give them more time to look at better efficiencies.

Norma Rivera, 5033 Ambassador Rd., spoke in opposition to a third-party company.

Frank Martinez, 3449 Morgan Ave., spoke in opposition to a third-party company.

Vela Rivera, 3449 Morgan Ave., spoke in opposition to a third-party company.

Irma Rivera, 3449 Morgan Ave., spoke in opposition to a third-party company.

Mayor Guajardo closed public comment.

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

Absent: 1 - Council Member Hunter

Abstained: 0

16. [22-1459](#) Ordinance appropriating \$6,135 from the unreserved fund balance of the Type B Economic Development Fund for board members to attend the Texas Municipal League annual conference and amending the FY 2022 operating budget adopted by Ordinance 032539 by increasing expenditures by \$6,135.

Mayor Guajardo referred to Item 16.

Director of Finance and Procurement Heather Hurlbert stated that this item is to appropriate funds from the fund balance for training requested by Type B Board Members to attend the Texas Municipal League (TML) Conference.

Council Members, Director Hurlbert, and City Manager Peter Zanoni discussed the following topics: there are no administrative costs within the budget to cover this training; there is no economic development training at TML; staff does not recommend approval; and TML will not benefit Type A or Type B Members.

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 Hunter. This Ordinance failed with the following vote:

Aye: 3 - Council Member Barrera, Council Member Hunter and Council Member Martinez

Nay: 6 - Mayor Guajardo, Council Member Hernandez, Council Member Lerma, Council Member Molina, Council Member Pusley and Council Member Smith

Abstained: 0

17. [22-1559](#) Ordinance ratifying a grant contract with the Texas General Land Office (GLO) in

the amount of \$127,000 to collect and analyze recreational beach water samples for the period of September 1, 2022, through August 31, 2023, appropriating \$127,000, amending the operating budget, and funding one grant position.

Mayor Guajardo referred to Item 17.

Mayor Guajardo opened public comment.

There were no comments from the Council or the public.

Mayor Guajardo closed public comment.

Council Member Barrera made a motion to approve the ordinance, seconded by Council Member Pusley. 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

N. BRIEFINGS: (ITEM 18)

18. [22-1448](#) City of Corpus Christi - Council Chambers Modernization Project

Mayor Guajardo referred to Item 18.

Architectural Associate of Gignac Architect Nick Gignac presented information on the following topics: City of Corpus Christi general scope of project; and proposed project schedule.

Council Members, Mr. Gignac, City Manager Peter Zanoni, Director of Engineering Services Jeff Edmonds, and Police Chief Mike Markle discussed the following topics: council chambers has not been updated since the 1980's; the total project cost should not exceed \$500k; a Council Member's concern whether the quality of the new sound system will suffice; a hearing loop is included in the scope of work; there will be no changes to the HVAC system, other than modifying the ducts; the carpet on the walls will be replaced with vinyl wall covering; audio/visual will be modernized; and the new construction will maintain an adequate level of safety.

O. APPEALS OF A DECISION OF THE BUILDING STANDARDS BOARD: (ITEM 19)

19. [22-1463](#) Appeal of the Building Standards Board's order to demolish dilapidated/substandard structures located at 625 Atlantic Street owned by Armando B. De Los Santos and Amelia G. De Los Santos.

Mayor Guajardo referred to Item 19.

City Attorney Miles Risley stated that this item was tabled from the last meeting. The applicant has now turned in an amended timeline. Council will have the option of upholding, overturning or amending the order.

City Manager Peter Zanoni stated that Mr. Michael De Los Santos prepared a repair plan that includes a roof securement, fascia of the front of the house, and items to cleanup. The roof timeline completion date is February 6-10, 2023, and the fascia timeline completion date is January 9-13, 2023.

Staff prepared a resolution to uphold the Building Standards Board's order and modify it to provide that Mr. De Los Santos has until February 18, 2023, to fully and completely repair the roof, facade, all windows, front entrance, replace all rotten wood, and paint the exterior on both buildings on the property.

Council Members, City Attorney Risley, and Mr. De Los Santos discussed the following topics: a Council Member would like to give Mr. De Los Santos time to address the issues of the property; a Council Member's request for Mr. De Los Santos to cleanup the yard quickly; and in response to a Council Member's concern about the completion of the roof, Mr. De Los Santos stated that the roof has been covered with plywood and tarp until it can be replaced.

The following Resolution was considered:

"Resolution upholding and modifying the Building Standards Board's orders to demolish dilapidated/substandard structures located at 625 Atlantic Street owned by Armando B. De Los Santos and Amelia G. De Los Santos to suspend the demolition requirements of said order until February 18, 2023, to allow completion of repairs to the exterior of the buildings at said address and provide for demolition of said buildings if said repairs are not completed"

Council Member Molina made a motion to approve the resolution, seconded by Council Member Hernandez. The Resolution 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: 032865

P. EXECUTIVE SESSION: (ITEMS 20 - 22)

Mayor Guajardo referred to Executive Session Items 20 and 21. The Council went into Executive Session at 1:32 p.m. The Council returned from Executive Session at 3:04 p.m.

Mayor Guajardo referred to Executive Session Item 22. The Council went into Executive

Session at 4:31 p.m. The Council returned from Executive Session at 5:29 p.m.

20. [22-1569](#) **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 purchase, exchange, lease, or value of real property rights for desalination and water treatment, transmission, and storage facilities, including areas at or near the (1) the Inner Harbor Ship Channel Seawater Desalination Site at or in the vicinity of Nueces Bay Blvd, Summers St., Palm Dr., John St., and Broadway Street, Nueces Bay Heights Subdivision, Sunset Place Subdivision, and the Industrial Canal and (2) the La Quinta Channel Seawater Desalination Site involving various properties between Highway 361 and the La Quinta Ship Channel and areas in and adjacent to said locations, (3) other water rights and contracts for the purchase of water including, but not limited to, water related permits on or near the Colorado River, Waldron Road, Laguna Madre, Oso Bay, and/or the Mary Rhodes Pipeline (4) applications for water rights permits, discharge permits, and other permits from the Texas Commission of Environmental Quality and/or the U.S. Army Corps of Engineers and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property (water) rights at or in the vicinity of the aforementioned locations) because 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.

21. [22-1570](#) **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 contract(s) for the purchase of management services and related services for the American Bank Center (ABC Center) and Chapters 252 and 271 of the Texas Local Government Code.

This E-Session Item was discussed in executive session.

22. [22-1584](#) **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 permitting, siting, land use, and other legal issues for solid waste disposal, including composting and solid waste transfer stations, and the purchase, exchange, lease, or value of real property rights for property at, adjacent to, and/or in the vicinity of Holly Road and Bush Street, the J.C. Elliott Transfer Station, and/or Greenwood Drive & Highway 286 and **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, and/or value of the aforementioned areas of real property because 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 this meeting at 5:30 p.m.

Norma Duran

From: Jotform <noreply@jotform.com>
Sent: Tuesday, September 13, 2022 10:48 AM
To: CitySecretary; Norma Duran
Subject: [EXTERNAL]Public Input: 09-13-2022 - 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.]]

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Public Comment & Input Form

Date of Meeting	09-13-2022
Name	Christopher Phelan
Address	Street Address: 3806 Kingston Drive City: Corpus Christi State / Province: TX Postal / Zip Code: 78415
Topic	Desalination
Agenda Item Number	20.
Describe Feedback:	Once again city council is going to go into executive session to discuss behind closed doors the fate and the future of our city. Desalination should have been on the ballot but you are disingenuous in your public reasoning for not putting the decision in our hands because even while you claim the need and the mandate to make this decision that will affect generations you're continually punt your responsibilities to City staff. We can see the choke Canyon reservoir has not filled as it should have this is Criminal. We have heard Ramos give either false testimony in city council or your city manager lie in session. You should appoint a member of For The Greater good or somebody who had been tagged for the People's Port to the Port Commission a body that is rotten with ethics problems and refuses to be administered as is set forth by the Texas legislature. Once again I demand you bring that

undemocratic unelected body to heel as they are
subservient to this body in law.

Provide an email to
receive a copy of your
submission.

copanotexian@gmail.com