



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, October 25, 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 11:44 a.m.

**B. Invocation to be given by Chaplain Charles Antwine, Corpus Christi Police Department.**

Chaplain Charles Antwine, 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 Norma Duran, Management Assistant, City Secretary's Office.**

Norma Duran, Management Assistant, City Secretary's Office, 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.

1. [22-1863](#) Introduction of Dr. Fauzia Khan, Director of Public Health for the Corpus Christi-Nueces County Health District

City Manager Peter Zanoni introduced Director of Public Health for the Corpus Christi-Nueces County Health District Dr. Fauzia Khan. Dr. Khan has over 16 years of experience in government and non-profit organizations.

2. [22-1813](#) Introduction of Al Arreola Jr., newly appointed CEO of the United Corpus Christi

## Chamber of Commerce

City Manager Peter Zanoni introduced newly appointed CEO of the United Corpus Christi Chamber of Commerce Al Arreola Jr. A meet and greet will be held on Wednesday, October 26 from 5:30 p.m. to 6:30 p.m. at the Solomon Ortiz Center.

3. [22-1865](#) Making Strides Against Breast Cancer - Awareness Walk on Saturday, October 29, 2022

City Manager Zanoni reported on the Making Strides Against Breast Cancer-Awareness Walk on Saturday, October 29, 2022 at 9:00 a.m., Texas A&M University Corpus Christi. Free parking is available at the university.

**F. PUBLIC COMMENT**

Mayor Guajardo opened the public comment period at 12:00 p.m.

William Beckett, 7518 Miriam Vale Court, spoke regarding the annular solar eclipse on October 14, 2023.

The following citizens spoke in support of the North Beach Drainage Improvement Project Plan: Carrie Meyer, 4401 Gulfbreeze Blvd.; Ron Graban, 202 Surfside Blvd.; Barbara Johnson, 3938 Surfside Blvd.; and Barbara Welder, 202 Reef Avenue.

The following citizens spoke regarding political signs at city-owned facilities: Jim Klein, 3501 Monterrey St.; Sylvia Campos, 4410 Fir St.; and Armon Alex, 1610 La Joya St.

Dr. Nancy Vera, 4405 Carlton St., invited the City Council to attend the Dia de los Muertos kick-off fiesta at the Antonio Garcia Arts and Education Center on Thursday, October 27 and spoke about the prohibition of political signs at city facilities.

Barbara Baker, 334 Ohio Ave., spoke regarding animal control and animal cruelty.

Adam Rios, 7301 Tangled Ridge Court, thanked Council for their support of the skate park and announced the Cole Park Skatepark Ribbon Cutting on Thursday, October 27, 2022, at 10:00 a.m.

Sierra Barnard, 16110 Bromsedge St., spoke about a proposal for a splash pad on North Padre Island.

Christopher Phelan, 3806 Kingston Dr. and Frank Van Horn, 5348 McBride Lane, spoke regarding Item #15.

Benard Gottschalk, San Antonio, TX, spoke regarding Item #11.

**G. BOARD & COMMITTEE APPOINTMENTS: (NONE)**

**I. CONSENT AGENDA: (ITEMS 4 - 13)****Approval of the Consent Agenda**

Mayor Guajardo referred to the Consent Agenda. Council Members pulled Items 10, 11 and 12 for individual consideration.

A motion was made by Council Member Molina, seconded by Council Member Lerma to approve the Consent Agenda with the exception of Items 10, 11 and 12. 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

**4. [22-1799](#) Approval of the October 18, 2022 Regular Meeting Minutes**

The Minutes were approved on the consent agenda.

*Consent - Second Reading Ordinances*

**5. [22-1649](#) Ordinance authorizing the acceptance of a grant from the Commission on State Emergency Communication under the Texas 9-1-1 Entity subrecipient subaward grant contract in the amount of \$317,845.60 for the implementation of the NexGen 9-1-1 system; and appropriating \$317,845.60 in the Police Grants Fund.(Requires 2/3 Vote)**

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

Enactment No: 032894

**6. [22-1684](#) Ordinance authorizing the acceptance of a grant from The Hartford in the amount of \$10,000.00 to the Corpus Christi Fire Department to support community-wide fire safety education efforts and programming; and appropriating \$10,000 into Fire Grant Fund. (Requires 2/3 Vote)**

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

Enactment No: 032895

**7. [22-1681](#) Ordinance authorizing a Water Arterial Transmission Grid Main Construction and Reimbursement Agreement ("Agreement") for up to \$67,917.98 with MPM Development, LP ("Developer") for the construction of a water arterial transmission grid main line for a residential development located on Farm Road 43 (Weber Road) and West of County Road 33, East of Digger Lane, with a completion date of within 24 months; appropriating future revenues of \$67,917.98 from the Water Arterial Transmission & Grid Main Trust Fund to**

reimburse the developer in accordance with the agreement. (District 3)  
(Requires 2/3 Vote)

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

Enactment No: 032896

8. [22-1682](#) Ordinance authorizing an amendment in the amount of \$1,801,799.00 to the Wastewater Lift Station, Gravity, and Force Main Line Construction and Reimbursement Agreement with The Mostaghassi Investment Trust, DBA Sun George Contracting Company, to construct the Wastewater Lift Station for River Ridge Unit 4; transferring \$39,694.18 from the Wastewater Collection Line Trust Fund, \$163,925.70 from the Water Distribution Main Trust Fund, and \$615,966.67 from the Water Arterial Transmission & Grid Main Trust Fund to the Wastewater Trunk System Trust Fund; authorizing appropriation of \$1,609,387.00 from the Wastewater Trunk System Trust Fund and transferring future revenues in the amount of \$192,412.00 to reimburse the developer per the amended agreement. (District 1) (Requires 2/3 Vote)

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

Enactment No: 032897

*Consent - Contracts and Procurement*

9. [22-1638](#) Motion authorizing a one-year service agreement with Carahsoft Technology Corporation of Reston, Virginia in the amount of \$80,689.33, for the purchase of DocuSign Electronic Signature and Contract Routing Tool and related Support through the DIR Cooperative for City departments with FY 2023 funding available in the Information Technology Fund. (Requires 2/3 Vote)

This Motion was passed on the consent agenda.

Enactment No: M2022-156

*Consent - Capital Projects*

10. [21-0485](#) Motion authorizing a professional services contract with Freese and Nichols, Inc., Corpus Christ, Texas, to provide design, bid, and construction phase services for Wesley Seale Dam Instrumentation Rehabilitation in an amount not to exceed \$358,005.32, with FY 2023 funding available from Water Capital Fund. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 10.

A Council Member and Assistant Director of Finance and Procurement Josh Chronley discussed the following topics: a Council Member's concern that Freese and Nichols received a perfect score; and a Council Member's request for a fair objective process for all companies.

Council Member Hernandez 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: M2022-157

11. [22-0960](#) Resolution rejecting the bid of American Abatement, LLC as non-responsive and authorizing execution of a construction contract with Camacho Demolition, LLC Corpus Christi, TX as the lowest responsive, responsible bidder in the amount of \$3,052,008.30 for the Broadway Wastewater Treatment Plant Demolition project, located in City Council District 1, with FY 2023 funding available from the Wastewater Capital Fund. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 11.

Council Members, Assistant Director of Finance and Procurement Josh Chronley, Assistant City Manager Neiman Young and City Manager Peter Zanoni discussed the following topics: the City has been spending about \$81M a year on utilities on the Broadway Wastewater Treatment Plant which affects utility rates; staff does not recommend hiring American Abatement because they do not believe the company's bid is accurate due to an error in pricing; the owner admitted that there was an error in a line item; and Council Member's request for a local preference ordinance.

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

**Aye:** 7 - Mayor Guajardo, Council Member Barrera, Council Member Hunter, Council Member Lerma, Council Member Martinez, Council Member Molina and Council Member Pusley

**Nay:** 2 - Council Member Hernandez and Council Member Smith

**Abstained:** 0

Enactment No: 032898

*General Consent Items*

12. [22-1711](#) Motion approving the 2022 Property Tax Levy of \$163,012,950.99 based on the adopted property tax rate of \$0.620261 per \$100 valuation, in accordance with Section 26.09 (e) of the Texas Tax Code.

Mayor Guajardo referred to Item 12.

Council Members and Director of Finance and Procurement Heather Hurlbert discussed

the following topics: the 3.5% tax rate applies to the maintenance and operation for existing properties; the 7% includes new construction and improvements to existing properties; a Council Member's concern about the tax rate increase; and a Council Member's request for the rate increase above the no new revenue rate.

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

**Aye:** 7 - Mayor Guajardo, Council Member Barrera, Council Member Lerma, Council Member Martinez, Council Member Molina, Council Member Pusley and Council Member Smith

**Nay:** 2 - Council Member Hernandez and Council Member Hunter

**Abstained:** 0

Enactment No: M2022-158

13. [22-1181](#) Resolution authorizing outside city limits water contract with MPM Development, LP to provide public water to Gemini Acres Unit 1. (Developer will work to achieve voluntary annexation for all future Units of Gemini Acres.) (Requires 2/3 Vote)

This Resolution was passed on the consent agenda.

Enactment No: 032899

**J. RECESS FOR LUNCH**

Mayor Guajardo recessed the Council meeting for lunch at 1:18 p.m. Executive Session Items 25 and 26 were held during the lunch recess. Mayor Guajardo reconvened the meeting at 2:07 p.m.

**K. PUBLIC HEARINGS: (ITEMS 14 - 16)**

14. [22-1733](#) Case No. 0922-01 Ryan Thurman (District 3): Ordinance rezoning property at or near 7017 Ayers Street, located along the west side of Ayers Street, south of Greenwood Drive, and east of the Crosstown Expressway (TX-286 N), from the "FR" Farm Rural District to the "IL" Light Industrial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommended approval of the zoning change from the "FR" Farm Rural District to the "IL" Light Industrial District.)(Requires 2/3 Vote)

Mayor Guajardo referred to Item 14.

Director of Development Services Al Raymond presented information on the following topics: zoning and land use; public notification; analysis and recommendation; 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 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

15. [22-1734](#) Case No. 0922-02 HEP Javelina Company, LLC: (District 1): Ordinance rezoning property at or near 1230 McBride, located along the east side of McBride Lane, north of Interstate 37 and south of Up River, from the "IL" Light Industrial District to the "IH" Heavy Industrial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval of the zoning change from the from the "IL" Light Industrial District to the "IH" Heavy Industrial District.)(Requires 2/3 Vote)

Mayor Guajardo referred to Item 15.

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

Mayor Guajardo opened the public hearing.

Representative for Howard Energy Partners, Frank Van Horn, 5348 McBride Lane, stated that Howard Energy is a midstream oil and gas company. The purpose of Howard Energy is to deliver positive, affordable and reliable energy.

Roger Harris, 14606 Juniper Forest Lane, Houston, TX, stated that this project would construct a clean hydrogen facility; the facility would produce renewable energy by converting hydrogen and carbon dioxide. This would be the first facility of its kind in the country.

Mayor Guajardo closed the public hearing.

Council Members, Director Raymond, and Mr. Harris discussed the following topics: a Council Member's concern about zoning this property Heavy Industrial "IH" due to its proximity to a residential area; and this project's investment is tens of millions of dollars and would diversify the City's economy.

Council Member Hunter 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 Hunter, Council Member Lerma, Council Member Martinez, Council Member Molina and Council Member Smith

**Nay:** 1 - Council Member Pusley

**Abstained:** 0

16. [22-1735](#) Case No. 0922-03 Douglas N. and Joye Posey (District 1): Ordinance rezoning property at or near 14446 Northwest Boulevard, located along the northside of Northwest Boulevard, south of Riverwood Drive, and west of River Hill Drive, from the "RS-6" Single-Family 6 District and the "CG-2" General Commercial District to the "CG-2" General Commercial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission recommend approval of the zoning change to the "CG-2" General Commercial District. Staff recommends denial of the zoning change to the "CG-2" General Commercial District and in lieu thereof approval of a "ON/SP" Neighborhood Office District with a Special Permit)(Requires 2/3 Vote)

Mayor Guajardo referred to Item 16.

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

A Council Member spoke in support of staff's recommendation to protect the surrounding neighborhood.

Council Member Lerma made a motion approving the ordinance with a special permit, seconded by Council Member Pusley.

Mayor Guajardo opened the public hearing.

Owner of Riverside Veterinary Clinic, Dr. Doug Posey, requested that his property be zoned CG-2. He said the special permit bisects his property. The area in question should have been zoned CG-2 when the property was annexed.

Council Member Lerma rescinded his motion to approve the ordinance with a special permit, seconded by Council Member Pusley.

Murray Bass, Bass & Welsh Engineering, stated that when the property was rezoned, the city limit was along the north line so the subject property could not be zoned correctly at that time.

Mayor Guajardo closed the public hearing.



A Council Member stated that a special permit does not address the owner's needs and is in support of the CG-2 zoning.

Council Member Lerma made a motion to approve the ordinance approving the CG-2 zoning, 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

**L. INDIVIDUAL CONSIDERATION ITEMS: (ITEM 17)**

17. [22-1566](#) Ordinance adopting the North Beach Drainage Improvement Project Plan and repealing Ordinance No. 031970 authorizing a previous drainage solution.(Requires 2/3 Vote)

Mayor Guajardo referred to Item 17.

Council Members, City Manager Peter Zaroni, and Senior Civil Project Manager with MIG Nathaniel Riedy discussed the following topics: this project was based on the 2021 budget; LAN's study included culverts for the crossings; a Council Member's request for conveyances to replace culverts; the type of bridge structure will be considered after the design consultant is chosen; and the importance of using every source of funding for this project.

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 Hunter, Council Member Lerma, Council Member Molina, Council Member Pusley and Council Member Smith

**Absent:** 1 - Council Member Martinez

**Abstained:** 0

**M. FIRST READING ORDINANCES: (ITEMS 18 - 24)**

18. [22-1778](#) Ordinance authorizing the acceptance of a grant from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, in an amount of \$206,608.00 for the FY 2022 Edward Byrne Memorial Justice Assistance Grant program for the Corpus Christi Police Department to partially fund the purchase of 445 tasers as part of a previously approved five-year supply agreement; and appropriating \$206,608.00 in the Police Grants Fund with \$103,304.00 to be distributed to Nueces County based on an interlocal agreement and the remaining \$103,304.00 to be used by the

City.(Requires 2/3 Vote)

Mayor Guajardo referred to Items 18-22.

Council Member Pusley requested that Items 18-22 be approved with one vote.

Mayor Guajardo asked for public comment. There were no comments from the public.

Council Member Pusley made a motion to approve Items 18-22, seconded by Council Member Lerma. These Ordinances were 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

19. [22-1779](#) Ordinance accepting a grant in the amount of \$94,500.00 from the State of Texas Governor's Homeland Security Grants Division for overtime and retirement for Corpus Christi Police Department sworn officers supporting law enforcement activities that help to reduce human-trafficking, drug smuggling, and other organized crime; and appropriating \$94,500.00 in the Police Grants Fund. (Requires 2/3 Vote)

See Item 18.

**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

20. [22-1787](#) Ordinance accepting a grant in the amount of \$20,000.00 from the State of Texas, Criminal Justice Division for Rifle-Resistant Body Armor for the Corpus Christi Police Department for the purchase of 40 additional pieces of rifle resistant body armor; and appropriating \$20,000.00 in the Police Grants Fund. (Requires 2/3 Vote)

See Item 18.

**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

21. [22-1737](#) 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 (CCNCPHD) to add \$72,379.00 for calendar year 2022, and \$105,208.00 for calendar year 2023 to provide prevention and control services for Sexually

Transmitted Diseases (STDs), including Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS); and amending the operating budget.(Requires 2/3 Vote)

See Item 18.

**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

22. [22-1750](#) Ordinance authorizing execution of all documents necessary to accept, amend, and appropriate a grant contract between the Department of State Health Services and the Corpus Christi-Nueces County Public Health District to add \$48,348 with a City match of \$9,670 for Tuberculosis Prevention and Control - Federal Grant Program to provide tuberculosis prevention and control services for the period January 1, 2023, through December 31, 2024; and amending the operating budget.(Requires 2/3 Vote)

See Item 18.

**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

23. [22-1650](#) Ordinance authorizing a professional services contract with Hanson Professional Services Inc. in the amount of \$143,057.50 for the Northwest Blvd Drainage Feasibility Study, an FY 2022 budget initiative; appropriating \$143,057.50 from unreserved fund balance in 1020 General Fund and amending the FY 2023 Public Works Operating Budget; Council District 1.(Requires 2/3 Vote)

Mayor Guajardo referred to Item 23.

Assistant Director of Engineering Project Management Ratna Pottumutha presented information on the following topics: project location; project scope; and project schedule.

Council Members, Assistant Director Pottumutha, and Assistant Director of Finance and Procurement Josh Chronley discussed the following topics: a Council Member's concern about the scoring process when selecting an engineering firm and a request for more consistency; and Assistant Director Chronley had earned a Texas Certified contract Developer certification.

Mayor Guajardo opened public comment.

There were no comments from the public.

Mayor Guajardo closed public comment.

Council Member Pusley 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:** 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

24. [22-1700](#) Ordinance authorizing Amendment No. 5 to the service agreement with Sec-Ops, Inc., for citywide security guard services in an amount not to exceed \$410,904.13, with FY 2023 funding from various funds.(Requires 2/3 Vote)

Mayor Guajardo referred to Item 24.

Assistant Director of Finance and Procurement Josh Chronley requested a three month extension to the existing security contract and to amend the total contract for an amount not to exceed \$410,904.13.

Council Members and Assistant Director Chronley discussed the following topics: the security guards are responsible for patrolling and monitoring all spaces within the various locations and surrounding parking areas to ensure safety; and about 50% of security guards are armed.

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 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

**N. BRIEFINGS: (NONE)**

**O. EXECUTIVE SESSION: (ITEMS 25 - 26)**

Mayor Guajardo referred to Executive Session Items 25 and 26. The Council went into Executive Session at 1:18 p.m. The Council returned from Executive Session at 2:07

p.m.

25. [22-1789](#) **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 case of in *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 all documents necessary to settle 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 exchange for the City funds previously authorized for attorneys, experts, and service providers to assist in this lawsuit plus an additional City-provided amount not to exceed \$50,000

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

**Nay:** 1 - Council Member Hernandez

**Abstained:** 0

Enactment No: M2022-159

26. [22-1801](#) **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 case of *Graham Construction Services, Inc. v. City of Corpus Christi, Xylem Water Solutions and Atlas Copco Compressors v. Carollo Engineers, PC, Travelers Casualty and Surety Company, Control Panels USA, Inc. and Fluid Components International LLC, and City of Corpus Christi v. Carollo Engineers, P.C.* 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 amendments, agreements and encumbrance of funds for legal, engineering, and other professional consulting and expert witness services and associated court reporter, copy, travel, data, and other costs for the lawsuit of Graham Construction Services, Inc. v. City of Corpus Christi, Xylem Water Solutions and Atlas Copco Compressors v. Carollo Engineers, PC, Travelers Casualty and Surety Company, Control Panels USA, Inc. and Fluid Components International LLC in a total added amount not to exceed \$1,500,000 with the law firms of Kilpatrick Townsend & Stockton, LLP and Hartline Barger, LLP and authorize carry-over of unexpended funds into the following fiscal years.

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

**Aye:** 9 - Mayor 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: M2022-160

**P. ADJOURNMENT**

There being no further business, Mayor Guajardo adjourned this meeting at 3:26 p.m.