



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, May 24, 2022

11:30 AM

Council Chambers

Addendums may be added on Friday.

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

Mayor Pro Tem Ben Molina called the meeting to order at 11:31 a.m.

B. Invocation to be given by Pastor Brian Hill, First Baptist Church.

Pastor Brian Hill, First Baptist Church, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Marisa Garcia, Senior at Moody High School.

Marisa Garcia, Senior at Moody 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 Zaroni, City Attorney Miles K. Risley and City Secretary Rebecca Huerta

Note: Mayor Guajardo and Council Member Lerma attended by video conference.
Council Member Smith left at 4:06 p.m.

Present: 8 - Mayor Paulette Guajardo, 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

Absent: 1 - Council Member Roland Barrera

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

Mayor Pro Tem Molina referred to City Manager's comments.

a. [22-0981](#) Hurricane Preparedness Overview by Billy Delgado, Emergency Management Coordinator

City Manager Zaroni stated that the Atlantic hurricane season is from June 1st through November 30th, and presented the 2022 hurricane season outlook.

Emergency Management Coordinator Billy Delgado presented information on the following topics: It only takes one; 2022 hurricane season outlook; 2022 hurricane names; city operation center; levels of activation; all hazards plan; department operation centers; communicate with local, regional and state agencies; agencies involved in past disasters; city emergency teams; planning process; drills and exercises; phased evacuation; assisted evacuation; evacuation hub; phased hurricane reentry; team approach for disaster; and emergency information.

Council Members, City Manager Zanoni and Mr. Delgado discussed the following topics: whether any improvements have been made to the City Emergency Operation Center (EOC); the City's EOC can withstand a category 3 storm; the City has four FEMA domes available if a hurricane is in excess of a category 3; and all departments provide a post-storm report.

b. [22-0982](#) Second Quarter Infrastructure Management Program Update

City Manager Zanoni presented information on the Second Quarter Infrastructure Management Program as follows: FY 2021 and 2022 IMP summary; FY21/22 IMP street maintenance programs summary; public works in-house street rehabilitation program; contractual residential street reconstruction program (RSRP); contractual street preventative maintenance program (SPMP); and contractual concrete street reconstruction program (CSRP).

Council Members, City Manager Zanoni and Deputy Director of Public Works Sarah Munoz discussed the following topics: a Council Member's request for staff to provide a list of streets organized by the new city council districts; and the vacancy rate of the public works department is about 20 percent now, reduced from 50 percent.

F. PUBLIC COMMENT

Mayor Pro Tem Molina opened the public comment period.

Ricardo Elizondo, 723 Fifth St., spoke regarding the paving project on Park Street and drainage issues.

Brian Watson, 5813 Hugo Dr., spoke regarding housing for homeless veterans.

Nicholas Colosii, 13561 Camino De Plata Court, spoke regarding the 4th of July island blast fireworks permit.

Shirin Delsooz, 6030 Tapestry, spoke regarding the need for better protected bike paths.

G. BOARD & COMMITTEE APPOINTMENTS: (NONE)

I. CONSENT AGENDA: (ITEMS 1 - 13)

Approval of the Consent Agenda

Mayor Pro Tem Molina referred to the Consent Agenda and asked if a Council Member would like to pull an item for individual consideration. Council Members requested that Items 5,11,12 and 13 be pulled for individual consideration.

A motion was made by Council Member Lerma, seconded by Council Member Smith to approve the Consent Agenda with the exception of Items 5,11,12 and 13. The motion carried by the following vote:

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

Absent: 1 - Council Member Barrera

Abstained: 0

1. [22-0942](#) Approval of the May 17, 2022 Regular Meeting Minutes

The Minutes were approved on the consent agenda.

Consent - Second Reading Ordinances

2. [22-0872](#) Ordinance accepting a grant for the eleventh year from the State of Texas Governor's Homeland Security Grants Division for the Operation Stonegarden Program in the amount of \$216,799.99; and appropriating \$216,799.99 in the Police Grants Fund.

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

Enactment No: 032766

3. [22-0739](#) Zoning Case No. 0322-03 Sergio and Martha Guerrero: (District 5) Ordinance rezoning a property at or near 6801 Sandra Lane 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: 032767

4. [22-0879](#) Ordinance accepting and appropriating Public Improvement District ("PID") Application Fees totaling \$30,000.00 received for two PID applications submitted during the fiscal year; and amending the operating budget.

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

Enactment No: 032768

5. [22-0880](#) Ordinance appropriating \$75,000 of anticipated Short-Term Rental (STR) permit

fees in the General Fund and amending the FY 2022 Operating budget adopted by Ordinance Number 032539 by increasing revenue and expenditures by \$75,000 each.

Mayor Pro Tem Molina referred to Item 5.

Council Member Hernandez stated that he pulled this item to vote no.

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

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

Nay: 2 - Council Member Hernandez and Council Member Lerma

Absent: 1 - Council Member Barrera

Abstained: 0

Enactment No: 032769

6. [22-0881](#) Ordinance amending Chapter 17 of the Corpus Christi Code by adding interest due for submission of delinquent hotel occupancy tax reports and payments, changing the date reports and payments are due, and including other necessary edits to update the language; and providing for an effective date and publication.

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

Enactment No: 032770

7. [22-0900](#) Ordinance accepting and appropriating Homeless Housing and Services Program (HHSP) grants, in the amount of \$195,606 for the General Set Aside fund and \$61,570 for the Youth Set Aside, and Ending Homelessness Fund (EHF), in the amount of \$51,804, totaling \$308,980, from Texas Department of Housing and Community Affairs (TDHCA) for FY2021-2022; amending the FY2021-22 operating budget to increase expenditures for HHSP in the amount of \$257,176 and to increase expenditures for the ending homelessness program (EHP) in the amount of \$51,804; authorizing agreements with Salvation Army for \$77,680, Mother Teresa Shelter for \$117,926, Mission 911 for \$51,804 and Corpus Christi Independent School District for \$21,000 to provide services to individuals who are homeless, or at risk of being homeless; and authorizing the Director of Neighborhood Services for the City to administer these grant funds.

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

Enactment No: 032771

8. [22-0539](#) Ordinance appropriating \$985,000 from unreserved fund balance in 4610 Airport Operating Fund, amending the FY 2021 Capital and Operating Budgets; authorizing a design/build contract for design and construction in the amount of

\$985,000 to Ranger Fire, Inc, Saginaw, Texas for the East General Aviation Hangars No. 3 & No. 4 Fire Suppression System.

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

Enactment No: 032772

Consent - Contracts and Procurement

9. [22-0894](#) Motion authorizing the purchase of sign materials from Dobie Supply, LLC, of Buda, Texas, through the BuyBoard Cooperative, in an amount not to exceed \$180,046.56 for the Public Works Department, with FY 2022 funding from the Street Maintenance Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-075

Consent - Capital Projects

10. [21-0773](#) Motion authorizing a professional services contract with Corpro Companies, Inc., Houston, Texas, to provide field discovery, testing, design, bid, and construction phase services for cathodic protection for the South Side Water Transmission Main project in an amount not to exceed \$140,000.00, located in City Council District 4 and 5, with FY 2022 funding available from Water Capital Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-076

11. [22-0890](#) Motion authorizing an Amendment No. 1 to the cost-share agreement with the U.S. Army Corps of Engineers to complete the feasibility portion for riverbank erosion control related to the Mary Rhodes Pipeline Phase 2 System Improvements project, located in the vicinity of the Mary Rhodes Pump Station in Matagorda County, in an amount of \$82,500.00, for a total contract value not to exceed \$175,000, with FY 2022 funding available from the Water Capital Fund.

Mayor Pro Tem Molina referred to Item 11.

Council Members, Interim Director of Water Utilities Gabriel Ramirez, Water Resource Manager Esteban Ramos and City Manager Peter Zanoni discussed the following topics: the City is pulling water from the Colorado River on a day by day basis; this item is to complete the feasibility study for solutions to fix the bank erosion; and this is a good news project.

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

Enactment No: M2022-077

General Consent Items

12. [22-0923](#) Motion authorizing a six-month streetlight installation agreement with AEP Texas to convert ~~4,869~~ 4,125 existing light fixtures to LED light fixtures for select residential areas for a total estimated amount of ~~\$671,240.34~~ \$568,672.50, with FY 2022 funding of \$300,000.00 from the Bond 2018 Capital Fund.

Mayor Pro Tem Molina referred to Item 12.

Director of Finance Heather Hurlbert stated that this item needed to be pulled to amend the number of light fixtures to 4,125 and to amend the dollar amount for a total of \$568,672.50.

Council Members and Director Hurlbert discussed the following topics: this funding will come from the Bond 2018 capital fund; and this is a good news item.

Council Member made a motion to approve the motion, seconded by Council Member Hernandez and passed unanimously.

Council Member Pusley made a motion to amend the motion as presented by staff, seconded by Council Member Smith.

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

Enactment No: M2022-078

13. [22-0976](#) Motion authorizing an agreement with Corpus Christi Hope House for facility improvements in an amount not to exceed \$599,000 from the Emergency Solutions Grant - CARES Act funds.

This Item was withdrawn by staff and postponed.

J. RECESS FOR LUNCH

Mayor Pro Tem Molina recessed the Council meeting for lunch at 1:23 p.m. Executive Session Items 24 and 25 were held during the lunch recess. Mayor Pro Tem Molina reconvened the meeting at 2:30 p.m.

K. PUBLIC HEARINGS: (ITEM 14)

14. [21-1078](#) Ordinance adopting a new City of Corpus Christi Historic Preservation Plan, an element of the Plan CC Comprehensive Plan; and rescinding the former Corpus Christi Preservation Plan, adopted September 8, 1976.

Mayor Pro Tem Molina referred to Item 14.

Assistant Director of Development Services Nina Nixon-Mendez presented information on the following topics: current state of history preservation in Corpus Christi; purpose and objectives; what's in the plan; vision statement; goals and strategies; community engagement; and public hearings and recommendations.

Council Members, Assistant Director Nixon-Mendez, Director of Development Services Al Raymond and City Manager Peter Zanoni discussed the following topics: the plan is to hire a historic preservation officer; the City has currently not added any money to the budget to support this plan; and a Council Member's concern that this plan does not offer a solution to address historic preservation and protect local property rights.

Mayor Pro Tem Molina opened the public hearing.

There were no comments from the public.

Mayor Pro Tem Molina closed the public hearing.

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

Absent: 1 - Council Member Barrera

Abstained: 0

L. INDIVIDUAL CONSIDERATION ITEMS: (ITEMS 15 - 17)

15. [22-0987](#) Motion related to the performance and/or service of one or more of the City's appointees to the Port Commission.

This Item was withdrawn.

16. [22-0861](#) Motion awarding a construction contract to Coastal Bend Demolition, Inc., Corpus Christi, Texas, for Cunningham Water Treatment Plant Demolition project in an amount of \$1,698,872.50, located in Council District 1, with FY 2022 funding available from the Water Capital Fund.

Mayor Pro Tem Molina referred to Item 16.

Director of Engineering Jeff Edmonds presented information on the following topics: project location; project scope; and project demolition locations.

Council Members, Director Edmonds and Interim Director of Water Utilities Gabriel Ramirez discussed the following topics: staff is coordinating with AEP on the removal of the substation; a Council Member commended staff for keeping this cost under budget; and this property has been abandoned since the 1980's.

Mayor Pro Tem Molina opened public comment.

There were no comments from the public.

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

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

Absent: 1 - Council Member Barrera

Abstained: 0

Enactment No: M2022-079

17. [22-0920](#) Motion authorizing a professional services contract with American Electric Power, Texas, to provide preliminary engineering and regulatory work associated with interconnection of the City's Inner Harbor Seawater desalination plant to the Electric Reliability Council of Texas electric transmission grid in an amount not to exceed \$100,000.00, located in Council District 1, with FY 2022 funding available from State Water Implementation Fund Texas Loan-2020.

Mayor Pro Tem Molina referred to Item 17.

Chief Operations Officer Mike Murphy presented information on the following topics: scope of work; and design and construction.

A Council Member and Senior Customer Account Manager for AEP Heath VanZandt discussed the following topics: the AEP power assessment can be done in a minimum of four months.

Mayor Pro Tem Molina opened public comment.

There were no comments from the public.

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

Aye: 5 - Mayor Guajardo, Council Member Hunter, Council Member Molina, Council Member Pusley and Council Member Smith

Nay: 2 - Council Member Lerma and Council Member Martinez

Absent: 1 - Council Member Barrera

Abstained: 1 - Council Member Hernandez

Enactment No: M2022-080

M. FIRST READING ORDINANCES: (ITEM 18)

18. [22-0467](#) Ordinance amending the FY 2022-2026 Infrastructure Management Plan to account for the repurposing of unused bond funds from Bond 2008, Bond 2012 and Bond 2016 and identifying new and revised street projects as shown in the amended Infrastructure Management Plan.

Mayor Pro Tem Molina referred to Item 18.

Consultant Interim Director of Public Works Maria Molina presented information on the following topics: FY 2022-2026 IMP amendments; FY 2023 RSRP amendments; FY 2022 and 2023 SPMP amendments; FY 2022-2025 in-house amendments; and FY 2022-2026 IMP amendments detail.

Council Members and Interim Director Molina discussed the following topics: the City will mill and overlay Haven Road to Violet Road; and a Council Member's request for staff to provide a list by district in terms of what residential streets are being addressed.

Mayor Pro Tem Molina opened public comment.

There were no comments from the public.

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

Absent: 1 - Council Member Barrera

Abstained: 0

N. BRIEFINGS: (ITEMS 19 - 22)

19. [22-0836](#) City Appointed Port Commissioner's Briefing to be given at approximately 1:00 p.m.

This Item was withdrawn.

20. [22-0924](#) Briefing by the City's Financial Advisors, Estrada Hinojosa, & Company, on the City's Debt Strategy for Fiscal Year 2022.

Mayor Pro Tem Molina referred to Item 20.

The City's Financial Advisor Noe Hinojosa of Estrada Hinojosa & Company presented information on the following topics: general obligation debt program-overview; GO debt graph-current; GO debt graph-with proposed 2022 issues; GO taxable advance refunding debt monitor; GO preliminary financing timetable; 2022 proposed debt issuance summary; utility revenue debt program-overview; utility system summary utility debt program; 2022 potential debt issuance summary; utility system pro forma-current; utility system pro forma-post 2022 issuance; utility tax-exempt refunding debt monitor; and utility preliminary financing timetable.

Council Members, City Manager Zanoni and Mr. Hinojosa discussed the following topics: the threshold is based on cash flow of net revenue and payment obligation; debt structures are every two years in terms of rate increases; and Certificates of Obligation can be used for solid waste improvements.

21. [22-0931](#) 87th Legislature Interim Activity update and preparations for the upcoming 88th Legislature

Mayor Pro Tem Molina referred to Item 21.

Director of Intergovernmental Relations Tammy Embrey, Partner and General Counsel of Focused Advocacy Snapper Carr and Founder and CEO of Focused Advocacy Curt Seidlits presented information on the following topics: business community very active; another property tax session; land management; look at role of ETJ; state water plan process; ensure items in state plan brought to fruition; look at groundwater management; issuance of debt and level of debt; looking at coordination amongst utility providers; comptroller officer active rule makings; public education; economic development tools will be a big issue; Bill 313 expires at the end of this year; 380, 312 and 313 agreements will be brought up again; Winter Storm Uri; communicate with City government; leadership forecast; and the main goal is to retain authority for City Council to debate these topics and make decisions locally.

Council Members, Mr. Carr, Mr. Seidlits, and Director Embrey discussed the following topics: legislation will be discussed regarding short-term rentals; issues with providing water and wastewater services will be discussed; a Council Member's request to testify on procurement bills; the status on permits for desalination; Council Members' concerns

about Emergency Services Districts (ESD); bills will start being filed on November 8, 2022; and the Council will have an opportunity to issue a resolution outlining legislative items that they are in support of.

22. [22-0975](#) Water Resource Availability and Drought Contingency Plan Briefing

Mayor Pro Tem Molina referred to Item 22.

Water Resource Manager Esteban Ramos, Interim Director of Water Utilities Gabriel Ramirez presented information on the following topics: topics for discussion; Texas River Basins; sources of water-Nueces River Choke Canyon Reservoir; Nueces River Lake Corpus Christi; Colorado River Mary Rhodes II; Lake Texana; drought timeline; Lake Corpus Christi satellite comparison; drought impact on Texas surface water; and Choke Canyon and Lake Corpus Christi combined storage vs. Lake Texana storage.

Chief Operating Officer of Water Utilities Mike Murphy presented information on the following topics: drought contingency plan; estimated 85 days until stage 1 drought response; drought contingency plan stages; next steps; and recommendations.

Council Members, Mr. Murphy, Mr. Ramos and Mr. Ramirez discussed the following topics: the City is looking into other sources of water, other than desalination; the City is in a water and resource drought; the number of leaks in the Mary Rhodes pipeline system has decreased this year compared to last year; and a Council Member's request for an update from Evangeline or CC Polymers.

O. **EXECUTIVE SESSION: (ITEMS 23 - 25)**

Mayor Pro Tem referred to Executive Session Items 24 and 25. The Council went into Executive Session at 1:23 p.m. The Council returned from Executive Session at 2:30 p.m.

23. [22-0767](#) **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 related to the Texas Pollutant Discharge Elimination System permit process, Texas laws and rules of the Texas Commission of Environmental Quality, Texas Water Development Board, State Water Implementation Fund for Texas, and the U.S. Environmental Protection Agency related to funding for water treatment plants, desalination plants, discharge permits, intake permits, desalination, and other permits related to water treatment, and administrative procedures related thereto, applications for permits and TWDB funding of water treatment facilities by the City and by the Port, the Port of Corpus Christi Authority, and appointment of the Port Commissioners and Texas Government Code § 551.074 (personnel matters) to deliberate the appointment, evaluation and duties of a public officer or employee (City of Corpus Christi Appointee #1, Appointee #2, and Appointee #3 to Port Commission of Port of Corpus Christi Authority of Nueces County, Texas)**

This E-Session Item was withdrawn.

24. [22-0943](#) **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 potential purchase, exchange, lease, and/or value of property at or adjacent to the Puerto Del Sol RV Park at Rincon Point, and **Texas Government Code § 551.072** to discuss and deliberate the potential purchase, exchange, and/or value of the aforementioned areas of said real property.

This E-Session Item was discussed in executive session.

25. [22-0977](#) **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 rights on the Colorado River, and (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 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, including, but not limited to Flint Hills Resources, Occidental Chemical Corporation, Chemours Company and affiliates thereof.

This E-Session Item was discussed in executive session.

P. ADJOURNMENT

There being no further business, Mayor Pro Tem Molina adjourned this meeting at 4:39 p.m