



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, April 19, 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 11:39 a.m.

B. Invocation to be given by Pastor Kevin Jennings, Mt. Olive Lutheran Church.

Pastor Kevin Jennings, Mt. Olive Lutheran Church, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Fatima Abdullah, W. B. Ray High School Student.

Fatima Abdullah, W. B. Ray High School Student, 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: Council Member Martinez arrived at 11:49 a.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. PUBLIC COMMENT

Mayor Guajardo opened the public comment period.

Alisha Cowan, 3725 Holland Dr., spoke regarding Items 5 and 16.

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

Mayor Guajardo referred to City Manager's comments.

a. SUMMARY OF FY 2021 ANNUAL COMPREHENSIVE REPORT

City Manager Zaroni presented information on the FY 2021 Annual Financial Audit as follows: FY 2021 annual external financial audit; audit process; strong financial management; strong credit rating; FY 2021 financial audit results; FY 2021 grant audit results; and general fund FY 2021 financial results.

City Manager Zaroni acknowledged the finance team, Constance Sanchez, Heather Hurlbert, Alma Casas, Judy Sandroussi and Martha Messer.

G BOARD & COMMITTEE APPOINTMENTS: None**I. CONSENT AGENDA: (ITEMS 1 - 8)****Approval of the Consent Agenda**

Mayor Guajardo referred to the Consent Agenda and asked if a Council Member would like to pull an item for individual consideration. Council Members requested that Items 6 and 8 be pulled for individual consideration.

A motion was made by Council Member Lerma, seconded by Council Member Molina to approve the Consent Agenda with the exception of Items 6 and 8. 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

1. [22-0729](#) Approval of the April 12, 2022 Regular Meeting Minutes

The Minutes were approved on the consent agenda.

Consent - Second Reading Ordinances

2. [22-0536](#) Ordinance adopting text amendments to the Unified Development Code (UDC) to adjust requirements for Master Preliminary Plats, and platting regulations regarding expirations and extensions.

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

Enactment No: 032725

3. [22-0507](#) Ordinance abandoning and vacating an 80.00-foot-wide by approximately 1761.00 feet long (3.0633 Acres) portion of an existing 80.00-foot-wide drainage easement out of Bohemian Colony Lands, Section 7, Lot 6, located at 1802 Lands Road, conditioned on the dedication of a replacement easement.

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

Enactment No: 032726

4. [22-0578](#) Ordinance approving Amended and Restated Addendum No. 1 to Lease Agreement with Corpus Christi Baseball Club, L.P., which provides for an increase of \$374,200.00 in Type A funding on a reimbursement basis, to make certain capital improvements to the Whataburger Field property in accordance with Major League Baseball Requirements; and amending the operating budget.

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

Enactment No: 032727

5. [22-0406](#) Zoning Case No. 0222-03, Graham Office, LLC.: (District 4) Ordinance rezoning property at or near 202 Graham Road from the "IH" Heavy Industrial District to the "RV" Recreational Vehicle Park District. (Planning Commission and Staff recommend Approval).(Tabled April 12, 2022)

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

Enactment No: 032728

Consent - Capital Projects

6. [22-0491](#) Motion awarding a construction contract to South Texas Building Partners (STBP) Inc., Corpus Christi, Texas, to complete the improvements for the Art Museum of South Texas, located in Council District 1, in an amount of \$843,755 with FY 2022 funding available from the Type A/B Sales Tax.

Mayor Guajardo referred to Item 6.

A Council Member and Director of Engineering Jeff Edmonds discussed the following topics: a Council Member's concern whether the bid tabulations are accurate.

Council Member Pusley 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: M2022-055

7. [22-0490](#) Motion awarding a construction contract to Barcom Construction Inc. of Corpus Christi, Texas, for rehabilitation of the O.N. Stevens Water Treatment Plant (ONSWTP) Filter Building 1, located in Council District 1, in an amount not to exceed \$2,093,770, with FY 2022 funding available from the Water Capital Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-056

General Consent Items

8. [22-0592](#) Resolution authorizing renewal of property insurance, including All Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown insurance, through Carlisle Insurance Agency, Broker of Record, for upcoming policy year (May 5, 2022 - May 4, 2023) in exchange for annual premium of \$3,927,242.

Mayor Guajardo referred to Item 8.

Council Members, City Attorney Miles Risley and City Manager Peter Zanoni discussed the following topics: Carlisle Insurance shops for the best bids for the City; the increase in premium was about 11% before adding the Frost Bank building; and premiums are going up because claims are being filed.

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

Aye: 6 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Lerma, Council Member Molina and Council Member Pusley

Absent: 2 - Council Member Hunter and Council Member Martinez

Abstained: 1 - Council Member Smith

Enactment No: 032729

J. RECESS FOR LUNCH

Mayor Guajardo recessed the Council meeting for lunch at 1:24 p.m. Executive Session Item 21 was held during the lunch recess. Mayor Guajardo reconvened the meeting at 3:07 p.m.

K. PUBLIC HEARINGS: (ITEMS 9 - 11)

9. [22-0601](#) Zoning Case No. 0322-02 Elizabeth and Edelmiro Garza: (District 1). Ordinance rezoning a property at or near 11110 Interstate Highway 37 (AKA Up River Road) from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood District. (Planning Commission and Staff recommend denial and in lieu of a Special Permit)

Mayor Guajardo referred to Item 9.

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

Council Members, Director Raymond and Administrator of Development Services Andrew Dimas discussed the following topics: Council Members' concern about safety issues due to traffic; and a Council Member's request to table this item so staff can discuss with TxDOT about putting up a barrier to minimize traffic.

Mayor Guajardo opened the public hearing.

There were no comments from the public.

Mayor Guajardo closed the public hearing.

Council Member Lerma made a motion to table the ordinance, seconded by Council Member Barrera. This Ordinance was tabled with the following vote:

Aye: 9 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Lerma, Council Member Martinez, Council Member Molina, Council Member Pusley and Council Member Smith

Abstained: 0

10. [22-0602](#) Zoning Case No. 0222-05, ERF Real Estate, Inc.: (District 2) Ordinance rezoning property at or near 4130 South Alameda Street from the "RM-1" Multifamily District and "RM-1/SP" Multifamily District with a Special Permit to the "CN-1" Neighborhood Commercial District. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 10.

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

Council Members, Director Raymond, Administrator of Development Services Andrew Dimas discussed the following topics: this is an opportunity to re-establish the commercial nature of the property; RM-1 allows for multi-family or daycares, whereas CN-1 encourages commercial developments; and the dimensions are just over two acres in size.

Mayor Guajardo opened the public hearing.

Developer, Jerry Susser, 225 Wilshire Place, stated that this is a perfect location for a commercial development.

Mayor Guajardo closed the public hearing.

Council Member Pusley 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

11. [22-0603](#) Zoning Case No. 0322-01, South Texas Rainbow Limited Partnership: (District 5) Ordinance rezoning a property at or near 6626 Williams Drive from the "CN-1" Neighborhood Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 11.

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

A Council Member and Administrator of Development Services Andrew Dimas discussed the following topics: the special permit requires standards such as screening, lighting, landscaping, and offloading of vehicles.

Mayor Guajardo opened the public hearing.

Representative of Robert Adler and Mike Shaw Kia, Cliff Atnip, 358 University Dr., stated that car dealership needs additional parking for their vehicles.

Mayor Guajardo closed the public hearing.

Council Member Hernandez 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: 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. RECESS TO CORPORATION MEETING: (ITEM 12)

Mayor Guajardo recessed the Council meeting for the Corporation meeting at 3:07 p.m.

12. [22-0712](#) Special Board Meeting of the Corpus Christi Housing Finance Corporation to consider a proposal to participate as General Partner in the Greenwood Manor, LP and as ground lessor, to consider accepting a total of \$1,352,431 from the Corpus Christi Business & Job Development Corporation (Type A) and Corpus Christi B Corporation (Type B), and to consider making a loan of \$481,483 from

Corpus Christi Housing Finance Corporation funds and \$1,352,431 from the Corpus Christi Business & Job Development Corporation (Type A) and Corpus Christi B Corporation (Type B) to Greenwood Manor, LP. Greenwood Manor, LP will be the ownership entity of ALMA at Greenwood a 152-unit affordable rental housing project for households at or below 60 percent of the area median income located on 10.554 acres on the southeast corner of Greenwood Drive and Gollihar Road east of West Point Road.

This Corporation Meeting was held.

M. RECONVENE COUNCIL MEETING:

Mayor Guajardo reconvened the Council meeting at 3:29 p.m.

N. INDIVIDUAL CONSIDERATION ITEMS: (ITEMS 13 - 14)

13. [22-0713](#) Ordinance approving a substantial amendment to the City's FY 2018-2019 Consolidated Annual Action Plan ("CAAP") to reprogram \$300,000 from the Community Development Corporation of Brownsville homebuyer project under the HOME Investment Partnerships Program ("HOME") to Greenwood Manor, LP's ALMA at Greenwood affordable rental housing project under the HOME Program in the City's FY 2021-2022 CAAP. This ordinance also approves a substantial amendment to the City's FY 2021-2022 CAAP to accept and appropriate \$751,373 in Program Income to Greenwood Manor, LP's ALMA at Greenwood under the HOME Program.

Mayor Guajardo referred to Items 13 and 14.

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 ordinances 13 and 14, seconded by Council Member Lerma. These Ordinances were 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 Pusley and Council Member Smith

Absent: 1 - Council Member Molina

Abstained: 0

14. [22-0708](#) Ordinance authorizing an affordable housing agreement for \$160,560.00 between the Corpus Christi Business & Job Development Corporation (Type A)

and the Corpus Christi Housing Finance Corporation and authorizing an affordable housing agreement for \$1,191,871.00 between the Corpus Christi B Corporation (Type B) and the Corpus Christi Housing Finance Corporation for the construction of ALMA at Greenwood a 152-unit affordable rental Housing project for households at or below 60 percent of the area median income located on 10.554 acres on the southeast corner of Greenwood Drive and Gollihar Road east of West Point Road; appropriating \$160,560.00 from unreserved fund balance of the Business and Job Development Fund and \$1,191,871.00 from the unreserved fund balance of the Type B Affordable Housing Fund; and amending the budget.

See Item 13.

O. FIRST READING ORDINANCES: (ITEMS 15 - 19)

15. [22-0542](#) Zoning Case No. 0222-04, Exclusive Housing, LLC.: (District 2) Ordinance rezoning property at or near 1333 Logan Avenue from the "RS-6" Single-Family 6 District to the "RS-TF" Two-Family District. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 15.

Director of Development Services Al Raymond stated that Council wanted to table this item to hear from code enforcement and what the property owner is proposing to do at this location. Code enforcement stated that there are no complaints on the property, no current cases against the property, and no case history against the property.

Council Members, Director Raymond and City Manager Peter Zanoni discussed the following topics: that the owner has made substantial improvements to this property; and the compliance inspectors will enforce zoning.

Mayor Guajardo opened public comment.

There were no comments from the public.

Council Member Molina made a motion to approve the ordinance, seconded by Council Member Martinez. 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

16. [22-0535](#) Ordinance amending the Unified Development Code to delegate approval of wastewater lot or acreage fee exemptions to the Director of Development Services.

Mayor Guajardo referred to Item 16.

Director of Development Services Al Raymond stated that the ordinance was revised to limit the Director of Development Services authority to \$50,000 or less.

Council Members and Director Raymond discussed the following topics: a Council Member's concern about the \$50,000 threshold.

Mayor Guajardo opened public comment.

There were no comments from the public.

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: 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

17. [22-0540](#) Ordinance authorizing a Revocable Easement and a Temporary Construction Easement with Kinder Morgan Tejas Pipeline LLC for 0.05 acres of revocable easement and a temporary workspace easement of 1.51 acres to realign a portion of an existing 24-inch pipeline that transports natural gas, gaseous products, crude oil and other hydrocarbons or minerals in liquid or gaseous form on City owned property, operated by Solid Waste Department, located at the intersection of County Road 20 and County Road 57, appropriating \$11,200 into the City's Solid Waste Operating Fund and reimbursent to LA Farms in an amount of \$2,764 from Solid Waste Operating Fund for crop damages.

Mayor Guajardo referred to Item 17.

Director of Engineering Jeff Edmonds presented information on the following topics: project location.

Mayor Guajardo opened public comment.

There were no comments from the Council or the public.

Council Member Hunter made a motion to approve the ordinance, seconded by Council Member Smith. 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

18. [22-0593](#) Ordinance authorizing a Wastewater Trunk Line Construction and Reimbursement Agreement with Braselton Development Company, Ltd. to construct off-site wastewater trunk line improvements for a planned residential subdivision within the city limits, London Towne Unit 6, with a completion date of 24 months; and appropriating \$82,935.48 from the Wastewater Trunk System Trust Fund to reimburse the developer per the agreement. (District 3)

Mayor Guajardo referred to Item 18.

Director of Development Service Al Raymond presented information on the following topics: aerial overview; location map; trust fund balance as of February 28, 2022; and staff recommends approval.

Mayor Guajardo opened public comment.

There were no comments from the Council or the public.

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

19. [22-0595](#) Ordinance authorizing a Wastewater Trunk Line Construction and Reimbursement Agreement with Braselton Development Company, Ltd. to construct off-site wastewater trunk line improvements for a planned residential subdivision within the city limits, London Towne Unit 7, with a completion date of 24 months; and appropriating \$110,296.96 from the Wastewater Trunk System Trust Fund to reimburse the developer per the agreement. (District 3)

Mayor Guajardo referred to Item 19.

Mayor Guajardo opened public comment.

There were no comments from the Council or the public.

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:

P. BRIEFINGS: (ITEM 20)

20. [22-0658](#) Corpus Christi Regional Economic Development Corporation (CCREDC) Quarterly Update to City Council (the first quarter of Calendar Year 2022).

Mayor Guajardo referred to Item 20.

President and CEO of Corpus Christi Regional Economic Development Corporation (CCREDC) Iain Vasey presented information on the following topics: building permits; Corpus Christi local market housing data; unemployment rates; February 2022 employment by Sector for Corpus Christi MSA; sales tax collection allocations; area projects net taxable value; CCREDC project pipeline; business development dashboard; business attraction activities; business retention and expansion; charting a new course; and CCREDC 2021-2022 projects.

Council Members, Mr. Vasey and City Manager Peter Zaroni discussed the following topics: there are about 10,000 unfilled jobs across 11 counties; a Council Member's concern about the lack of entertainment businesses in our City; certain wage rates are not keeping up with inflation; a Council Member's concern about no cost of living benefits in Corpus Christi; the challenge is what companies are willing to pay; a Council Member's request for the EDC to work with City staff on the Industrial District Agreement in 2024; the median home price in the City is \$253,000; and a request for amenities on the beaches.

Q. EXECUTIVE SESSION: (ITEMS 21 - 22)

Mayor Guajardo referred to Executive Session Item 21. The Council went into Executive Session at 1:24 p.m. The Council returned from Executive Session at 3:07 p.m.

Mayor Guajardo referred to Executive Session Item 22. The Council went into Executive Session at 3:47 p.m. The Council returned from Executive Session at 5:00 p.m.

Mayor Guajardo referred to Executive Session Item 21. The Council went into Executive Session at 5:00 p.m. The Council returned from Executive Session at 5:29 p.m.

21. [22-0741](#) **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 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.

The following resolution was considered:

Resolution requesting the Port of Corpus Christi withdraw its application for SWIFT funding from the Texas Water Development Board and End any and all Attempts to become a Water Producer or Distributor.

Council Members discussed the following topics: the Port of Corpus Christi did not inform the City about this application; and the City is the regional water supplier, so the most important thing for the community is having stable, affordable water rates.

Council Member Barrera made a motion to approve the resolution, seconded by Council Member Smith. This 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: 032730

22. [22-0758](#) **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 Participation Agreement(s) for Oversizing Streets and Drainage Crossing per UDC § 8.4 with MPM Development LP, reimbursement obligations related thereto, construction requirements in said participation agreement(s), requested changes thereto, and City standards relating to the construction of streets, and pursuant to **Texas Government Code § 551.072** to deliberate the exchange or value of real property (including, but not limited to, streets to be dedicated to the City in the Kings Landing Subdivision) 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.

R. **ADJOURNMENT**

There being no further business, Mayor Guajardo adjourned this meeting at 5:39 p.m.