



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, December 14, 2021

11:30 AM

Council Chambers

Addendums may be added on Friday.

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

Mayor Guajardo called the meeting to order at 11:33 a.m.

B. Invocation to be given by Associate Pastor Brandon Cunningham, Grace Community Church.

Associate Pastor Brandon Cunningham, Grace Community Church, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States of America and to the Texas Flag to be led by Sydney Quimby, Mary Carroll High School student.

Sydney Quimby, Mary Carroll 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 L. Huerta called the roll and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers: City Manager Peter Zanoni, City Attorney Miles K. Risley and City Secretary Rebecca L. Huerta.

Present: 9 - Mayor Paulette M. 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. Proclamations / Commendations

1. [22-0032](#) Commendation recognizing James Perez, Small Business Owner for 24 Years in Business as Mattress Firm.
Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

The Commendation was presented and the Swearing-In Ceremony was held.

F. PUBLIC COMMENT:

Mayor Guajardo opened the public comment period.

The following citizens spoke in support of a Peoples Port Commissioner Appointment: Brandon Marks, 319 Rosebud Ave.; Shauna Mondragon, 1615 18th St.; Errol Summerlin, 1017 Diomedes; Encarnacion Serna, 105 Lost Creek Dr.; and Chloe Torres, 5430 Saratoga Blvd.; and Isabel Araiza, 326 Poenisch Dr.

Susie Saldana Luna, 4710 Hakel Dr., spoke regarding the Port Commission Appointment.

Aaron Munoz, 2961 Rivercrest Rd., spoke in support of the desalination project.

Jack Gordy, 4118 Bray Dr., spoke regarding pot hole issues.

Brian Watson, 5813 Hugo Dr., spoke regarding water fluoridation and quality of life.

Judge Barbara Canales spoke regarding the transition of the new health department.

The following citizens submitted written public comments regarding Item 38 which are attached to the minutes: Elke Gonzalez and Louie Lujan, 4825 Everhart Rd.

G. South Texas Military Task Force Briefing by RDML Robert D. Westendorff, Chief of Naval Air Training (CNATRA)

Mayor Guajardo referred to the South Texas Military Task Force Briefing by RDML Robert D. Westendorff.

Chief of Naval Air Training RDML Robert D. Westendorff presented the South Texas Military Task Force Briefing as follows: CNATRA; training pipelines Pilot; and strike pilot production challenges.

A Council Member and Chief Westendorff discussed the following topics: further community cooperation with infrastructure is one of the most important aspects for the Navy.

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

Mayor Guajardo referred to City Manager's comments.

c. Cole Park Pier Ribbon Cutting and Community Event on December 17

City Manager Zaroni reported on the Cole Park Pier Ribbon Cutting Ceremony that will be held on December 17, 2021 from 4:00 p.m. to 7:00 p.m.

a. Operation Heat Help

City Manager Zaroni reported on Operation Heat Help. The City's gas department has a

financial assistance program from November through February up to \$100 per household for those who qualify.

d. City Service Holiday Schedule

City Manager Zanoni gave an update on the City service holiday schedule. The City will be closed for non-essential services from Christmas Eve to New Years Day. City Hall will be closed, but all public safety services and critical infrastructure which include water, wastewater, solid waste and the airport will be in operation as normal.

b. Holiday Recycling Tips

City Manager Zanoni gave an update on the holiday recycling tips.

e. Overview of Virtual Public Meeting for Seawater Desalination by Mike Murphy, Chief Operating Officer for Water Utilities

Chief Operating Officer for Water Utilities Mike Murphy presented information on the following topics: TCEQ public meeting for water right permit La Quinta Channel; and a virtual town hall meeting to be held December 16, 2021 from 7:00 p.m. to 9:00 p.m. to discuss a drought-proof solution for the Coastal Bend.

Council Members and Mr. Murphy discussed the following topics: Council Members' desire to hold town halls in person and virtually.

f. United Way Charitable Campaign Closeout

City Manager Zanoni reported on the United Way Charitable Campaign Closeout. City employees contributed just under \$140,000.

g. Kevin Norton farewell and other staff announcements

City Manager Zanoni recognized Director of Water Utilities Kevin Norton for his service with the City and wished him well on his retirement.

I. BOARD & COMMITTEE APPOINTMENTS:

- 2.** [22-0008](#) Coastal Bend Council of Governments (9 vacancies)
Port of Corpus Christi Authority of Nueces County, TX (1 vacancy)

Mayor Guajardo referred to Item 2.

Coastal Bend Council of Governments:

Tammy Embrey (Appointed)
Michael Rodriguez (Appointed)
Peter Collins (Appointed)
Esteban Ramos (Appointed)
Andrea Gardner (Appointed)

Sony Peronel (Appointed)
Sarah Munoz (Appointed)

Port of Corpus Christi:
Gabe Guerra (Appointed)

J. EXPLANATION OF COUNCIL ACTION:

K. MOTION TO RECONSIDER: (ITEM 3)

3. [21-1525](#) Ordinance ratifying a partial postponement until January 1, 2022, of the effective date of Ordinance No. 032551 by amending the implementation date for a disposal fee increase made applicable to waste haulers with City disposal contracts.

Mayor Guajardo referred to Item 3.

Council Member Pusley made a motion to reconsider this item, seconded by Council Member Hernandez. The motion to reconsider passed unanimously.

William Davis, 715 S. Upper Broadway, spoke regarding the solid waste fee increase.

Council Members, Assistant City Manager Neiman Young and City Manager Peter Zanoni discussed the following topics: the current contract allows for fee increases; and \$6 million goes to the street maintenance funds.

Council Member Pusley made a motion to approve the ordinance as presented, seconded by Council Member Hernandez. This Ordinance was passed on second 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

Enactment No: 032616

L. CONSENT AGENDA: (ITEMS 4 - 33)

Approval of the Consent Agenda

Mayor Guajardo referred to the Consent Agenda. Council Members requested that Items 9, 18, 20, 24, 25, 32 and 33 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 9, 18, 20, 24, 25, 32 and 33. 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. [22-0018](#) Approval of the December 7, 2021 Regular Meeting Minutes.

The Minutes were approved on the consent agenda.

Consent - Second Reading Ordinances

5. [21-1618](#) Ordinance authorizing the acceptance of four grants totaling \$189,547.47 from the Texas Office of the Governor-Homeland Security Grant Division, Homeland Security Grant Program which include Bomb Squad Portable Detection for \$70,940.40, Hazmat Response Enhancement for \$34,950.22, Corpus Christi Police Department Special Weapons and Tactics Enhancement for \$54,952.05, and Bomb Squad Safety Enhancement for \$28,704.80; and appropriating \$189,547.47 in the FY 2022 Fire Grants Fund.

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

Enactment No: 032620

6. [21-1553](#) Zoning Case No. 1021-02, BHHN, LLC.: (District 3) Ordinance rezoning property at or near 8902 State Highway 44 from the "RS-6" Single-Family 6 District to the "IC" Industrial Compatible District. (Planning Commission and Staff recommend Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "IC" Industrial Compatible District, in lieu thereof approval of the "CC/SP" Commercial Compatible District with a Special Permit) (3/4 vote required to approve less restrictive use or density than the recommendation of the Planning Commission)

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

Enactment No: 032621

7. [21-1728](#) Ordinance amending the Corpus Christi Code to remove Chapter 3 Article I and amend Chapter 49 Article I to consolidate the City's requirements for installations on, across and over public right of way and to amend petitions to close streets; establishing a penalty.

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

Enactment No: 032622

8. [21-1619](#) Ordinance accepting an additional \$417,658.38 for an Air Quality Planning Grant from the Texas Commission on Environmental Quality (TCEQ); and appropriating in the No. 1071 Community Enrichment Grant Fund for air quality monitoring service and amending the term through December 31, 2023, with

funding available in the No. 1071 Community Enrichment Grant fund.

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

Enactment No: 032623

9. [21-1617](#) Ordinance accepting and appropriating \$30,000 from PetSmart Charities to be used for animal medical expenses.

Mayor Guajardo referred to Item 9.

A Council Member requested a list of grants that have been received this year.

Council Member Smith made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on second 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

Enactment No: 032624

10. [21-1604](#) Ordinance accepting and appropriating \$200,000 from the Texas Department of Housing and Community Affairs' ("TDHCA") allocation of Coronavirus Aid, Relief and Economic Security Act ("CARES" Act) from the U.S. Department Of Housing and Urban Development's ("HUD") Community Development Block Grant-Coronavirus ("CDBG-CV") funding for a Texas Emergency Mortgage Assistance Program; authorizing the City Manager or designee to execute all documents necessary to accept, appropriate and disburse the funds and to execute all agreements, amendments and all other documents necessary to implement the program.

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

Enactment No: 032625

11. [21-1723](#) Ordinance authorizing a software development and support agreement with Raftelis Financial Consultants, Inc., in the amount of \$200,000.00 for a parcel data management software application for the City's Storm Water Drainage Utility System; appropriating \$200,000.00 from the unreserved fund balance in the Storm Water Fund; and amending the FY 2022 Operating Budget.

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

Enactment No: 032626

12. [21-1650](#) 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 in the

amount of \$48,345.00 with a City match of \$9,669.00 for the period January 1, 2022, through December 31, 2022, to provide tuberculosis prevention and control services under the Health Grant.

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

Enactment No: 032627

13. [21-1413](#) Ordinance authorizing Amendment No. 1 of \$4,727,170.00 to Contract with Texas Department of State Health Services which provides \$18,073,609.00 for COVID-19 Vaccination services provided May 14, 2021, through June 30, 2024, to be used to increase, train, and monitor vaccine sites and providers; and appropriating the funds in the Health Grant Fund.

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

Enactment No: 032628

14. [21-1659](#) Ordinance Approving the Calendar Year 2022 Annual Audit Plan to be implemented by the City Auditor's Office

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

Enactment No: 032629

Consent - Contracts and Procurement

15. [21-1330](#) Resolution authorizing a six-month service agreement with C & S Plating & Bumper Recycling, Inc., dba C & S Truck and Van Equipment, of Corpus Christi, Texas, in an amount not to exceed \$200,000.00 for installation and repairs of emergency equipment in City of Corpus Christi Police Department service vehicles with FY 2022 funding available in the General Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032630

16. [21-1448](#) Motion authorizing a three-year service agreement with Russell James, dba R & R Delivery Service, for the Elderly Nutrition Program - Home Delivered Meals in an amount not to exceed \$668,250.00, with FY 2022 funding in an approximate amount of \$167,062.50 available in the Elderly Nutrition Program Grant Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-224

17. [21-1514](#) Motion authorizing a one-year supply agreement, with two additional one-year period options for cold mix - cold laid asphalt for Street Operations, for an estimated amount of \$1,988,325.00 and a potential cost of \$6,218,100.00 if options are exercised, with Vulcan Construction Materials, LLC of Birmingham, Alabama with an office in San Antonio, Texas, with FY 2022 funding in an amount not to exceed \$1,822,631.25 available through the Streets Maintenance

Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-225

18. [21-1258](#) Motion authorizing a professional services contract with HVJ Associates, Inc. of Austin, Texas, for an amount not to exceed \$1,435,519.35 for Pavement Condition Evaluation Survey & Pavement Management Software System Project of which \$1,190,513.53 from the Street Fund and \$245,005.82 from the Storm Water Operations Fund.

Mayor Guajardo referred to Item 18.

Director of Public Works Rolando Mata presented information on the following topics: optimized street maintenance; historical Pavement Condition Index (PCI) scores; pavement condition survey, assessment and indexing; project scope; cartograph asset management software; and project timeline.

Council Members, Director Mata, Assistant Director of Finance and Procurement Josh Chronley and City Manager Peter Zanoni discussed the following topics: in response to a Council Member's question regarding selecting the company who had a lower technical evaluation score, staff stated that they selected the company based on their software demonstration, along with their interview scores.

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: M2021-226

19. [21-1631](#) Motion authorizing a one-year supply agreement with two one-year option periods, in an amount not to exceed \$127,103.00 and a potential amount not to exceed \$381,309.00 if option periods are exercised, for ductile iron pipe accessories for the City Warehouse with Hajoca Corporation, dba Moore Supply Co., of Corpus Christi, Texas with FY 2022 funding in the amount of \$95,327.28 available in the Stores Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-227

20. [21-1632](#) Resolution authorizing a five-year service agreement with Area Electronics Systems, Inc., dba DataON Storage, of Anaheim, California, in an amount not to exceed \$225,354.00 for the purchase of Azure Stack Hyperconverged Infrastructure (HCI) hardware with support and warranty for off-site backup

storage of all Police video data, with funding for FY 2022 in the amount of \$225,354.00 from the Information Technology Fund.

Mayor Guajardo referred to Item 20.

A Council Member and Director of Information Technology Peter Collins discussed the following topics: a Council Member's request for the IT department to look into the Education Service Center to compare their prices to the current ones.

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: 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: 032631

21. [21-1658](#) Motion authorizing the purchase of laptop computers, monitors, and accessories from Dell Marketing, LP, of Round Rock, TX, in an amount not to exceed \$124,927.00, for compatibility with digital plan review software applications utilized by the Development Services Department, through the DIR Cooperative, with FY 2022 funding available through the Development Services Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-228

22. [21-1609](#) Resolution authorizing a 36-month service agreement, with an additional 36-month renewal option, with KorTerra Inc. of Chanhassen, Minnesota for an estimated amount of \$89,394.00, with a total estimated amount not to exceed \$178,788.00 if the option period is exercised, for the purchase of software access to the KorWeb 811 line locate work order management and database services for Gas Operations, effective upon issuance of notice to proceed, with FY 2022 funding in the amount not to exceed \$22,348.50 available in the Gas Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032632

23. [22-0013](#) Resolution authorizing the acquisition of 122 vehicles and machinery by various departments in the amount of \$12,138,349.14, with such items to be acquired in the manner, at the amounts, and from the sources stated with FY 2022 funding in the amount of \$9,869,954.73.

This Resolution was passed on the consent agenda.

Enactment No: 032633

Consent - Capital Projects

24. [21-0490](#) Motion authorizing Amendment No. 1 to a professional services contract with HDR, Inc., Corpus Christi, TX, to provide design, bid, and construction phase services for improvements to the booster pump stations located at Bloomington, Texas and Woodsboro, Texas associated with the Mary Rhodes Pipeline raw water delivery system in an amount of \$831,000.00 for a total contract value not to exceed \$878,560.00, with FY 2022 funding available from the Water Capital Fund.

Mayor Guajardo referred to Item 24.

A Council Member, Director of Engineering Jeff Edmonds and City Manager Peter Zanoni discussed the following topics: a Council Member's request to ensure that there is a fair bidding process when hiring engineers.

Council Member Hernandez 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: M2021-229

25. [21-1531](#) Motion awarding a construction contract to Associated Construction Partners, Ltd, Boerne, Texas, for the installation of control valves and pumps at the Holly and Rand Morgan Elevated Storage Tanks in an amount of \$4,669,500.00, located in Council Districts 1 and 5, with FY 2022 funding available from the Water Capital Fund.

Mayor Guajardo referred to Item 25.

Council Members, Assistant Director of Water Quality and Treatment Gabriel Ramirez, Director of Engineering Jeff Edmonds, Assistant Director of Finance and Procurement Josh Chronley and City Manger Peter Zanoni discussed the following topics: Texas Commission on Environmental Quality's (TCEQ) requirement on elevated storage is 100 gallons per connection; this current project allows the City to get these tanks on-line by May 2022; in response to a Council Member's concern of only having one bidder, staff stated that fewer contractors are willing to assume the risk to bid out a project like this because of the lack of available resources and the pricing fluctuations; the City's goal is to get these water towers on-line to increase water pressure; and the consultant did not consider the distribution system when these water tanks were designed and built.

Council Member Pusley 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 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: M2021-230

26. [21-1533](#) Motion awarding a construction contract to CSA Construction, Inc., of Houston, Texas, for Aeration Coarse Bubble Improvements under the Oso Water Reclamation Plant Process Upgrades and Breakpoint Chlorination Decommissioning project in an amount of \$4,107,000.00, located in Council District 4, with FY 2022 funding available from the Wastewater Capital Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-231

27. [21-1536](#) Motion awarding a construction contract to Clark Pipeline Services, LLC, Corpus Christi, Texas, for the Port Avenue Water Line Replacement project in an amount of \$4,856,722.99, located in Council Districts 1 and 2, with FY 2022 funding available from the American Rescue Plan Act.

This Motion was passed on the consent agenda.

Enactment No: M2021-232

28. [21-1608](#) Motion authorizing a professional services contract with EN Engineering of Warrenville, Illinois to conduct the 2022 Periodic Corrosion Monitoring Survey for the Mary Rhodes Pipeline in an amount of \$109,851.00, with FY 2022 funding available from the Water Capital Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-233

29. [21-0915](#) Motion awarding a professional services contract to Halff Associates Inc., Corpus Christi, Texas, to provide design, bid, and construction phase services for the West Guth Park Enhancements in an amount of \$174,940.00, located in Council District 1, with FY2022 funding available from the Parks and Recreation Bond 2020 Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-234

30. [21-1534](#) Motion awarding a construction contract to Bay Ltd. and Grace Paving and Construction, Inc., both from Corpus Christi, Texas, in the total amount of \$19,848,223.78, for the FY 2022 Residential Street Rebuild Program Base Bid F for 43 neighborhood street projects citywide in an amount of \$6,876,814.10 to Bay Ltd., Base Bid G in an amount of \$5,957,926.48 to Grace Paving and

Construction Inc., and Base Bid H in an amount of \$7,013,483.20 to Bay Ltd., with FY 2022 funding available from the Residential Street Reconstruction, Storm Water, Wastewater, Water and Gas Capital Funds.

This Motion was passed on the consent agenda.

Enactment No: M2021-235

General Consent Items

31. [21-1729](#) Resolution authorizing submission of a grant application for \$75,000.00 to the State of Texas under the Body-Worn Camera Grant Program with City cash match of \$25,000.00 to equip Corpus Christi Police Department police officers with body-worn cameras.

This Resolution was passed on the consent agenda.

Enactment No: 032634

32. [22-0003](#) Resolution adopting the Housing Development Fee Waivers for Non-qualifying Homebuyers Program Guidelines as authorized by the City of Corpus Christi Fiscal Year 2021-2022 Operating Budget.

Mayor Guajardo referred to Item 32.

Assistant Director of Neighborhood Services Jennifer Buxton presented information on the following topics: housing development fee waivers; and requirements.

There were no comments from the Council.

Council Member Barrera made a motion to approve the resolution, seconded by Council Member Hunter. 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: 032635

33. [22-0024](#) Resolution authorizing the City Manager to negotiate a final real estate term sheet necessary to acquire real property interests at or near the Inner Harbor Nueces Bay Boulevard and the La Quinta Channel for seawater desalination and treatment plant(s) from Flint Hills Resources Corpus Christi, LLC and Occidental Chemical Corporation, respectively.

Mayor Guajardo referred to Item 33.

Mayor Guajardo opened public comment.

Errol Summerlin asked for clarification on what the public process will be with regard to

the actual purchase of the desalination site.

Council Members and City Manager Peter Zanoni discussed the following topics: a Council Member asked staff to provide alternatives to desalination; clarification that City Council is giving staff authority to negotiate term sheets of a site location, but not to consummate the deal; a Council Member's concern about staff putting more effort into the Inner Harbor site and not both sites equally; and the two properties are being pursued to get a term sheet, but when the first property is completed it will be brought to Council for review versus having both presented at the same time.

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

Aye: 7 - Mayor Guajardo, Council Member Barrera, 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

Abstained: 0

Enactment No: 032636

Q. BRIEFINGS: (ITEM 39)

39. [21-1610](#) Overview of the Procurement Policy Analysis performed by Weaver and Presentation on Proposed Local Preference Ordinance

Mayor Guajardo deviated from the agenda and referred to Item 39.

Assistant Director of Finance-Procurement Josh Chronley presented information on the following topics: finance and procurement division; procurement division management team; core services; customer service focus; digitization; agenda preparation process; standardization; risk assessment matrix; established buyer teams; and separating procedures from policy.

Partner with Weaver Assessment Brandon Tanous presented information on the following topics: evaluation phases; policy and procedure results; internal controls results; peer city comparison results; and recommendations.

Assistant Director of Finance-Procurement Josh Chronley presented information on the following topics: changes approved in FY 2022 budget; future budget requests; changes to policy and procedure; Infor financial system upgrade; and warehouse repurposing.

Council Members, Assistant Director Chronley, and Director of Finance Heather Hurlbert discussed the following topics: staff is hiring an outside consultant who can negotiate directly with the manufacturers, as well as local dealerships.

Assistant Director of Finance-Procurement Josh Chronley presented information on the following topics: Local preference; current scoring systems; Texas city comparison;

Request for Bids (RFB) local preference; Request for Qualifications (RFQ)/Request for Proposal (RFP) local preference; and local preference summary.

Council Members, Assistant Director Chronley, and Director of Finance Heather Hurlbert discussed the following topics: local purchases are defined within the City limits; the State of Texas can be considered local preference; and the contract management training will address the issues regarding the low bidders that were deemed not qualified.

M. RECESS FOR LUNCH

Mayor Guajardo recessed the Council meeting for lunch at 2:18 p.m. Executive Session Items 44-46 were held during the lunch recess. Mayor Guajardo reconvened the meeting at 3:58 p.m.

N. PUBLIC HEARINGS: (ITEMS 34 - 35)

34. [21-1647](#) Zoning Case No. 1021-06, Walker Holdings and Development, LLC.: (District 1) Ordinance rezoning property at or near 3202 Interstate 69 from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 34.

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

Council Members and Assistant Director Nixon-Mendez discussed the following topics: a Council Member would like to keep the RS-6 single-family district to have bigger lot subdivisions; and the setbacks for RS-4.5 is 20 feet.

Mayor Guajardo opened the public hearing.

Representative for Lennar Homes James McKnight stated that this property has not been fully platted yet, but the lot sizes vary from 4,500 to 6,000 square feet. The reason for the rezoning is for the lot size to have smaller yards.

Council Members and Mr. McKnight discussed the following topics: the size of the home is not changing, but the yard will be smaller; and there will be sidewalks on both sides of the street.

Mayor Guajardo closed the public hearing.

Council Member Lerma made a motion to table this item to send back to Development Services for a Special Permit or a Planned Unit Development (PUD), seconded by Council Member Pusley. This Item 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

35. [21-1644](#) Ordinance adopting text amendments to the Unified Development Code (UDC) to remove the Planning Commission from historic designation review process and to identify grounds for undue hardship the Board of Adjustment may consider for a variance (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 35.

Assistant Director of Development Services Nina Nixon-Mendez presented information on the following topics: background; Senate Bill 1585; UDC Section 3.1.6.A; UDC Section 3.1.8; UDC Section 3.4.2.A; UDC Section 3.4.2.B; UDC Section 3.4.2.C; House Bill 1475; UDC Section 3.25.3.B; UDC Section 3.25.3.E; and planning commission and staff recommend approval.

Council Members and Assistant Director Nixon-Mendez discussed the following topics: a Council Member's concern about filling Landmark Commission positions.

Mayor Guajardo opened the public hearing.

There were no comments from the public.

Mayor Guajardo closed the public hearing.

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

O. INDIVIDUAL CONSIDERATION ITEMS: None

P. FIRST READING ORDINANCES: (ITEMS 36 - 38)

36. [21-1554](#) Zoning Case No. 1021-03, SRPC Properties, LLC.: (District 2) Ordinance rezoning property at or near 1645 14th Street from the "RS-TF" Two-Family District and "CG-2" General Commercial District to the "RM-2" Multifamily District. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 36.

Assistant Director of Development Services Nina Nixon-Mendez stated that this item was brought back to Council for the Applicant to answer any questions they may have.

Council Members, Applicant Shirley Carson with SRPC Properties LLC, Assistant Director Nixon-Mendez and Development Services Administrator Andrew Dimas discussed the following topics: the applicant stated that there have not been any changes to this project since the last discussion; a Council Member's concern about the proposed design of the building; a Special Permit would be required to prohibit a special design; and no zoning case is bound by design unless it is by site plan.

Mayor Guajardo opened public comment.

Rix Musslewhite, 5808 Wicklow Dr., stated that he is opposed to the rezoning of this property.

Mayor Guajardo closed public comment.

Council Members and Mr. Dimas discussed the following topics: if this structure is a two-story building it will have a 16 to 17 foot setback; and this design may not work during the platting stage.

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

Aye: 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

37. [22-0002](#) Ordinance revising the Infill Housing Incentive Program Guidelines as authorized by Article II, Chapter 20 of the City of Corpus Christi Code of Ordinances; authorizing a two-year agreement with the Corpus Christi B Corporation to provide Type B affordable housing funding in the amount of \$1,000,000 for costs related to the Infill Housing Incentive Program; appropriating \$500,000 from The Type B Fund; and amending the operating budget.

Mayor Guajardo referred to Item 37.

Assistant Director of Neighborhood Services Jennifer Buxton presented information on the following topics: infill housing incentive program; and IHIP program guidelines.

Council Members and Assistant Director Buxton discussed the following topics: this program will be funded with Type B and does not require expenditures out of the general fund.

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: 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

38. [21-1663](#) Briefing on Short Term Rental Policy Development and Ordinance amending Chapter 5 of the Corpus Christi Code to require a permit for the operation of short-term rentals; and providing for publication.

Mayor Guajardo referred to Item 38.

Director of Planning and Environmental Dan McGinn presented information on the following topics: short term rentals; community activity (2018-21); short term rental regulations; enforcement; registration ordinance; ordinance summary; and next steps.

Mayor Guajardo opened public comment.

Charles Duffley spoke regarding a concern with the current ordinance and not enforcing short-term rental violations.

Council Members, City Attorney Miles Risley, City Manager Peter Zanoni, Director of Neighborhood Services Tracey Cantu and Director of Finance Heather Hurlbert discussed the following topics: phase two will allow short-term rentals in districts other than just multi-family and the island; staff will be working with a consultant to bring phase two to Council; the \$50,000 that was budgeted to enforce sting operations on short-term rentals has not been implemented because of the challenges with enforcement; the fine for operating illegal short-term rentals is up to \$2,000; a Council Member suggests that staff communicate with Airbnb to advise them that the City of Corpus Christi has a licensing mandate with respect to short-term rentals; single family zoned subdivisions cannot have short-term rentals; and the City has an online platform for short term renters to submit hotel tax.

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

Aye: 7 - Mayor Guajardo, Council Member Barrera, 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

Abstained: 0

BRIEFINGS: (ITEMS 40- 42)

40. [22-0009](#) North Beach Canal Request for Information (RFI) Update

Mayor Guajardo referred to Item 40.

Assistant City Manager Neiman Young presented information on the following topics: LAN phase 1 report findings; LAN phase 2 report findings; navigable canal Request for Information (RFI); and The Breakers at North Beach.

Council Members, Assistant City Manager Young, and City Manager Peter Zanoni discussed the following topics: a Council Member's concern that the City is not working with the developer to move forward with the navigable canal; the purpose of Reinvestment Zone #4 was for improvements and projects like this canal; staff will provide Council an action item in January to move this project forward; and a Council Member's request for staff to also provide identification of where the City's funding is coming from.

41. [22-0011](#) Storm Water Fee Implementation Overview (January 2022)

Mayor Guajardo referred to Item 41.

Assistant Director of Public Works Gabriel Hinojosa presented information on the following topics: statewide storm water implementation; work plan group; communication plan; public works customer service; storm water improvements; and storm water fee starting on January utility bill.

There were no comments from the Council.

42. **22-0023** Donation of \$30,000 by Greg Perkes to the Coastal Bend Community Foundation for replacement of the two swing sets at West Guth Park.

This Presentation was postponed until January 11, 2022.

R. **EXECUTIVE SESSION: (ITEMS 43 - 46)**

Mayor Guajardo referred to Executive Session Items 44-46. The Council went into Executive Session at 2:18 p.m. The Council returned from Executive Session at 3:58 p.m.

43. [22-0012](#) **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.**

Mayor Guajardo referred to Executive Session Item 43. Council went into Executive Session at 7:41 p.m. The Council returned from Executive Session at 7:49 p.m.

This E-Session Item was discussed in executive session.

44. [22-0027](#) **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, 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 passed after executive session. See Item 33.

Enactment No:

45. [22-0033](#) **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 City Manager to execute all documents necessary to release claims concerning the New Broadway Waste Water Treatment Plant Aeration Basins and Clarifiers but reserving other claims in *City of Corpus Christi v. Carollo Engineers, P.C.*, in exchange for \$1.65 million to the City.

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:

Enactment No: M2021-236

46. [22-0037](#) **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 approval of the Global Opioid Settlement negotiated by Texas Attorney General, including potential approval of all documents necessary to authorize said settlement including, but not limited to a “Resolution authorizing participation in the proposed opioid crisis settlement through the Texas Attorney General’s office; and adopting and approving the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet”.

This E-Session Item was passed after executive session.

The following resolution was considered:

Resolution authorizing participation in the proposed opioid crisis settlement through the Texas Attorney General’s office; and adopting and approving the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet.

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

Enactment No: 032637

S. ADJOURNMENT

There being no further business, Mayor Guajardo adjourned the meeting at 7:50 p.m.

Sarah Brunkenhoefer

From: CitySecretary
Sent: Tuesday, December 14, 2021 11:41 AM
To: Rebecca Huerta
Cc: Sarah Brunkenhoefer; Norma Duran
Subject: FW: Public Input: 12-14-2021 - Elke Gonzalez

FYI.



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

From: Jotform <noreply@jotform.com>
Sent: Tuesday, December 14, 2021 11:30 AM
To: CitySecretary <CitySecretary@cctexas.com>; Norma Duran <NormaD2@cctexas.com>
Subject: Public Input: 12-14-2021 - Elke Gonzalez

[[**WARNING:** External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to SecurityAlert@cctexas.com.]]

Warning: Replies to this message will go to returns@jotform.com. If you are unsure this is correct please contact the Helpdesk at 826-3766.

Public Comment & Input Form

Date of Meeting	12-14-2021
Name	Elke Gonzalez
Address	Street Address: 4825 Everhart Road Suite 1 City: Austin State / Province: Texas Postal / Zip Code: 78411
Topic	Short Term Rentals
Agenda Item Number	38. 21-1663 -Regarding STR policy

Describe Feedback:

CCAR is not necessarily against the ordinance. However, we do have concerns about some of the language; specifically language that can have negative impacts on the real estate industry. We ask for the opportunity to meet with staff to discuss our concerns.

Provide an email to receive a copy of your submission.

elke@ccarmail.com

Sarah Brunkenhoefer

From: CitySecretary
Sent: Tuesday, December 14, 2021 12:25 PM
To: Rebecca Huerta
Cc: Sarah Brunkenhoefer; Norma Duran
Subject: FW: Public Input: 12-14-2021 - Louie Lujan

Fyi.



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

From: Jotform <noreply@jotform.com>
Sent: Tuesday, December 14, 2021 11:56 AM
To: CitySecretary <CitySecretary@cctexas.com>; Norma Duran <NormaD2@cctexas.com>
Subject: Public Input: 12-14-2021 - Louie Lujan

[[**WARNING:** External e-mail. Avoid clicking on links or attachments. We will **NEVER** ask for a password, username, payment or to take action from an email. When in doubt, please forward to SecurityAlert@cctexas.com.]]

Warning: Replies to this message will go to returns@jotform.com. If you are unsure this is correct please contact the Helpdesk at 826-3766.

Public Comment & Input Form

Date of Meeting	12-14-2021
Name	Louie Lujan
Address	Street Address: 4825 Everhart Rd Suite 1 City: Corpus Christi State / Province: TX Postal / Zip Code: 78411
Topic	Short Term Rental (STR) Ordinance
Agenda Item Number	38

Describe Feedback:

Comments RE: Item 38; 21-1663 Briefing on Short Term Rental Policy Development and Ordinance amending Chapter 5 of the Corpus Christi Code to require a permit for the operation of short-term rentals; and providing for publication.

Madam Mayor and Members of the City Council:

My Name is Louie Lujan, I am the Director of Government Affairs for the Corpus Christi Association of REALTORS (CCAR). On behalf of our association and membership, we would like to express concern about some of the language contained within the proposed ordinance.

Prior to the 2nd reading of the ordinance, we would like to set a meeting with Assistant City Manager Andrea Gardner to express our concerns. Please let us know the best way to set this up.

Finally, Our Government Affairs Committee has been discussing this issue. We look forward to your input as we further develop a policy position.

Louie Lujan
Government Affairs Director
Corpus Christi Association of REALTORS®
626.824.8658 - Direct