



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, February 9, 2021

11:30 AM

Council Chambers

Addendums may be added on Friday.

Public Notice: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (at 361-826-3105) at least 48 hours in advance so that appropriate arrangements can be made.

Si Usted desea dirigirse al Concilio y cree que su inglés es limitado, habrá un intérprete inglés-español en todas las juntas del Concilio para ayudarle.

This meeting may be held via videoconference call pursuant to Texas Government Code § 551.127. If this meeting is held via videoconference call or other remote method of meeting, then a member of this governmental body presiding over this meeting will be physically present at the location of this meeting unless this meeting is held pursuant to Texas Government Code § 551.125 due to an emergency or other public necessity pursuant to Texas Government Code § 551.045.

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

Mayor Guajardo called the meeting to order at 11:35 a.m.

- B. Invocation to be given by Pastor Claude Axel, Mount Pilgrim Baptist Church.**

Pastor Claude Axel, Mount Pilgrim 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 Freddie Martinez, King High School Student.**

Freddie Martinez, high school student at King High School, led the Pledge of Allegiance to the Flag of the United States and 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. PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COUNCIL. To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Council. This meeting will be broadcast at cctexas.com/services/council-meeting-agendas-minutes-video. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Council should be provided in written format and presented to the City Secretary and/or designee no later than five minutes after the start of each meeting of the City Council. Testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's door and on the City website, and allow for electronic submission. The written public testimony shall be provided to members of City Council prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This testimony shall serve as the required public testimony pursuant to Texas Government Code 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference. The public may participate remotely by following the instructions of the City Secretary at cctexas.com/departments/city-secretary.

Mayor Guajardo referred to comments from the public.

The following citizens submitted written public comments which are attached to the Minutes: Yolanda Keys, 6034 Rio Vista Ave; David Moss, 1642 Candlewood; Tomasita Villarreal, 5757 S. Staples St.; F. Rodney Eve, 1400 Ocean Dr.; Pauline Forbes, 929 Miramar Pl.; Dale Ann Roper, 13737 Tajamar St.; Tyler Schumacher, 5010 Wingfoot Lane; Davene Bennett, 422 Red Oak St.; Mariah Boone, 710 Ponder St.; Michael Galullo, 1400 Ocean Dr.; Christopher Phelan, 3806 Kingston Dr.; Enid Brooks, 1302 Leopard St.; Asa Stricker, 4809 Jarvis St.; and Richard Bell, 10014 Compton Rd.

The following citizens called in regarding low barrier shelter: Eli McKay, 1008 Marguerite St.; Julie Rogers, 710 Furman Ave.; Marilena Garza, 1008 Marguerite St.; Sylvia Campos, 4410 Fir St.; and Brittany Garcia, Brawner Pkwy.

The following citizen called in regarding various topics: John Arnold, 3565 N. Naylor Circle.

The following citizen called in regarding desalination: Errol Summerlin, 1017 Diomede, Portland, TX.

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

Mayor Guajardo referred to City Manager's Comments. City Manager Peter Zaroni reported on the following topics: 1) First Quarter Budget and Finance Report. 2) Update on COVID-19 vaccinations.

a. FIRST QUARTER BUDGET AND FINANCE REPORT

Council Members and City Manager Peter Zaroni discussed the following topics regarding the first quarter budget and finance report: the revenues and expenses for the gas department are in a separate fund; the revenues are lower than budgeted because gas prices are low; and a Council Member's request that the budget reflect more realistic numbers than what is shown.

b. GOVERNMENT ACTIONS RELATED TO CORONA VIRUS

Council Members, City Manager Peter Zaroni and Fire Chief Robert Rocha discussed the following topics regarding COVID-19: another vaccination drive will be held at the American Bank Center the week of February 15th by appointment only; a Council Member's request for a possible drive-thru vaccination clinic on the island or Flour Bluff; the City and County continue to assess the registration process; the fire department is completing vaccinations for those who are homebound; the drive-thru vaccination locations will alternate between the American Bank Center and Richard M. Borchard Regional Fairgrounds; a Council Member acknowledged everyone who is helping out and volunteering with the vaccinations; and a Council Member commended IT for their hard work and efforts during the pandemic.

G. MINUTES:**1. Regular Meeting of January 26, 2021**

A motion was made by Council Member Pusley, seconded by Council Member Molina that the Minutes be approved. The motion carried by a unanimous vote.

H. BOARD & COMMITTEE APPOINTMENTS:

2. Civil Service Board (2 vacancies)
Civil Service Commission (2 vacancies)
Corpus Christi Regional Economic Development Corporation (1 vacancy)
Landmark Commission - (7 vacancies)
North Padre Island Development Corporation (6 vacancies)
Port of Corpus Christi Authority of Nueces County, TX. (1 vacancy)
Reinvestment Zone No. 2 (Island) Board (3 vacancies)
Reinvestment Zone No. 4 (North Beach) Board (10 vacancies)

Mayor Guajardo referred to Item 2.

Civil Service Board and Civil Service Commission

Council Member Molina made a motion to appoint Beth Rauhaus and Deborah A. Sibila, seconded by Council Member Hernandez and passed unanimously.

Corpus Christi Regional Economic Development Corporation

Council Member Barrera nominated Robert Gonzalez Sr. Council Member Hernandez made a motion to appoint Robert Gonzalez Sr., seconded by Council Member Hunter and passed unanimously.

Landmark Commission

Council Member Barrera made a motion to reappoint Kathleen De La Garza (At-Large), seconded by Council Member Molina and passed unanimously. Council Member Smith made a motion to appoint Jen Brown (Historian), seconded by Council Member Hernandez and passed unanimously. Council Member Molina made a motion to appoint Roslyn Wanzer (Real Estate), seconded by Council Member Hernandez and passed unanimously. Council Member Pusley made a motion to appoint Armando Mendez (At-Large) and Veronica Wilson (At-Large), seconded by Council Member Molina and passed unanimously.

North Padre Island Development Corporation

Council Member Molina made a motion to reappoint Council Members Roland Barrera, Mayor Paulette Guajardo, and Gil Hernandez, seconded by Council Member Hernandez and passed unanimously. Council Member Smith made a motion to appoint Council Members Billy Lerma, Mike Pusley and John Martinez, seconded by Council Member Hernandez and passed unanimously.

Port of Corpus Christi Authority of Nueces County, Texas

Council Member Pusley made a motion to reappoint Al Jones. Council Member Martinez nominated Rajan Ahuja. Council Members Mike Pusley, Roland Barrera, Michael Hunter and Greg Smith voted for Al Jones. Council Members John Martinez, Ben Molina, Billy Lerma, Gil Hernandez and Mayor Paulette Guajardo voted for Rajan Ahuja. Rajan Ahuja was appointed.

Reinvestment Zone No. 2 (Island) Board

Council Member Smith made a motion to appoint Council Members Billy Lerma, Mike Pusley and John Martinez, seconded by Council Member Molina and passed unanimously. Council Member Hernandez made a motion to appoint Council Member Greg Smith as Chair for Reinvestment Zone No. 2 (Island), seconded by Council Member Molina and passed unanimously.

Reinvestment Zone No. 4 (North Beach) Board

Council Member Lerma made a motion to reappoint Council Members Roland Barrera, Gil Hernandez, Michael Hunter, Ben Molina and Greg Smith, seconded by Council Member Hernandez and passed unanimously. Council Member Lerma made a motion to reappoint Nueces County Judge Barbara Canales (Nueces County), seconded by Council Member Martinez and passed unanimously. Council Member Pusley nominated Kenneth Berry for Community Member position, Council Member Hernandez nominated Carrie Meyer. Council Members Barrera, Hunter, Molina, Martinez, Lerma and Smith voted for Kenneth Berry. Council Member Hernandez voted for Carrie Meyer. Mayor Guajardo abstained. Kenneth Berry was appointed Community Member. Council Member Molina made a motion to appoint Council Members

Billy Lerma, Mike Pusley and John Martinez, seconded by Council Member Smith and passed unanimously. Council Member Hernandez made a motion to appoint Council Member Billy Lerma as Chair for Reinvestment Zone No. 4 (North Beach), seconded by Council Member Martinez and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

J. CONSENT AGENDA: 3 - 29

Approval of the Consent Agenda

Mayor Guajardo referred to the Consent Agenda. Council Members requested that Items 4,11,13, 22, 23 and 25 be pulled for individual consideration.

A motion was made by Council Member Lerma, seconded by Council Member Martinez to approve the Consent Agenda with the exception of Items 4,11,13, 22, 23 and 25. 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

- 3.** One Reading Ordinance accepting and appropriating \$853,268.65 from the Texas Department of Housing and Community Affairs ("TDHCA") Coronavirus Aid, Relief and Economic Security Act ("CARES" Act) for Community Development Block Grant - Coronavirus ("CDBG-CV") funding for a Texas Emergency Rental Assistance Program and a Texas Eviction Diversion Program.

This Ordinance was passed on the consent agenda.

Enactment No: 032335

Consent - Second Reading Ordinances

- 4.** Zoning Case No. 0720-02, MVR Construction Company (District 4). Ordinance rezoning property at or near 10001 Compton Road from the "RE" Residential Estate District to the "RS-15" Single-Family 15 District. Planning Commission and Staff recommend Approval. (3/4 vote required due to public opposition.)

Mayor Guajardo referred to Item 4.

A Council Member said he voted in favor of this ordinance on first reading. After further consideration, he pulled it on second reading to vote "No".

Council Member Hernandez 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: 7 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Lerma, Council Member Martinez and Council Member Molina

Nay: 2 - Council Member Pusley and Council Member Smith

Abstained: 0

Enactment No: 032336

5. Zoning Case No. 0820-03, Owen A. Norton (District 4). Ordinance rezoning property at or near 2926 Laguna Shores Road from the "RM-1" Multifamily 1 District to the "RV" Recreational Vehicle Park District. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032337

6. Zoning Case No. 1120-01, Mary Hutchins Triestman Partnership (District 1). Ordinance rezoning property at or near 1902 Rand Morgan from the "FR" Farm Rural District and "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District and "RS-4.5/PUD" Single-Family District and a Planned Unit Development. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032338

7. Ordinance amending Ordinance No. 032311 to increase the appropriation of Type B funding for the Cole Park Pier to \$5,000,000.00 from the unreserved fund balance of the Type B Sales Tax Fund and decrease the appropriation from the unreserved fund balance of the General Fund by \$349,427.00; transferring funds in the amount of \$7,777,670.00 to the Park CIP Fund; and amending the budget.

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

Enactment No: 032339

8. Ordinance accepting a grant in the amount of \$206,787.00 from the State of Texas Governor's Homeland Security Grants Division for Operation Stonegarden to assist in border patrol operations; and appropriating \$206,787.00 in the Police Grants Fund.

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

Enactment No: 032340

9. Ordinance accepting a grant in an amount of \$102,248.61 from the Texas Office of the Governor, Criminal Justice Division for Coronavirus

Emergency Supplemental Funding Program with no City match; and appropriating \$70,000.00 in the Municipal Court Grant Fund, \$16,124.31 in the Fire Department Grants Fund, and \$16,124.30 in the Police Grants Fund.

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

Enactment No: 032341

10. Ordinance amending City Code Chapter 55, Article XI, Commercial and Industrial Waste Disposal and Pretreatment, to comply with requirements of the U.S. Environmental Protection Agency and Texas Commission on Environmental Quality Pretreatment Program for Industrial User Discharges to the Wastewater System by adding required definitions for best management practices, daily and monthly limits, process wastewater; amending sampling collection requirements, and providing for compliance orders; and providing for civil penalties up to \$1,000 per day and criminal penalties up to \$2,000 per day for violations of the ordinance.

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

Enactment No: 032342

11. Ordinance authorizing the acceptance of the Gulf of Mexico Energy Security Act (“GOMESA”) grant funding from the Texas General Land Office - Coastal Management Program in an amount of \$253,307.00 for the acquisition of property adjacent to Laguna Madre and in the Redhead Pond area, for stormwater re-route associated with the Bond 2018 Laguna Shores street reconstruction projects, located in Council District 4, and appropriating an amount of \$253,307.00 in the Community Development Grant Fund.

Mayor Guajardo referred to Item 11.

A Council Member stated that this is a good news item and thanked staff for their work on these grants.

Council Member Smith made a motion to approve the ordinance, 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: 032343

12. Ordinance amending the Code of Ordinances, Chapter 53: One Way Streets and Alleys that will change 10th Street, between Ayers Street and

Staples Street, from a two-way traffic flow to a one-way traffic flow.

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

Enactment No: 032344

- 13.** Ordinance declaring City owned land on Oso Creek at Starry Circle as surplus property; authorizing its sale or exchange to the public by sealed bid; and authorizing execution of the deed and any related documents necessary to complete the sale and convey the property.

Mayor Guajardo referred to Item 13.

Council Members, Director of Planning and Environmental Services Daniel McGinn and City Attorney Miles Risley discussed the following topics: a Council Member's concern about the low appraisal in that this is a fairly valuable piece of property; the land does not need to be appraised because it is being sold to the highest bidder; and the comparisons that are provided in the appraisal will be evaluated.

Council Member Pusley 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: 032345

- 14.** Ordinance authorizing the renewal of a 15-year lease agreement with Lady Lex Museum on the Bay Association that authorizes the use of a portion of the submerged lands owned by the City of Corpus Christi and adjoining City property for the U.S.S. Lexington for the operation of the museum and authorizing an annual rental fee of \$1.00. (28-day delay required between readings)

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

Enactment No: 032346

Consent - Contracts and Procurement

- 15.** Motion authorizing an amendment to a Service Agreement with Zoll Medical Corporation of Chelmsford, Massachusetts for a total amount not to exceed \$12,250.38, increasing the service agreement value to \$56,904.38 for cardiac monitor and defibrillator services for the Fire Department, with FY 2021 funding in an amount of \$4,100.00 available in the General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-017

16. Motion authorizing a one-year service agreement with T-Mobile USA, Inc., in an amount of \$417,278.81 for cellular data services, plus one month of cellular service for transitioning purposes, effective upon issuance of a notice to proceed, with FY 2021 funding available in various funds.

This Motion was passed on the consent agenda.

Enactment No: M2021-018

17. Motion authorizing a three-year service agreement with Great South Texas Corp, dba Computer Solutions of San Antonio, Texas, in an amount not to exceed \$393,822.00 for Cisco WebEx Voice Over Internet Protocol (VOIP) and Audio, which provides a collaboration cloud and audio licenses flex plan, effective upon issuance of notice to proceed, with funding in an amount of \$131,274.00 available in the FY 2021 Information Technology Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-019

18. Resolution authorizing a three-year agreement with Pfeiffer & Son, LTD of LaPorte, Texas, in the amount of \$149,925.00, for the inspection of the Harbor Bridge Decorative Lighting System, effective upon issuance of a notice to proceed with FY 2021 funding in the amount of \$49,975.00 available in the General Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032347

19. Motion authorizing the purchase of two live bottom trailers from Cooper Equipment Co., of San Antonio, Texas to replace two seven-yard dump trucks for a total amount of \$163,366.00, which will be utilized to transport street related materials to worksites for Public Works throughout the City, with FY 2021 funding available through the Equipment Replacement Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-020

20. Motion authorizing the purchase of one replacement motor grader from HOLT Texas, Ltd., dba HOLT CAT, for a total amount of \$296,559.19 to be used in the maintenance and repairs of streets by Public Works throughout the City, with FY 2021 funding available through the Equipment Replacement Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-021

21. Motion authorizing an amendment to Supply Agreement No. 2159 - Gas Meters with Wilnat, Inc. to increase contract funds on the two-year supply agreement, for a total amount not to exceed \$243,507.40 for a revised value in an amount not to exceed \$1,217,542.40, for the purchase of Gas Meters, with FY 2021 funding in estimated amount of \$243,507.40 available in the Gas Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-022

22. Motion authorizing a three-year supply agreement with Rush Truck Centers of Texas, LP dba, Rush Truck Center of Corpus Christi, Texas, in amount not to exceed \$1,330,000.00 for the purchase of heavy equipment parts for Asset Management Department, Fleet Division, with FY 2021 funding in the amount of \$221,700.00 available through the Fleet Maintenance Service Fund.

Mayor Guajardo referred to Item 22.

This item was pulled inadvertently.

Council Member Barrera made a motion to approve the motion, seconded by Council Member Hernandez. 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: M2021-023

23. Motion authorizing the service agreement with American Abatement, LLC from San Antonio, Texas, for an amount not to exceed \$155,995.00 to demolish the closed, decommissioned and unused Booker T. Washington School, effective upon issuance of a notice to proceed, with FY 2021 funding available through the Community Development Block Grant Fund.

Mayor Guajardo referred to Item 23.

A Council Member and Director of Asset Management Charles Mendoza discussed the following topics: a Council Member's concern that an out-of-town company may be unable to complete the job on time and on budget; the difference between the local second-lowest bidder and out-of-town low bidder was about \$5,000; and staff's confidence that the low bidder could complete the work.

Council Member Pusley made a motion to approve the motion, seconded by Council Member Hernandez. 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: M2021-024

- 24.** Resolution authorizing a two-year service agreement for the purchase of Godwin pumps, motors, rentals, and repair service, with Xylem Dewatering Solutions, Inc., dba Godwin Pumps of America, of Corpus Christi, Texas, in an amount not to exceed \$377,250.00, for the Utilities Department, effective upon issuance of notice to proceed, with FY 2021 funding in the amount of \$188,625.00 available in the Wastewater and Water Funds.

This Resolution was passed on the consent agenda.

Enactment No: 032348

Consent - Capital Projects

- 25.** Motion authorizing a License Agreement with the Port of Corpus Christi Authority to allow the City of Corpus Christi to deposit dredged material at the Rincon B West Dredge Material Placement Area from the breakwater in-between the Marina and McGee Beach, located in Council District 1, in an amount of \$278,060.00, with FY 2021 funding available from the Seawall CIP Fund.

Mayor Guajardo referred to Item 25.

Director of Engineering Services Jeff Edmonds stated that this item is related to projects in the Capital Improvement Plan (CIP); and this motion authorizes a License Agreement with the Port of Corpus Christi Authority (POCCA) to allow the City to place dredge material at the Rincon B West Dredge Material Placement Area.

Council Members and Director Edmonds discussed the following topics: this bid is the standard rate; and the City does not have a permit for dredge material placement, so it would cost the city more to create its own area.

Council Member Lerma made a motion to approve the motion, seconded by Council Member Hernandez. 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: M2021-025

- 26.** Motion awarding a professional services contract to Hanson Professional Services, Inc., Corpus Christi, Texas, for engineering design, bid, and construction phase services for the reconstruction of 16-inch waterlines that run along Nueces Bay Blvd. and Poth Lane, located in Council District 1, in an amount of \$428,405.00, with FY 2021 funding available from the Water Capital Improvement Program Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-026

- 27.** Motion authorizing the execution of Change Order Number 3 with Bay, LTD, Corpus Christi, Texas for the installation of a 30-inch valve on the existing 30-inch transmission main located on Holly Road between Airline and Rodd Field Road, located in Council District 4, in an amount of \$168,804.13 for a total not to exceed amount of \$8,697,683.26, with FY 2021 funding available from Water Capital Reserve Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-027

- 28.** Motion authorizing the approval of Change Order Number 3 with Haas-Anderson Construction, Corpus Christi, Texas, for additional drill shaft length necessary for the completion of the Park Road 22 Bridge project, located in Council District 4, in an amount of \$209,860.00 for a total not to exceed amount of \$14,718,596.00, with FY 2021 funding available from the Street Bond 2008 Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-028

General Consent Items

- 29.** Resolution authorizing submission of grant application for \$233,030.00 to the State of Texas under the FY 2022 Paul Coverdell Forensic Sciences Improvement Grant.

This Resolution was passed on the consent agenda.

Enactment No: 032349

K. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 40.

L. PUBLIC HEARINGS: (ITEMS 30 - 34)

- 30.** Zoning Case No. 1020-01, Tex-Isle, LLC.: (District1). Ordinance rezoning property at or near 1401 North Alameda Street from the "RM-1" Multifamily Residential District to the "IL" Light Industrial District. Planning Commission and Staff recommend Denial.(3/4 vote required due to Planning Commission's recommendation of denial)

Mayor Guajardo referred to Item 30.

Director of Development Services Al Raymond and Director of Planning and Environmental Services Daniel McGinn presented information on the following topics: aerial overview; neighborhood amenities; adjacent development and zoning; Washington-Coles neighborhood; public notification; and planning commission and staff recommend denial.

Council Members, City Manager Peter Zanoni, Director Raymond, Director McGinn, and Development Services Administrator Andrew Dimas discussed the following topics: a Council Member's concern the proposed lay-down yard will require heavy 18-wheeler traffic on residential roads; the majority of the Washington-Coles area was excluded from the Port buyout program; the vacant lots in the area developed over time and are not attributable to the buyout program; the applicant requested this zoning change in the past and the Council at that time approved a special permit with a set time limit of two years, subject to conditions such as limited service hours and limited site access only through Broadway Street; a Council Member's concern that there was no development in the area; the current lawsuit regarding the Broadway Wastewater Treatment Plant will not impact the location of the plant, nor will it modify the footprint of the plant; the lawsuit will not affect the demolition of the old clarifiers; the new clarifiers being built at the plant will be smaller and employ the latest technology for odor control; the long-range downtown area development plan envisioned potential residential growth in the Washington-Coles area once the Harbor Bridge was relocated and the highway currently separating the area from downtown was removed; a Council Member's request to grant a special permit for five years subject to the same conditions in the last permit; and if the Council wished to grant a special permit, then staff recommended tabling the item to discuss with the applicant.

Mayor Guajardo opened the public hearing.

City Secretary Rebecca Huerta read the following citizens' comments in opposition to the zoning change into the record: Alvin York, 1606 Advance Dr., San Antonio, TX; and Daniel Pena, 2813 Hulbirt St.

The following citizen called in opposition to the zoning change: Errol Summerlin, 1017 Diomedes St., Portland, TX.

Mayor Guajardo closed the public hearing.

Council Member Hunter made a motion to table this item, seconded by Council Member Lerma. 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

- 31.** Zoning Case No. 1220-01 Alty Enterprises, Inc.: (District 5). Ordinance rezoning property at or near 7005 Saratoga Boulevard (State Highway 357) from the "CG-2" General Commercial District and the "IL" Light Industrial District to the "ON" Neighborhood Office District. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 31.

Director of Development Services Al Raymond stated that the purpose of this item is to allow for the construction of a charter school.

Director Raymond presented information on the following topics: aerial overview; adjacent development and zoning; public notification; and planning commission and staff recommend approval.

Mayor Guajardo opened the public hearing.

There were no written comments from the public.

Mayor Guajardo closed the public hearing.

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

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

Abstained: 0

- 32.** Zoning Case No. 1220-04 Gulf Realty Trust/ Poseidon Realty/ North End Realty Trust: (District 4) Ordinance rezoning property at or near 7349 and 7325 State Highway 361 from the "RM-AT" Multifamily AT District to the "RV" Recreational Vehicle Park District. (Planning Commission and Staff recommend approval) (3/4 vote will be required due to opposition by surrounding property owners)

Mayor Guajardo referred to Item 32.

Director of Development Services Al Raymond presented information on the following topics: aerial overview; adjacent development and zoning; public notification; proposed site plan; conceptual rendering of RV space; and planning commission and staff recommend approval.

Co-Founders of Phoenix del Mar Development Michael Congdon and Ashleigh

Fuller presented information on the following topics: overview; the existing property; conceptual renderings of our resort; planned resort layout; economic impact; development timeline; opposition; summary; and our renderings.

Council Members, Director Raymond, Michael Congdon and Ashleigh Fuller discussed the following topics: the planned development was geared toward luxury RV's; Cinnamon Shores is the premier subdivision on Mustang Island; a Council Member's wish to table the item to allow Development Services to negotiate a special permit in lieu of the requested zoning change due to the high level of opposition; permits are still in progress and under investigation for the fuel station; a Council Member's concern of not having access to the lot and a request to add landscaping; and if tabled, staff planned to bring the item back.

Mayor Guajardo opened the public hearing.

The following citizen called in opposition to this item: Leah Badalich, 15311 Trails.

City Secretary Rebecca Huerta read the following citizen's comment in favor of this item into the record: Richard Yates, 162 La Concha Blvd.

City Secretary Rebecca Huerta read the following citizens' comments in opposition of this item into the record: Cole, Sherri, Lynne and Karen Grundhausen, 14209 Punta Bonaire; Harry Collins, 240 Dunesway; Cynthia Blood, 438 Paradise; James Sambok, 15425 Fortuna Bay Dr.; Dana Stone, 926 Herndon St.; Paul Furman and Amber Furman, 14022 Hawksnest Bay; Daniel Baker, 554 Rosemary St.; David Adams, 1814 Murriman St.; Yolanda Gonzalez, 737 Scotland Dr.; Michael, 14300 SPID; Suzanna Reeder, 1630 S. Station St.; Jake Rollins, 1227 Yorktown Blvd.; David Graham Goff, 830 Ester Dr.; Amanda Hrcir, 14300 SPID; Marnie Pate, 211 Trojan; Charles Castor; Daniel Carignan, 14300 SPID; Carl and Sherry Badalich, 102 W. Palm Beach; and John Bell, 615 N. Upper Broadway.

Mayor Guajardo closed the public hearing.

Council Member Smith made a motion to table this item to allow Development Services to negotiate a special permit, seconded by Council Member Molina. 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

33.

Ordinance amending the Unified Development Code amending defined terms, administrative exemptions, design standards, fees, appeals, stays of demolition, zero lot line development, residential development standards, place of worship use, mixed-use overlay district, streetscape zone standards, neighborhood mixed-use development standards, trust fund policy, nonconforming structures, driveway spacing, visibility and mid-block obstructions, development incentives, combine uses, reducing

setbacks, increasing allowable accessory dwelling units, signs in commercial districts and adding and removing language to ensure consistency with adopted local, State and Federal codes; and providing for penalty.

Mayor Guajardo referred to Item 33.

Development Services Administrator Yvette Dodd-Wallace presented information on the following topics: UDC 2020 Code Cycle; editing/clarifying; minor edits; policy change; policy change continued; 2021 consideration; and outreach.

Council Members, City Manager Peter Zanoni, Development Administrator Dodd-Wallace, Director of Development Services Al Raymond, and Development Services Administrator Andrew Dimas discussed the following topics: trees are required to be maintained by the developer proposing that development; non-habitable structure will need to be used for storage, parking, etc.; a Council Member's concern that the City does not require permits for metal storage buildings; zero lot line developments will still be allowed with a Planned Urban Development (PUD); an example of administrative exemptions for sidewalks includes rural street sections; and Development Services needs 10 to 20 code enforcement officers to enforce the UDC requirements.

Mayor Guajardo opened the public hearing.

City Secretary Rebecca Huerta read the following citizen's comment into the record: Jeff Nesloney, 3810 Casa Blanca Dr.

Mayor Guajardo closed the public hearing.

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

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

Abstained: 0

- 34.** Ordinance amending the Urban Transportation Plan Map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by moving a portion of Wildcat Drive from County Road 52; amending related elements of the Comprehensive Plan of the City; and providing for publication.

Mayor Guajardo referred to Item 34.

Director of Planning and Environmental Services Daniel McGinn presented information on the following topics: Urban Transportation Plan-Wildcat Drive; background: Wildcat Drive project; planning, transportation and staff recommend approval.

Council Members and Director McGinn discussed the following topics: traffic congestion in the area; and a Council Member's request to move the easement, not eliminate it.

Mayor Guajardo opened the public hearing.

There were no written comments from the public.

Mayor Guajardo closed the public hearing.

Council Member Hernandez made a motion amending the ordinance to move the proposed easement for the collector the distance necessary to get to the other side of the storage facility, seconded by Council Member Pusley, and passed unanimously. Council Member Hernandez made a motion to approve the ordinance as amended, seconded by Council Member Molina. This Ordinance was passed on first reading as amended 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

M. INDIVIDUAL CONSIDERATION ITEMS: (ITEM 35)

- 35.** Resolution authorizing a professional services contract with Pape-Dawson Engineers, Inc of San Antonio, Texas in the amount of \$2,289,700 for providing civil engineering services to conduct an impact fee study and master plan studies pertaining to water, wastewater, drainage and roadways.

Mayor Guajardo referred to Item 35.

Director of Development Services Al Raymond presented information on the following topics: Master Planning and impact fee study; utilities trust fund overview; utilities trust fund background; utilities trust fund history; city council timeline to reexamine the trust funds; recap; summary comparison of how other Texas cities fund infrastructure; RFQ: Master Planning and Impact fee study; what you are considering; benefits to the city; and staff's recommendation.

Council Members, Director Raymond, City Manager Peter Zaroni, Pape-Dawson Engineers Senior Vice President Cara Tackett and Director of Planning and Environmental Services Daniel McGinn discussed the following topics: a Council Member inquired why the city did not just expand the trust fund program rather than pay for another study; a request for an impact fee schedule to compare costs to other cities; the developer can build the improvements and get credits that future residential and commercial will not have to pay; the advantage of impact fees is the City Council helps decide how the City grows versus the developers with no input from the community; this is a 10 year plan that is updated every five years; in most cities there is a formal

impact fee committee; the three types of plans are: overall plan as a city, area development plans and master plans; Pape-Dawson is working specifically with storm water, water, wastewater and transportation network, which are very important during the platting stages; no other Top Ten Texas city uses trust funds, therefore it is not a best practice; and developers understand what the market demands are better than government officials.

Council Member Molina made a motion to approve the resolution, seconded by Council Member Barrera. 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: 032350

N. FIRST READING ORDINANCES: (ITEMS 36 - 37)

- 36.** Ordinance authorizing the acceptance of a grant from the Texas General Land Office - Community Development Block Grant Disaster Recovery to conduct a voluntary residential home buyout program for five to ten homes located in flood-prone areas throughout the City of Corpus Christi in an amount of \$1,319,559.00; and appropriating \$1,319,559.00 to the Community Development Block Grant Program Fund.

Mayor Guajardo referred to Items 36-37.

City Manager Peter Zaroni briefly described each Item.

Council Member Pusley made a motion to approve Items 36-37, seconded by Council Member Hernandez. These Ordinances were passed on first reading with one vote 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.** Ordinance recommending a three-month service agreement with DARPRO Commercial Construction, LLC, Corpus Christi, Texas, for an amount not to exceed \$62,500.00 for renovation of Fleet Division restroom, effective upon notice to proceed, with FY 2021 funding available through the Fleet Maintenance Service Fund.

See Item 36 for vote.

O. BRIEFINGS: (ITEMS 38 - 39)

38. Briefing to City Council on Low-income Housing Tax Credits.

Mayor Guajardo referred to Item 38.

Homeless and Workforce Housing Manager Jennifer Buxton presented information on the following topics: low income housing tax credits; The Texas Department of Housing and Community Affairs (TDHCA) timeline; TDHCA application scoring; TDHCA application; LIHTC projects in Corpus Christi; pre-applications for Corpus Christi; Avanti at Heritage Park; and Palms and Blucher Park.

Council Members, City Manager Peter Zaroni and Manager Buxton discussed the following topics: per TDHCA website, Corpus Christi received the fewest applications; the number of applications depends on the location and availability of land; the City's perception has a preference for one company over others and that this is not a competitive area; the City needs to encourage developers to submit applications and ensure them that there will be a fair process; concern about having an affordable housing development in the downtown area; and next week's agenda will consist of two letters of support for both projects.

39. Briefing on the Public Engagement Plan for the Parks and Recreation 10-Year Master Plan and Bill Witt Park Master Plan.

Mayor Guajardo referred to Item 39.

Interim Director of Parks and Recreation Department Tracey Cantu presented information on the following topics: why do you need a master plan; what is the master plan; purpose; project scope; background; progress to date; project timeframe; public engagement phases; public input; project webpage; online surveys; online mapping tool; virtual meeting room; virtual town hall meetings; and public engagement.

Council Members and Interim Director Cantu discussed the following topics: a Council Member's request to include Tuloso-Midway and the Northwest Business Association, along with Calallen; and the importance of including the Veterans Groups as well.

P LEGISLATIVE UPDATE:

Q. EXECUTIVE SESSION: (ITEM 40)

Mayor Guajardo referred to Executive Session Item 40. The Council went into Executive Session at 2:09 p.m. The Council returned from Executive Session at 2:51 p.m.

40. **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 potential disannexation, industrial district agreements, and/or development agreement(s) with entities that are considering the construction,**

expansion, and/or ownership of industrial facilities in Nueces County and/or San Patricio County, agreements to be executed pursuant to Chapter 212 of the Texas Local Government Code with entities in the aforementioned counties, and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to the aforesaid business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s)

This E-Session Item was discussed in executive session.

R. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor Guajardo referred to Identify Future Agenda Items.

The following Item was identified: a request to schedule a workshop over new water sources and desalination.

S. ADJOURNMENT

This meeting was adjourned at 5:51 p.m.