



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, August 17, 2021

11:30 AM

Council Chambers

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**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 11:47 a.m.

**B. Invocation to be given by Pastor Adam Carrington, Brooks AME Worship Center.**

Pastor Adam Carrington, Brooks AME Worship Center, gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Julianna Gomez, Texas A&M University-Corpus Christi.**

Julianna Gomez, Texas A&M University-Corpus Christi student, led the Pledge of Allegiance to the Flag of the United States 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 Zaroni, 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. [21-1050](#) Commendation recognizing International Westside Astro's Pinto Pony League. Swearing-In Ceremony for Newly Appointed Board, Commission, Committee and Corporation Members.

Mayor Guajardo conducted the swearing-in ceremony.  
The commendation was postponed.

**F. PUBLIC COMMENT:**

Mayor Guajardo opened the public comment period.

Sylvia Campos, 4410 Fir St., spoke regarding transparency, environmental impact, and financial economic impact.

William Mays, 4618 Oso Parkway, spoke regarding adding noisy generators to the noise ordinance.

Jack Gordy, 4118 Bray Dr., spoke in opposition to Item #12.

James Klein, 3501 Monterrey St., spoke in opposition to the funding for the desalination plant.

Chloe Torres, 5430 Saratoga Blvd., spoke regarding lack of democratic input, in opposition to the desalination plant, and in opposition to Item #13.

Melissa Zamora, 3917 Brawner Parkway, spoke regarding the intergovernmental plan on climate change and concerns regarding the desalination plant.

Brandon Marks, 319 Rosebud Avenue, spoke regarding funding for the desalination plant.

Guillermo Gallegos, 7621 Cedar Brook Dr., submitted a written public comment in opposition to Item #13 and in opposition to the desalination plant.

**G. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**

Mayor Guajardo referred to City Manager's comments.

**a. Briefing on the Replacement of IH-37 Bridge at Nueces River**

City Manager Peter Zanoni introduced TxDOT Deputy District Engineer Charles Benavides.

Mr. Benavides presented information on the following topics: project overview; project team; project phasing-phase 1 of 4; phase 1 Nueces River Bridge section; phase 2 Nueces River Bridge section; phase 3 Nueces River Bridge section; phase 4 Nueces River Bridge section; other project details; project layout at US-77; and project layout at Labonte Park.

Council Members, Mr. Benavides and City Manager Zanoni discussed the following topics: the bridge will be elevated about five feet; currently there are no future plans of expanding the four lanes further north; a Council Member's concern about an emergency evacuation lane; the three lanes are maintained during construction for an emergency evacuation route; and construction will begin the day after Labor Day.

**b. Budget and Finance Report - 3rd Quarter**

City Manager Peter Zanoni reported on the 3rd Quarter Budget and Finance Report: general fund revenues; general fund expenses; water fund revenues and expenses; wastewater fund revenues and expenses; HOT tax revenue; development services revenue; Consumer Driven Health Plans (CDHP); Capital Improvement Program; summary; next steps; and 4th Quarter Report in November 2021.

Council Members and City Manager Zanoni discussed the following topics: a Council Member's request for the City Manager to review the revenues and expenditures that are outliers from trends.

**c Overview of Bay Jammin' Concert Series by John Nelson**

Producer and Promoter of The Bay Jammin' Concert Cinema Series John Nelson stated that the organization is celebrating its 31st anniversary. The funding from private and public sectors pay for bands, movies, sound, lights and printing. The City provides use of the Cole Park Amphitheater.

**d. COVID-19 Update**

Director of Public Health Annette Rodriguez gave an update on COVID-19 as follows: Nueces County COVID cases; COVID weekly cases; hospitalizations/ICU August 2021; vaccine breakthrough cases in Nueces County; CDC updated guidance for COVID; and new CDC booster information.

Council Members, Director Rodriguez and Fire Chief Robert Rocha discussed the following topics: a third dose of the vaccine is available specifically for those with weakened immune systems; there is no record of any deaths in Nueces County from receiving the vaccine; anyone 12 and older can receive the vaccination at their home by registering with the fire department- 80 to 100 registrants per day; and currently 50 to 100 people a day are getting vaccinated by the fire department at home.

**e. Seawater Desalination Update by Mike Murphy, Chief Operating Officer**

Chief Operating Officer Mike Murphy presented information on the following topics: the hunt for renewable water; Terry Arnold with Seven Seas offered to take Council on a tour; and setting up additional meetings with Evangeline.

**H BOARD AND COMMITTEE APPOINTMENTS:**

**2. [21-1046](#) Local Government Fare Review Committee (5 vacancies)**

Mayor Guajardo referred to Item 2. The following board appointments were made:

Local Government Fare Review Committee:  
Council Member Martinez (Appointed)  
Council Member Hunter (Appointed)  
Council Member Lerma (Appointed)

Council Member Pusley (Appointed)  
Council Member Molina (Appointed)

Council Member Barrera recused himself.

**I. EXPLANATION OF COUNCIL ACTION:**

**J. CONSENT AGENDA: (ITEMS 3 - 19)**

**Approval of the Consent Agenda**

Mayor Guajardo referred to the Consent Agenda. Council Members requested that Items 12, 14 and 18 be pulled for individual consideration.

A motion was made by Council Member Pusley, seconded by Council Member Hunter to approve the Consent Agenda with the exception of Items 12, 14 and 18. 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. [21-1059](#) Approval of the August 10, 2021 Regular Meeting Minutes.**

The Minutes were passed on the consent agenda.

*Consent - Second Reading Ordinances*

**4. [21-0802](#) Ordinance to establish a 15 member Capital Improvement Advisory Committee to advise on Infrastructure Master Plan and impact fees; adding section 2-60 to the Corpus Christi Code.**

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

Enactment No: 032514

**5. [21-1032](#) Motion to appoint Rosie G. Collin, Jesus J. Jimenez, Rudy Garza, Moses Mostaghasi, Ramiro Munoz III, Trey Summers, Everett Roy, Alex H. Harris, Gabe Guerra, Anne S. Mahaffey, Kim H. Schmid, and Velda G. Tamez to the Capital Improvement Advisory Committee.**

This Motion was passed on the consent agenda.

Enactment No: M2021-165

**6. [21-0759](#) Zoning Case No. 0521-01, Kitty Hawk Development, Ltd.: (District 5) Ordinance rezoning property at or near 9142 South Staples Street (FM 2444) from the**

“CN-1” Neighborhood Commercial District to the “RS-15” Single-Family 15 District. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032515

7. [21-0761](#) Zoning Case No. 0621-02, Glenn Lyons: (District 3) Ordinance rezoning property at or near 5839 Williams Drive from the “RS-6” Single-Family 6 District to the “ON” Neighborhood Office District. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032516

8. [21-0790](#) Zoning Case No. 0621-03, Mostaghasi Investment Trust: (District 3) Ordinance rezoning property at or near 2302 County Road 43 from the “FR” Farm Rural District to the “RS-6” Single-Family 6 District. (Planning Commission and Staff recommend Approval)

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

Enactment No: 032517

9. [21-0850](#) Ordinance adopting the procedure to terminate the campaign treasurer appointment of an inactive candidate or inactive specific-purpose political committee in accordance with Texas Election Code Section 252.0131; and amending the City Code of Ordinances, Chapter 2, Administration, with addition of new Section 2-7.

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

Enactment No: 032518

10. [21-0649](#) Ordinance amending Corpus Christi Code Chapter 2, Article III to update City departments and functions; and amending Corpus Christi Code Chapter 39 to clarify payment of sick and vacation leave upon termination, retirement, or death.

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

Enactment No: 032519

11. [21-0805](#) Ordinance appropriating Airport Grant # 62 in an amount of \$3,310,001.00 from the United States Department of Transportation-Federal Aviation Administration to the Airport CIP Grants Fund, amending the FY 2021 Capital Budget, and awarding a construction contract in an amount of \$2,625,000.00 to Bay Ltd., Corpus Christi, Texas, for the Corpus Christi International Airport Rehabilitate Runway 13-31, Taxiway B, and Associated Improvements, with FY 2021 funding available from the Airport CIP Grants Fund.

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

Enactment No: 032520

12. [21-1010](#) Ordinance adding Section 33-17 to Corpus Christi Code to prohibit parking on an unimproved surface on residential lots; and providing for a penalty not to exceed \$500 per violation.

Mayor Guajardo referred to Item 12.

Interim Director of Neighborhood Services Tracey Cantu presented information on the following topics: offense; street yard; exceptions to policy; criminal penalty; and recommendation to approve the ordinance.

Council Members, Interim Director Cantu and City Attorney Miles Risley discussed the following topics: a Council Member's concern about micromanaging private property; there is an ordinance in place that vehicles cannot park between the street and the sidewalk; caliche parking is allowed if it does not cause rutting; and a resident will be given a notice to come into compliance before being cited.

Council Member Hernandez made a motion to amend the ordinance to remove the word "dustless", seconded by Council Member Smith and passed unanimously.

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

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

**Nay:** 1 - Council Member Hunter

**Abstained:** 0

Enactment No: 032521

13. [21-0999](#) Ordinance adding Section 49 - 16 to the Corpus Christi Code to prohibit sitting or lying in public right-of-way within the Corpus Christi Central Business District, North Beach, and Flour Bluff; and providing for penalty of up to \$500 per violation.

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

Enactment No: 032522

*Consent - Public Safety First Reading Ordinances*

14. [21-0889](#) Ordinance authorizing the acceptance of \$32,965.90 from the Firehouse Subs Public Safety Foundation for a 12-Lead cardiac monitor to support the Corpus Christi Fire Department; and appropriating \$32,965.90 into the Fire Grants Fund.

Mayor Guajardo referred to Item 14.

Fire Chief Robert Rocha stated that the 12-Lead cardiac monitor is a piece of equipment on ambulances that transmits heart rhythm to the hospitals for physicians to determine the rhythm of the heart.

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

**Aye:** 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

*Consent - Contracts and Procurement*

15. [21-0799](#) Motion authorizing a two-year service agreement with Crosstown Partners Inc., dba Sames Ford, of Corpus Christi, Texas, for a total amount not to exceed \$543,000.00, for offsite repairs of Asset Management Fleet Ford vehicles, with FY 2021 funding in the amount of \$45,200.00 available through the Fleet Maintenance Service Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-166

16. [21-0620](#) Motion awarding a construction contract to Viking Industrial Painting, Omaha, Nebraska, for the restoration and rehabilitation of the Coral Vines Elevated Storage Tank, located in Council District 4, in an amount of \$540,200.00, with FY 2021 funding available from the Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2021-167

17. [21-0918](#) Resolution authorizing a five-year service agreement with Energy Worldnet, Inc., in an amount of \$134,620.00 for management software that tracks and provides online training to meet licensure compliance for natural gas operators effective upon issuance of a notice to proceed, with FY 2021 funding in the amount of \$2,243.67 available in the Gas Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032523

*General Consent Items*

18. [21-0826](#) Resolution reaffirming the City of Corpus Christi's Investment Policy and Investment Strategies for fiscal year 2021-2022.

Mayor Guajardo referred to Item 18.

A Council Member and Director of Finance Heather Hurlbert discussed the following topics: a Council Member's request for a quarterly report of investment strategies and results.

Council Member Pusley 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: 032524

19. [21-0827](#) Resolution authorizing enrollment in the Texas CLASS & Texas CLASS Government Investment Pools.

This Resolution was passed on the consent agenda.

Enactment No: 032525

**K. RECESS FOR LUNCH**

Mayor Guajardo recessed the Council meeting for lunch at 1:58 p.m. Mayor Guajardo reconvened the meeting at 2:35 p.m.

**L. RECESS FOR A CORPORATION MEETING: (ITEM 20)**

Mayor Guajardo recessed the Council meeting at 2:40 p.m.

20. [21-1034](#) North Padre Island Development Corporation Annual Meeting

This Corporation Meeting was held.

**M. RECONVENE CITY COUNCIL MEETING:**

Mayor Guajardo reconvened the meeting at 2:45 p.m.

**N. PUBLIC HEARINGS: (ITEMS 21 - 22)**

21. [21-0861](#) Zoning Case No. 0621-04, Date Tree Holdings, LLC. (District 1). Ordinance rezoning a property located at or near 4606 Gulfbreeze Boulevard from the "RM-AT" Multifamily AT District to the "RM-AT/PUD" Multifamily AT District with a Planned Unit Development. (Planning Commission and Staff recommend Approval)

Mayor Guajardo referred to Item 21.



Director of Development Services Al Raymond presented information on the following topics: aerial overview; zoning pattern and adjacent development; PUD deviations; master site plan; and planning commission and staff recommend approval with conditions.

Council Members and Director Raymond discussed the following topics: a Council Member's request to table this item because he has not spoken to the North Beach residents in opposition to this item; and the owner has applied to have their own private solid waste collection.

Mayor Guajardo opened the public hearing.

Applicant Gordon Awsumb, 1 Virginia Hills Dr., stated that he spoke to the residents who had issues with the parking, flooding and colors of the units, and that efforts and requests have been met to meet their satisfaction.

Mayor Guajardo closed the public hearing.

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

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

**Abstained:** 0

22. [21-0862](#) Zoning 0621-05, MVR Construction Company: (District 3) Ordinance rezoning property at or near 6002 Greenwood Drive 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 22.

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

A Council Member and Director Raymond discussed the following topics: the developer is going to realign the drainage easement.

Mayor Guajardo opened the public hearing.

Developer Bart Braselton stated that his company will be the developer and builder of all the homes; this neighborhood will help with the drainage; and there will be 215 homes that will average around \$200,000 each.

Mayor Guajardo closed the public hearing.

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

**Aye:** 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:**

**P. FIRST READING ORDINANCES: (ITEM 23)**

23. [21-1005](#) Ordinance appropriating Airport Grant No. 65 for \$4,103,307 from the Federal Aviation Administration pursuant to the American Rescue Plan Act (ARPA) to mitigate the fiscal effects stemming from the public health emergency caused by the COVID-19 pandemic for costs related to operations, personnel, combating the spread of the COVID-19 virus at the airport, debt service payments, and other authorized ARPA uses at the Corpus Christi International Airport; and amending the FY 2020-2021 budget.

Mayor Guajardo referred to Item 23.

There were no comments from the Council or the public.

Council Member Pusley 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

**Q. BRIEFINGS: (ITEMS 24 - 25)**

24. [21-0811](#) Proposed Recycling Education and Inspection Program to reduce contamination in recycling waste.

Mayor Guajardo referred to Item 24.

Director of Solid Waste David Lehfeldt presented information on the following topics: historical contamination; what is contamination; what items are considered contamination; cost of contamination; recycle clean; summary; way forward; and recommendation.

Council Members and Director Lehfeldt discussed the following topics: Council Members recommend removing recycle bins after a set number of offenses instead of fining the citizens who don't recycle properly; five recycle vehicles are available; the importance of educating the public about recycling; and the cost of recycling is expensive due to the cost of materials fluctuating.

25. [21-1057](#) Tax Year 2021 Truth in Taxation Briefing

Mayor Guajardo referred to Item 25.

Director of Finance Heather Hurlbert presented information on the following topics: truth in taxation; definitions; tax rate calculation; and truth in taxation tax year 2021.

Council Members and Director Hurlbert discussed the following topics: the tax rate that is being adopted will be below the voter approval tax rate, so an election will not be necessary; the total new revenue is a little over \$2 million; and a Council Member's request to check if the appraisal district is banking any overages.

R. **EXECUTIVE SESSION: None**

S. **ADJOURNMENT**

There being no further business, Mayor Guajardo adjourned the meeting at 3:48 p.m.

## Sarah Brunkenhoefer

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**From:** CitySecretary  
**Sent:** Tuesday, August 17, 2021 8:20 AM  
**To:** Rebecca Huerta  
**Cc:** Norma Duran; Sarah Brunkenhoefer  
**Subject:** FW: [EXTERNAL]Public Input: 08-17-2021 - Guillermo Gallegos

FYI.

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**From:** JotForm <noreply@jotform.com>  
**Sent:** Monday, August 16, 2021 10:59 PM  
**To:** CitySecretary <CitySecretary@cctexas.com>; Norma Duran <NormaD2@cctexas.com>  
**Subject:** [EXTERNAL]Public Input: 08-17-2021 - Guillermo Gallegos

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### Public Comment & Input Form

|                    |   |
|--------------------|---|
| Date of Meeting    | 08-17-2021  |
| Name               | Guillermo Gallegos  |
| Address            | Street Address: 7621 Cedar Brook Dr<br>City: Corpus Christi<br>State / Province: TX<br>Postal / Zip Code: 78413   |
| Topic              | Multiple  |
| Agenda Item Number | 21-0999   |
| Describe Feedback: | <p>While I have two main subjects to discuss, I would like to start by stressing the need to reinstate public comment by phone, especially in the midst of our current COVID spike.</p> <p>The two subjects I wanted to discuss were the right-of-way ordinance and desalination.</p> <p>The right-of-way ordinance would in effect criminalize being homeless. Things like sitting or lying on the sidewalk are things that are non-</p> |

destructive and to put a fine on this activity is to try and squeeze what little money our houseless population has out of them. Criminalizing homelessness does not get people off the street, it puts them in jail to be part of the new slave labor of prisons. If you truly want to address the housing crisis, then you will make shelter available to all and freely.

As for desalination, it is truly just disgusting to waste taxpayer money on trying to attract an industry that will destroy our bay and is actively poisoning the world. Desal must be OFF the budget.

Provide an email to receive a copy of your submission.

[GGtheROBOT@yahoo.com](mailto:GGtheROBOT@yahoo.com)