



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, November 1, 2022

11:30 AM

Council Chambers

Addendums may be added on Friday.

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

Mayor Guajardo called the meeting to order at 11:36 a.m.

B. Invocation to be given by Deacon Armando Botello, Our Lady of Guadalupe Church.

Deacon Armando Botello, Our Lady of Guadalupe Church, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by John "Pancho" Lawson, Senior at Richard King High School.

Mayor Paulette Guajardo led the Pledge of Allegiance to the Flag of the United States of America and to the Texas Flag.

D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.

City Secretary Rebecca Huerta called the roll and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

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

Present: 9 - Mayor Paulette Guajardo, Council Member Roland Barrera, Council Member Gil Hernandez, Council Member Michael Hunter, Council Member Billy A. Lerma, Council Member John Martinez, Council Member Ben Molina, Council Member Mike Pusley, and Council Member Greg Smith

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

Mayor Guajardo referred to City Manager's comments.

1. [22-1899](#) Staff Announcement: Michael Rodriguez, Deputy City Manager

City Manager Peter Zanoni introduced newly appointed Deputy City Manager Michael Rodriguez. Mr. Rodriguez will continue to oversee the Police, Fire, Human Resources and Parks and Recreation departments. Mr. Rodriguez's accomplishments include: over ten years of local government experience in an executive position; has helped recruit over 30 executives to the City, and has helped bring in a better health care plan.

2. [22-1900](#) 2022 United Way Campaign Kickoff, presented by Libby Averyt, President and CEO of United Way Corpus Christi

City Manager Zaroni reported on the 2022 United Way Campaign Kickoff from November 7-December 5. There are 64 non-profit agencies that participate in the United Way. The City's goals this year are to raise \$135,000.00 and to increase employee participation from 32% to 40%.

President and CEO of United Way Corpus Christi Libby Averyt stated that this is a locally owned and operated non-profit. About .88 cents of every dollar goes back into direct services and education.

3. [22-1902](#) Distribution and Overview of the Procurement Policy and Procedures Guide, presented by Joshua Chronley, Assistant Director of Finance and Procurement

Assistant Director of Finance and Procurement Josh Chronley presented an overview of the Procurement Policy and Procedures Guide: introduction; the book; procurement cycle; planning; method determination; vendor selection; contract development and award; and contract management.

Council Members and Assistant Director Chronley discussed the following topics: in response to a Council Member's concern about the Historically Underutilized Businesses (HUBs) criteria, staff stated they chose to adopt the State's policies and criteria; and a Council Member's concern the wording in the policy is unclear and wants a fair, unbiased process.

4. [22-1901](#) Upcoming Events:
- 59th Greek Festival of Corpus Christi - Friday, November 4 thru Sunday, November 6
 - Voices of South Texas - Saturday, November 5
 - Walk to End Alzheimer's - Saturday, November 12
 - Keeping Diabetes at Bay 5k Walk/Run - Saturday, November 12

City Manager Zaroni reported on the upcoming events as follows:

- 59th Annual Greek Festival of Corpus Christi on Friday, November 4-Sunday, November 6 at Saint Nicholas Greek Orthodox Church from 5 p.m. to 9 p.m. on Friday, 12 p.m. to 9 p.m. on Saturday, and 12 p.m. to 5 p.m. on Sunday.

- Voices of South Texas Old Bayview Cemetery on Saturday, November 5 from 10 a.m. to 2 p.m. It is the first U.S. Military Cemetery in Texas.

- Walk to End Alzheimer's at the Waters Edge Park on Saturday, November 12 at 9 a.m.

- Keeping Diabetes at Bay Annual 5k Walk/Run at Cole Park Pier on Saturday,

November 12 at 7:30 a.m.

F. PUBLIC COMMENT

Mayor Guajardo opened the public comment period at 12:03 p.m.

Walter Miller, 3606 Marion St., spoke regarding the lack of transparency for "no parking" signage during the Dia de los Muertos Festival.

Doug Posey, 14446 Northwest Blvd., thanked Council for their time and efforts regarding Item 8.

Dustin Cronan, 5026 Yorktown Blvd., spoke to promote and educate the community about Autism Awareness. A walk will be held in Austin, Texas, on December 3rd.

G. BOARD & COMMITTEE APPOINTMENTS: (NONE)

I. CONSENT AGENDA: (ITEMS 5 - 20)

Approval of the Consent Agenda

Mayor Guajardo referred to the Consent Agenda. Council Members pulled Items 7, 17 and 18 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 7, 17 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

5. [22-1818](#) Approval of the October 25, 2022 Regular Meeting Minutes

The Minutes were approved on the consent agenda

Consent - Second Reading Ordinances

6. [22-1733](#) Case No. 0922-01 Ryan Thurman (District 3): Ordinance rezoning property at or near 7017 Ayers Street, located along the west side of Ayers Street, south of Greenwood Drive, and east of the Crosstown Expressway (TX-286 N), from the "FR" Farm Rural District to the "IL" Light Industrial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommended approval of the zoning change from the "FR" Farm Rural District to the "IL" Light Industrial District.) (Requires 2/3 Vote)

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

Enactment No: 032900

7. [22-1734](#) Case No. 0922-02 HEP Javelina Company, LLC: (District 1): Ordinance rezoning property at or near 1230 McBride, located along the east side of McBride Lane, north of Interstate 37 and south of Up River, from the "IL" Light Industrial District to the "IH" Heavy Industrial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval of the zoning change from the from the "IL" Light Industrial District to the "IH" Heavy Industrial District.)(Requires 2/3 Vote)

Mayor Guajardo referred to Item 7.

Council Member Pusley stated that he pulled this item to vote "no", as he did on First Reading.

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

- Aye:** 8 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Lerma, Council Member Martinez, Council Member Molina and Council Member Smith
- Nay:** 1 - Council Member Pusley
- Abstained:** 0

Enactment No: 032901

8. [22-1735](#) Case No. 0922-03 Douglas N. and Joye Posey (District 1): Ordinance rezoning property at or near 14446 Northwest Boulevard, located along the northside of Northwest Boulevard, south of Riverwood Drive, and west of River Hill Drive, from the "RS-6" Single-Family 6 District and the "CG-2" General Commercial District to the "CG-2" General Commercial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission recommend approval of the zoning change to the "CG-2" General Commercial District. Staff recommends denial of the zoning change to the "CG-2" General Commercial District and in lieu thereof approval of a "ON/SP" Neighborhood Office District with a Special Permit)(Requires 2/3 Vote)

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

Enactment No: 032902

9. [22-1566](#) Ordinance adopting the North Beach Drainage Improvement Project Plan and repealing Ordinance No. 031970 authorizing a previous drainage solution.(Requires 2/3 Vote)

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

Enactment No: 032903

10. [22-1778](#) Ordinance authorizing the acceptance of a grant from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, in an amount of \$206,608.00 for the FY 2022 Edward Byrne Memorial Justice Assistance Grant program for the Corpus Christi Police Department to partially fund the purchase of 445 tasers as part of a previously approved five-year supply agreement; and appropriating \$206,608.00 in the Police Grants Fund with \$103,304.00 to be distributed to Nueces County based on an interlocal agreement and the remaining \$103,304.00 to be used by the City.(Requires 2/3 Vote)

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

Enactment No: 032904

11. [22-1779](#) Ordinance accepting a grant in the amount of \$94,500.00 from the State of Texas Governor's Homeland Security Grants Division for overtime and retirement for Corpus Christi Police Department sworn officers supporting law enforcement activities that help to reduce human-trafficking, drug smuggling, and other organized crime; and appropriating \$94,500.00 in the Police Grants Fund. (Requires 2/3 Vote)

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

Enactment No: 032905

12. [22-1787](#) Ordinance accepting a grant in the amount of \$20,000.00 from the State of Texas, Criminal Justice Division for Rifle-Resistant Body Armor for the Corpus Christi Police Department for the purchase of 40 additional pieces of rifle resistant body armor; and appropriating \$20,000.00 in the Police Grants Fund. (Requires 2/3 Vote)

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

Enactment No: 032906

13. [22-1737](#) Ordinance authorizing execution of all documents necessary to accept, amend, and appropriate a grant contract between the Department of State Health Services (DSHS) and the Corpus Christi-Nueces County Public Health District (CCNCPHD) to add \$72,379.00 for calendar year 2022, and \$105,208.00 for calendar year 2023 to provide prevention and control services for Sexually Transmitted Diseases (STDs), including Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS); and amending the operating budget.(Requires 2/3 Vote)

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

Enactment No: 032907

14. [22-1750](#) 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 to add \$48,348 with a City match of \$9,670 for Tuberculosis Prevention and Control - Federal Grant Program to provide tuberculosis prevention and control services for the period January 1, 2023, through December 31, 2024; and amending the operating budget.(Requires 2/3 Vote)

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

Enactment No: 032908

15. [22-1650](#) Ordinance authorizing a professional services contract with Hanson Professional Services Inc. in the amount of \$143,057.50 for the Northwest Blvd Drainage Feasibility Study, an FY 2022 budget initiative; appropriating \$143,057.50 from unreserved fund balance in 1020 General Fund and amending the FY 2023 Public Works Operating Budget; Council District 1.(Requires 2/3 Vote)

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

Enactment No: 032909

16. [22-1700](#) Ordinance authorizing Amendment No. 5 to the service agreement with Sec-Ops, Inc., for citywide security guard services in an amount not to exceed \$410,904.13, with FY 2023 funding from various funds.(Requires 2/3 Vote)

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

Enactment No: 032910

Consent - Capital Projects

17. [22-1742](#) Motion awarding a construction contract to A. Ortiz Construction & Paving, Inc., Corpus Christi, Texas, for reconstruction of Strasbourg Drive from Grenoble Drive to Marseille Drive with new asphalt pavement and utility improvements, located in Council District 5, in an amount of \$2,199,873.32 with FY 2023 funding available from the Bond 2020 Proposition A, Storm Water, Wastewater, and Water Capital Funds.(Requires 2/3 Vote)

Mayor Guajardo referred to Item 17.

A Council Member, Director of Engineering Jeff Edmonds, and City Manager Peter Zanoni discussed the following topics: this is a great news item because the bid was contracted under budget by \$400k; and this is a 2020 Bond program project and construction is starting soon.

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

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

Abstained: 0

Enactment No: M2022-161

18. [22-1687](#) Motion authorizing a professional services contract with Hanson Engineering, Corpus Christi, Texas, to provide design, bid, and construction phase services for Cefe F. Valenzuela Landfill Sector 2A cell development in the amount of \$803,479.40, located nine miles west of Corpus Christi on FM 2444 and CR 20, with FY 2023 funding available from Solid Waste Capital Fund. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 18.

Council Members, Assistant Director of Finance and Procurement Josh Chronley, Director of Solid Waste David Lehfeldt, and City Manager Peter Zaroni discussed the following topics: procurement staff debriefs companies who receive low scores and reviews criteria; this project will be financed through certificates of obligation; this agreement provides for design of Sector 2A Cell before exhausting capacity of Cell 3C; and composting will help keep brush out of the landfill which will further extend the life of the landfill.

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: 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

Absent: 1 - Council Member Hunter

Abstained: 0

Enactment No: M2022-162

General Consent Items

19. [22-1808](#) Resolution directing the City's Planning Department to prepare a service plan for the annexation of County Right of Way for sections of County Roads 18 and 43, allowing for the annexation of the Caroline Heights subdivision, by Cypress Point Capital, LLC.

This Resolution was passed on the consent agenda.

Enactment No: 032911

20. [22-1890](#) Resolution appointing a replacement at-large member to the ad hoc nominating committee to review and recommend candidates for the position of City Auditor.

This Resolution was passed on the consent agenda.

Enactment No: 032912

J. RECESS FOR LUNCH: (NONE)

K. PUBLIC HEARINGS: (ITEM 21)

- 21. [22-1773](#)** Case No. 0822-03 Flint Hills Resources Corpus Christi, LLC (District 1): Ordinance rezoning property at or near 2045 Tuloso Road from the "RS-6" Single-Family 6 District and the "ON" Neighborhood Office District to the "CG-2" General Commercial District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend denial of the zoning change to the "CG-2" General Commercial District and in lieu thereof approval of a "ON/SP" Neighborhood Office District with a Special Permit.) (The Texan) (Requires 2/3 Vote)

Mayor Guajardo referred to Item 21.

Director of Development Services Al Raymond presented information on the following topics: aerial image; zoning and land use; traffic impact study; public notification; staff analysis; and planning commission and staff's recommendation.

Council Members and Director Raymond discussed the following topics: Council Members were told the access to the property would be from the frontage road, not Tuloso Road to change the traffic alignment; the developer would have to meet with Flint Hills since they own all of the property; a Council Member's concern that more residents in the Douglas Estates subdivision were not notified about the zoning change; and a Council Member's request to encourage more left hand turns to exit property.

Mayor Guajardo opened the public hearing.

There were no comments from the public.

Mayor Guajardo closed the public hearing.

Council Member Smith made a motion to approve the ordinance as recommended by Planning Commission and Staff, seconded by Council Member Hunter. This Ordinance was passed on first reading and approved with the following vote:

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

Abstained: 1 - Council Member Lerma

L. INDIVIDUAL CONSIDERATION ITEMS: (ITEMS 22 - 23)

22. [22-1809](#) Resolution adopting the specific park Master Plans for Labonte Park and Cole Park.

Mayor Guajardo referred to Item 22.

Director of Parks and Recreation Robert Dodd presented information on the following topics: overview; Labonte Park amenities; campground; south portion of park; Cole Park-north; Cole Park amphitheater; north promenade; and Labonte Park-cost estimate.

Council Members, Director Dodd, City Manager Peter Zanoni, and Assistant Director of Parks and Recreation Kevin Johnson discussed the following topics: a Council Member thanked his colleagues for supporting the addition of the splash pad at Cole Park; Council is not approving the \$84M for the two parks today; a Council Member suggested that Director Dodd obtain input from the Parks and Recreation Advisory Committee (PRAC); a Council Member recommended RV Parks be implemented; a Council Member suggested that the palm trees on Ocean Drive and the Bayfront be replaced with trees that provide shade and are less expensive to maintain; public outreach effort included PRAC and council members; a Council Member's concern that PRAC was excluded from the decision making process; a recommendation that the City send surveys by text message to obtain input on city parks; no surveys were sent out for these Master Plans; a Council Member's request for more pools to be included in the Master Plan; the importance of investing money in parks as citizens have requested; a Council Member's request for more input from the council and the public; staff will spend more time reaching out to the community and Council before requesting approval of these Master Plans; and a request for staff to reach out to Visit Corpus Christi for their input.

There was no action taken.

23. [22-1820](#) Motion authorizing the purchase of an Airspace Easement and Restrictive Covenant from 8321 Weber, LLC and Weber-Oso Investments, LLC for \$1,482,855, Located in the Clear Zone of NOLF Cabaniss Field, with funding available from the Texas Military Preparedness Commission Certificates of Obligation and the Community Development Grant Fund. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 23.

Director of Intergovernmental Relations Tammy Embrey stated that this is a good news item.

Mayor Guajardo opened public comment.

Naval Air Station Community Planning Laision Officer Ben Pollack thanked the City for their support.

Mayor Guajardo closed public comment.

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

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

Abstained: 0

Enactment No: M2022-163

M. BRIEFINGS: (NONE)

N. EXECUTIVE SESSION: (ITEM 24)

24. [22-1790](#) **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 of Airspace Easement and Restrictive Covenant covering approximately 50 acres of property located in the south-most clear zone (approximately 3000'x1000') of Cabaniss Field between Weber Road and Oso Creek and Texas Government Code § 551.072 to discuss and deliberate the potential purchase, exchange, and/or value of the aforementioned areas of real property because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

This E-Session Item was withdrawn.

O. ADJOURNMENT

There being no further business, Mayor Guajardo adjourned this meeting at 1:59 p.m.