



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, August 9, 2022

11:30 AM

Council Chambers

Addendums may be added on Friday.

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

Mayor Guajardo called the meeting to order at 11:39 a.m.

B. Invocation to be given by Police Lieutenant Chuck Freeman, Corpus Christi Police Department Chaplain.

Chaplain Antwine Charles, Corpus Christi Police Department, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Temoc Zamora, Veterans Memorial High School student.

Temoc Zamora, Veterans Memorial High School student, led the Pledge of Allegiance to the Flag of the United States of America and to the Texas Flag.

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

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

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

Present: 8 - 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, and Council Member Mike Pusley

Absent: 1 - Council Member Greg Smith

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

Mayor Guajardo referred to City Manager's comments.

a. Acknowledgement of Summer Interns

City Manager Peter Zaroni recognized the following Summer Interns: Heavens Pantoja, Caroline Lutz, Benjamin DeLeon, Cellio De La Seta, Jesse Trevino, John Casso, Vivian Flores, and Rita Ramirez.

b. Staff Announcements:**Tyler Florence, Assistant Director of Parks & Recreation****Russell Dean, Assistant Director of Asset Management**

City Manager Zanon introduced the new Assistant Director of Parks and Recreation Tyler Florence and Assistant Director of Asset Management Russell Dean.

Tyler Florence, with more than 15 years of experience, will oversee the community and recreation department, and manage the grant programs.

Russell Dean will focus on fleet maintenance. His experience includes fleet management and transportation.

c. Drought Contingency Plan Update

Chief Operations Officer for Water Utilities Michael Murphy presented information on the following topics: drought impact on Texas surface water; 7 day precipitation outlook; key take-aways; reservoir capacities-last year and today; production from O.N. Stevens Water Treatment Plant; reservoir capacities-historical; CWWSM simulations vs. actual; stage 1 water restrictions; stage 2 water restrictions; and communication.

Council Members, Mr. Murphy, Water Resource Manager Esteban Ramos and City Manager Zanon discussed the following topics: staff continues to look into alternative water sources and alternate locations for desalination plants; CC Polymers would provide the most immediate source of water; the Barney Davis Plant is also being considered; a directive for staff to obtain San Antonio's conservation plan to determine how our plan will be enforced; planning for water resources is important for new industries coming in town; the importance of educating school districts about water conservation; and a Council Member's request for the City to secure water rights.

F. PUBLIC COMMENT

Mayor Guajardo opened the public comment period.

Ron Graban, 202 Surfside Blvd., thanked Council and City Manager for the North Beach improvements.

The following citizens spoke regarding the lack of transparency for the OVG Management contract at the American Bank Center: Malcolm De Shields, 6834 Dorsey St.; Casey Lain, 4429 Dolphin Place; Gil Harris, 9433 Huntington; and Heidi Hovda, 1022 Harrison St.

Cheryl Martinez, 1006 Collingswood Dr., spoke regarding animal care issues.

The following citizen submitted a written public comment which is attached to the minutes: Jerry Hooper, 3401 Bali Dr.

G. BOARD & COMMITTEE APPOINTMENTS:

1. [22-1362](#) Arts & Cultural Commission (3 vacancies)
Nueces County Tax Appraisal District (1 vacancy)
Parks and Recreation Advisory Committee (5 vacancies)

Mayor Guajardo referred to Item 1. The following appointments were made:

Arts & Cultural Commission:

Reappointments: Jody P. Hughes and James Moore

Appointment: Emily M. Barrera

Nueces County Tax Appraisal District:

Postponed until September 6, 2022

Parks and Recreation Advisory Committee:

Reappointments: Linda Lindsey, Robert W. McNabney, and Twila Stevens

Appointments: Duke Canchola and Kellie Summers

I. CONSENT AGENDA: (ITEMS 2 - 13)

2. [22-1363](#) Approval of the July 26, 2022 Regular Meeting Minutes.

The Minutes were approved on the consent agenda.

Consent - Second Reading Ordinances

Approval of the Consent Agenda

Mayor Guajardo referred to the Consent Agenda and asked if a Council Member would like to pull an item for individual consideration. No items were pulled.

A motion was made by Council Member Pusley, seconded by Council Member Lerma to approve the Consent Agenda. The motion carried by 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 Pusley

Absent: 1 - Council Member Smith

Abstained: 0

3. [22-1184](#) Ordinance amending the Wastewater Collection System Master Plan for the Allison Service Area, a public utility element of the Comprehensive Plan of the City of Corpus Christi, by modifying the alignment of an influent line to Clarkwood North Lift Station located at 2001 Clarkwood Road.

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

Enactment No: 032823

4. [22-1116](#) Ordinance authorizing a Wastewater Collection Line Extension Construction and Reimbursement Agreement for up to \$252,213.49 with MPM Development, LP to construct off-site Wastewater improvements for a planned residential and commercial subdivision, Royal Oak Unit 3, located on Rand Morgan Road, south of Leopard Street, with a completion date of within 24 months; transferring \$153,836.09 from the Wastewater Trunk System Trust Fund to the Wastewater Collection Line Trust Fund; and appropriating \$252,213.49 to reimburse the Developer per the agreement.(District 1)

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

Enactment No: 032824

5. [22-1106](#) Ordinance amending the FY 2021/22 Capital Budget and authorizing a professional services contract with LJA Engineering, Inc, Corpus Christi, Texas in the amount of \$1,510,500 for the London Area Wastewater Collection System Improvements project, located in Council District 3 and outside the city limits, with FY 2022 funding available from the Wastewater Capital Fund.

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

Enactment No: 032825

Consent - Public Safety First Reading Ordinances

6. [22-1297](#) Ordinance authorizing acceptance of a grant from the Executive Office of the President, Office of National Drug Control Policy, in an amount of \$89,480.00 for overtime for four sworn officers and lease payments on four vehicles for the FY 2022 High Intensity Drug Trafficking Area Initiative; and appropriating \$89,480.00 in the Police Grants Fund.

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

Consent - Contracts and Procurement

7. [22-0895](#) Motion authorizing a two-year supply agreement with International Corrosion Control, Inc., of Lewiston, New York, in an amount not to exceed \$2,375,138.00, for the purchase of magnesium anodes, used by the Gas Department to provide cathodic protection for corrosion control of underground gas pipelines with FY 2022 funding of \$296,892.24 available from the Gas Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-125

8. [22-1178](#) Motion authorizing a one-year supply agreement with Rehrig Pacific Company, of Dallas, through OMNIA Partners purchasing co-operative, in the amount of

\$833,330.16 for the purchase of refuse and recycling carts utilized by Solid Waste Services, with FY 2023 funding from the General Fund, subject to future budget approval.

This Motion was passed on the consent agenda.

Enactment No: M2022-126

9. [22-1227](#) Motion authorizing a four-year service agreement, with one two-year option, with Gabriel, Roeder, Smith & Company of Irving, in an amount not to exceed \$59,900.00, with a potential amount not to exceed \$89,900.00 if the option is exercised, for actuarial services for other post-employment benefits (i.e., medical health insurance benefits for retirees), with FY 2022 funding of \$13,200.00 from the General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-127

10. [22-1266](#) Motion authorizing a three-year service agreement with BugPro Inc., of Corpus Christi, in an amount not to exceed \$58,643.46, for pest control services for City properties, with FY 2022 funding of \$3,258.00 from the Asset Management - Facilities Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-128

Consent - Capital Projects

11. [22-1312](#) Motion authorizing the approval of Change Order No. 1 with Callan Marine, LTD, Galveston, Texas, for the Packery Channel Restoration Project, in an amount of \$2,620,053.00 of which FEMA will reimburse \$2,358,047 for a total amount not to exceed \$14,979,102.30 with FY 2022 funding available from the Parks & Recreation, Tax Increment Reinvestment Zone #2 (Island TIRZ), and the Storm Water Capital Improvement Project (CIP) Funds.

This Motion was passed on the consent agenda.

Enactment No: M2022-129

12. [22-1318](#) Resolution awarding a construction contract to A. Ortiz Construction & Paving, Inc., Corpus Christi, Texas for the construction of South Oso Parkway from South Staples Street to South Oso Parkway, with new asphalt pavement, utility improvements and Botanical Gardens parking lot improvements, in the amount of \$1,328,913.55, located in Council District 5, with FY 2022 funding available from the Street Bond 2018, Storm Water, Water and Gas Funds.

This Resolution was passed on the consent agenda.

Enactment No: 032826

General Consent Items

13. [22-1392](#) Resolution authorizing amendment No. 2 to the Interlocal Agreement with Nueces County regarding Parker Pool to provide funds in a total amount of \$18,250 in Summer 2022 to allow free public access to the pool.

This Resolution was passed on the consent agenda.

Enactment No: 032827

J. **RECESS FOR LUNCH**

Mayor Guajardo recessed the Council meeting for lunch at 1:30 p.m. Executive Session Item 19 was held during the lunch recess. Mayor Guajardo reconvened the meeting at 2:18 p.m.

K. **RECESS TO JOINT MEETING WITH PLANNING COMMISSION (ITEM 14)**

Mayor Guajardo recessed the Council meeting at 3:08 p.m. for the Joint meeting with Planning Commission.

14. [22-0889](#) Ordinance amending the Unified Development Code (UDC) and corresponding UDC Zoning Map to adopt Military Compatibility Area Overlay Districts for the areas of and surrounding Truax Field at Naval Air Station - Corpus Christi, Naval Auxiliary Landing Field Cabaniss, and Naval Auxiliary Landing Field Waldron to make land use compatible with Naval Air Station - Corpus Christi's military mission to include regulation of land use, density, intensity, noise, light, and vertical obstructions, and providing for penalty.

Mayor Guajardo called the joint meeting to order at 3:12 p.m.

City Secretary Rebecca L. Huerta called the roll of the Planning Commission and verified that a quorum of the Commissioners were present to conduct the meeting.

Commissioners Cynthia Salazar Garza, Michael Miller; Kamran Zarghouni, Sheldon Schroeder, Javier Gonzalez, Mike Munoz, Brian Mandel and Jahvid Motaghi(Michael York-absent).

City Secretary Rebecca L. Huerta called the roll of the City Council and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting. Mayor Guajardo, Council Members Hernandez, Molina, Lerma, Martinez, Pusley, Hunter and Barrera (Council Member Smith-absent).

Director of Development Services Al Raymond presented information on the following topics: procedure for joint meeting; history; purpose; public outreach; Military Compatibility Area Overlay District (MCAOD); UDC Section 6.5.2 definitions and boundaries; UDC Section 6.5.3.F light subzone; Section 6.5.3.G noise subzone; UDC Section 6.5.3.H vertical obstruction subzone; imaginary surfaces at NAS-CC; land use

compatibility; UDC Section 6.5.3.I and J; frequently asked questions; and staff recommendation for joint meeting.

Council Members, Commissioners, Director Raymond, and Administrator of Development Services Andrew Dimas discussed the following topics: the MCAOD supersedes the base zoning of a property, so if it is commercially zoned the MCAOD will try to reduce density; whether the general landowners are aware of these proposed policy changes; nine community outreach meetings were held to educate the public about these policy changes; passing this ordinance codifies the Accident Potential Zone and will supersede what the base zoning requires; of the 375 vacant properties, Waldron Field currently has 66 vacant properties zoned residential; if this ordinance passes, residents will have six months to rezone their property; what the implications would be if the Navy leaves this community; and a Council Member's concern that the 3,500 property owners and the school district were not properly notified about this zoning.

Mayor Guajardo opened the public hearing.

Commanding Officer of Naval Air Station Corpus Christi Captain Jurica, Ben Polak, 3822 Kangaroo Court; Kresten Cook, 4718 Mars Hill Dr.; Alan Wilson, 5017 Lost Creek Circle; Garry Bradford, 5701 Oso Parkway; John LaRue, 426 Cape Lookout Dr.; and Moses Mostaghasi spoke in support of this Ordinance.

Construction Project Manager for CCISD John Dibala, stated that CCISD owns a tract of land that will be affected by the proposed overlay and is requesting to postpone this vote for 30 days.

Mayor Guajardo closed the public hearing.

Mayor Guajardo asked the Planning Commission for a recommendation.

Commissioner Miller made a motion to approve the ordinance as presented, seconded by Commissioner Gonzalez.

Mayor Guajardo asked the Council if they wished to take action.

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

Mayor Guajardo adjourned the joint meeting at 4:39 p.m.

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 Pusley

Absent: 1 - Council Member Smith

Abstained: 0

L. RECONVENE CITY COUNCIL MEETING

Mayor Guajardo reconvened the City Council meeting at 4:39 p.m.

M. PUBLIC HEARINGS: (ITEMS 15 - 16)

15. [22-1271](#) Case No. 0422-02, Behmann Brothers Foundation (District 3): Ordinance rezoning property at or near 602 Saratoga Boulevard (located along the north side of Saratoga Boulevard, south of West Point Road and east of Old Brownsville Road) from the "FR" Farm Rural District to "RS 4.5" Single-Family 4.5 Residential (Tract 1) and from the "FR" Farm Rural District to "RE/SP" Estate Residential District with a Special Permit (Tract 2). (Planning Commission and Staff recommend approval)

Mayor Guajardo referred to Item 15.

Council Member Barrera made a motion to table the ordinance, seconded by Council Member Hunter. This Ordinance was tabled 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 Pusley

Absent: 1 - Council Member Smith

Abstained: 0

16. [22-1272](#) Case No. 0522-01, Corpus Note Acquisitions LLC (District 2): Ordinance rezoning property at or near 3241 Reid Drive (located along the south side of Reid Drive, north of Texan Trail, and south of Botsford Street) from the "RM-1" Multifamily District to the "ON" Neighborhood Office District. *(Planning Commission and Staff recommended approval of the change of zoning from the "RM-1" Multifamily District to the "ON" Neighborhood Office District.)*

Mayor Guajardo referred to Item 16.

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

Mayor Guajardo opened the public hearing.

Coastal Bend Wellness Foundation CEO Bill Hoelscher stated that they are in the process of purchasing the triangular property and the empty lot behind it to build housing for elderly and construct a small clinic.

A Council Member stated that this is a great investment opportunity.

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

Absent: 1 - Council Member Smith

Abstained: 0

N. INDIVIDUAL CONSIDERATION ITEMS: (NONE)

O. FIRST READING ORDINANCES: (ITEM 17)

17. [22-1373](#) Ordinance ordering a general election to be held on November 8, 2022, in the City of Corpus Christi for the election of Mayor and eight Council Members; providing for procedures for holding such election; providing for notice of election and publication thereof; providing for establishment of branch early voting polling places; designating polling place locations; authorizing a joint election with Nueces County, and a runoff election, if one is necessary, on December 13, 2022; authorizing execution of a Joint Election Agreement with Nueces County; and enacting provisions incident and relating to the subject and purpose of this ordinance.

Mayor Guajardo referred to Item 17.

There were no comments from the Council.

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

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

Absent: 1 - Council Member Smith

Abstained: 0

P. BRIEFINGS: (ITEM 18)

18. [22-1366](#) Recommendations on Attracting and Retaining Young Talent in the Coastal Bend

Corpus Christi Regional Economic Development Corporation Interim CEO Mike

Culbertson and Principal of Place and Main Joe Borgstrom presented information on the following topics: strength and weaknesses; phase 2 purpose; recommendations; aesthetics and community assets; neighborhood node development; public art; social offerings; economic offerings and place connectedness; 18-34 year old demographic; and recommendations summary.

Council Members, Mr. Culbertson and Mr. Borgstrom discussed the following topics: promote beach front business development; the importance of attracting more technology jobs; a Council Member's request for amenities along the Bayfront parks; the Downtown Management District offers an incentive program of \$20,000 per residential unit; and a Council Member's desire to add more restaurants on the T-Heads.

Q. EXECUTIVE SESSION: (ITEM 19)

Mayor Guajardo referred to Executive Session Item 19. The Council went into Executive Session at 1:30 p.m. The Council returned from Executive Session at 2:18 p.m.

19. [22-1375](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning claims and litigation including, but not limited to, the case of *Salinas Construction Technologies, Ltd. and Salinas and Sons, Inc. v. City of Corpus Christi*, 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 or designee to execute an amendment to the City's professional services agreement for attorney services with McKibben, Martinez, Jarvis & Wood, L.L.P. for representation of the City in *Salinas Construction Technologies, Ltd. and Salinas and Sons, Inc. v. City of Corpus Christi* to increase the maximum amount of said contract by \$90,000.

Council Member Barrera made a motion to approve the motion, seconded by Council Member Molina. This Motion was passed 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 Pusley

Absent: 1 - Council Member Smith

Abstained: 0

Enactment No: M2022-130

R. ADJOURNMENT

There being no further business, Mayor Guajardo adjourned this meeting at 4:39 p.m.

Written Public Comment 8-9-2022

Public Comment & Input Form

Date of Meeting	8/9/2022
Name	JERRY HOOPER
Address	Street Address: 3401 BALL DR City: CORPUS CHRISTI State / Province: TEXAS Postal / Zip Code: 78418
Topic	Unified Development Code (UDC) and corresponding UDC Zoning Map to adopt Military Compatibility Area Overlay Districts
Agenda Item Number	13
<p>Mayor and Council Members, This topic and the use and adoption of the Military Compatibility Areas as designated by the U.S. Navy is critical to Flour Bluff and Corpus Christi. As a long time resident of Flour Bluff and Corpus Christi, I fully recognize the need to have the safe zones (CZ, APZ 1 & APZ 2) and to limit the development in the potentially affected areas. It has been a long time coming, and as you have undertaken, it needs to be adopted and adhered to. I strongly urge the Planning Commission and the City Council to adopt the military overlays of the compatibility use areas to protect our relationship with the CCNAS/ CCAD base and their activities. Please adopt the necessary and appropriate UDC to match up with the U.S. Navy's needs and desires on this issue. Thanks in advance. Best Regards, Jerry Hooper, Jr.</p>	

Provide an email to receive a copy of your submission.

jhooper@stx.rr.com