



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, August 16, 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 11:35 a.m.

B. Invocation to be given by Pastor Chuck Goodwin, Fish for Life Ministries.

Pastor Chuck Goodwin, Fish for Life Ministries, gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Madilynn Cantu, Junior at Foy H. Moody High School .

Vanessa Trevino, Multimedia Specialist with Communications Department, 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.

a. Alternative Water Resources Update

Chief Operations Officer of Corpus Christi Water Michael Murphy presented information on the following topics: seawater desalination; and other potential water supplies.

Council Members, Mr. Murphy, and City Manager Peter Zanoni discussed the following topics: need representation from the plant owners of CC Polymers; the ability for the public to purchase reuse water from the City; the greatest source of water for Aquifer

Storage would be Greenwood Wastewater; the importance of understanding the impact to the residential ratepayer; the City is utilizing recycled water to irrigate three local golf courses, along with the Veterans Cemetery; a Council Member's request for the percentage of water used by industry; a request for the estimated cost of alternate water sources, as well as an updated cost on desalination; a Council Member's request for information regarding flushing fire hydrants to repurpose water for irrigation; and a Council Member's request for staff to provide the top 10 list of water users in the City.

b. Infrastructure Management Plan (IMP) Quarterly Update

City Manager Peter Zanoni presented information on the following topics: FY 2021 and FY 2022 IMP summary; IMP street maintenance programs summary; public works-in house street rehabilitation program; contractual residential street reconstruction program; contractual street preventative maintenance program; and contractual concrete street reconstruction program.

Council Members, City Manager Zanoni and Interim Director of Public Works Gabriel Hinojosa discussed the following topics: a Council Member's request for a percentage of streets being reconstructed by district and a breakdown of residential streets by district; with regard to Airline Road flooding, staff stated that the drainage system was clogged with heavy debris; currently, the City cleans out inlets every three years; a Council Member's request to get information out to the public about storm water fees; and a proposed budget will be brought to Council for more street inlet maintenance.

F. PUBLIC COMMENT

Mayor Guajardo opened the public comment period.

Maggie Peacock, 7037 Islander Way, spoke regarding climate crisis and desire for clean energy jobs.

Armon Alex, 1610 La Joya St., spoke regarding city engagement and climate change.

Savannah Leos, 810 Erwin Ave., spoke regarding issues with a child care facility.

Melissa Zamora, 3917 Brawner Parkway, spoke in opposition to desalination and regarding a climate change action.

G. BOARD & COMMITTEE APPOINTMENTS: (NONE)

I. CONSENT AGENDA: (ITEMS 1 - 6)

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. A Council Member asked to pull Item 3.

A motion was made by Council Member Molina, seconded by Council Member Hernandez to approve the Consent Agenda with the exception of Item 3. 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

1. [22-1407](#) Approval of the August 8, 2022 Budget Workshop Minutes, August 9, 2022 Regular Meeting Minutes and August 11, 2022 Budget Workshop Minutes

The Minutes were approved on the consent agenda.

Consent - Second Reading Ordinances

2. [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 second reading on the consent agenda.

Enactment No: 032828

3. [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 referred to Item 3.

There were no comments from the Council.

Council Member Molina 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: 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

Abstained: 1 - Council Member Smith

Enactment No: 032829

4. [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.)*

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

Enactment No: 032830

5. [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.

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

Enactment No: 032831

Consent - Capital Projects

6. [22-1360](#) Motion awarding a construction contract to Landmark Structures I, LP, Fort Worth, Texas, for Elevated Water Storage Tanks ACR Implementation Phase 3 project in an amount of \$13,372,000.00 located in Council District 4, with FY 2022 funding available from the Water Capital Fund.

This Motion was passed on the consent agenda.

Enactment No: M2022-131

J. RECESS FOR LUNCH

Mayor Guajardo recessed the Council meeting for lunch at 1:58 p.m. Executive Session Item 11 was held during the lunch recess. Mayor Guajardo reconvened the meeting at 2:23 p.m.

K. PUBLIC HEARINGS: (ITEM 7)

7. [22-1298](#) Case No. 0522-02, City of Corpus Christi (District 1): Ordinance rezoning property at or near 1525 Morgan Avenue, located along the south side of Morgan Avenue, east of South Brownlee Boulevard, and west of 12th Street from the "CG-2" General Commercial District and the "RS-TF" Two-Family District to the "CN-1" Neighborhood Commercial District. *(Planning Commission and*

Staff recommended approval of the change of zoning from the "CG-2" General Commercial District and the "RS-TF" Two-Family District to the "CN-1" Neighborhood Commercial District.)

Mayor Guajardo referred to Item 7.

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.

A Council Member and Director Raymond discussed the following topic: a Council Member spoke in support of the replacement of this fire station.

Mayor Guajardo opened the public hearing.

There were no comments from the public.

Mayor Guajardo closed the public hearing.

Council Member Molina 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

L. INDIVIDUAL CONSIDERATION ITEMS: (ITEM 8)

8. [22-1245](#) One-Reading Ordinance calling for a special election for the Bond 2022 Program to be held on November 8, 2022, in the City of Corpus Christi for the authorization of bond issuances for the City by ad valorem taxes totaling \$125 million without a property tax rate increase to fund 32 projects under the following propositions: Streets (\$92.5 million), Parks (\$20 million), Public Safety (\$10 million) and Libraries (\$2.5 million).

Mayor Guajardo referred to Item 8.

Assistant City Manager Neiman Young presented information on the following topics: key dates for bond 2022; bond 2020 project summary; bond 2022 project summary; rough proportionality; special election; Proposition A-streets; Proposition B-Parks and Recreation; Proposition C-public safety; Proposition D-Libraries; other supporting activities; and staff's recommendation.

A Council Member and City Manager Zanoni thanked staff and leadership who worked on this \$125M Bond.

Mayor Guajardo opened public comment.

There were no comments from the public.

Mayor Guajardo closed public comment.

Council Member Lerma made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on emergency 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: 032832

M. FIRST READING ORDINANCES: (ITEM 9)

9. [22-0375](#) Ordinance amending Chapter 49 of the Corpus Christi Code of Ordinances to add Article IX, Sidewalk Cafes, Parklets and Pedlets in City right of way in the Downtown Area to authorize the closure and use of portions of public right-of-way to facilitate the use of public sidewalks and parking areas for the sale or provision of food and beverages outdoors; and providing for a penalty.

Mayor Guajardo referred to Item 9.

Interim Director of Public Works Gabriel Hinojosa presented information on the following topics: background; findings; and staff's recommendation.

Mayor Guajardo opened public comment.

There were no comments from the public.

Mayor Guajardo closed public comment.

Council Members, Interim Director Hinojosa and Executive Director of the Downtown Management District Alyssa Barrera Mason discussed the following topics: Council Members' concerns about limited parking downtown; a request from Council Members for the City to consider leasing a parking garage downtown; and only two parklets are allowed per block with one per side.

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

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

Abstained: 0

N. BRIEFINGS: (ITEM 10)

10. 22-1427 Briefing Update to City Council on Operations at the American Bank Center

Mayor Guajardo referred to Item 10.

General Manager of OVG 360 Venue Management Brian Martin presented information on the following topics: about Oak View Group; first 45 days action items; new events/announcements; facility updates/landscaping; Capital: repair and replacement assessment; catering/concessions updates; outside catering engagement to explain new business model; catering policies by venue; best business practices-food and beverage; TABC license-prior mapping; food and beverage comparison-ancillary revenue breakdown historical vs. projected-loss of revenue estimate \$1.4M; current local food and beverage partnerships; State of the City Address; and thank you.

Council Members, Mr. Martin and City Manager Peter Zanoni discussed the following topics: storage issues have been addressed; concerns about insufficient parking for events at American Bank Center, as well as traffic control issues; and a concern about weak Wi-Fi signals inside American Bank Center.

O. EXECUTIVE SESSION: (ITEM 11)

Mayor Guajardo referred to Executive Session Item 11. The Council went into Executive Session at 1:58 p.m. The Council returned from Executive Session at 2:23 p.m.

11. 22-1413 Executive Session pursuant to Texas Government Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning construction claims and litigation including, but not limited to, the case of *Justin T. Garcia, individually, and Diana Dominguez, as power of attorney for and next friend of Justin Garcia v. City of Corpus Christi, Texas and William M. Hobbs*, 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 execution of all documents necessary to settle the lawsuit of Justin T. Garcia, individually, and Diana Dominguez, as power of attorney for and next friend of Justin Garcia v. City of Corpus Christi, Texas and William M. Hobbs in exchange for the

City funds previously authorized for attorneys, experts, and service providers to assist in this lawsuit plus an additional City-provided amount not to exceed \$100,000.

Council Member Lerma 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 Hunter, Council Member Lerma, Council Member Martinez, Council Member Molina, Council Member Pusley and Council Member Smith

Nay: 1 - Council Member Hernandez

Abstained: 0

Enactment No: M2022-132

P. ADJOURNMENT

There being no further business, Mayor Guajardo adjourned this meeting at 2:25 p.m.