



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, January 24, 2023

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 11:31 a.m.

B. Invocation to be given by Chaplain Antwine Charles, Corpus Christi Police Department.

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 Madilynn Cantu, Junior at Moody High School.

Madilynn Cantu, Junior at Moody High School, 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 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 Mike Pusley, Council Member Dan Suckley, Council Member Everett Roy, Council Member Jim Klein, and Council Member Sylvia Campos

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

Mayor Guajardo referred to City Manager's comments.

1. [23-0227](#) FY 2023 First Quarter Infrastructure Management Plan Update

Assistant City Manager Neiman Young presented information on the following topics: Infrastructure Management Plan (IMP) summary; IMP streets maintenance programs summary; IMP progress; public works in-house street rehabilitation program; contractual residential street reconstruction program (RSRP); contractual street preventative maintenance program (SPMP); and contractual concrete street reconstruction program

(CSRP).

Council Members, City Manager Peter Zanoni, Assistant City Manager Young, Director of Public Works Ernesto De La Garza, and Assistant Director of Public Works Gabriel Hinojosa discussed the following topics: the 29 residential streets that are in design will be complete in about four to five months; the importance of expediting residential streets; a Council Member's request to list residential streets alphabetically on the city's website; the public works department vacancy rate is about 21 percent, so staff is working on recruiting employment through social networking; a Council Member's concern about the damage to alleyways; in response to a Council Member's request about overlay treatment to industrial streets, staff stated that the two-inch overlay will not last long; staff will bring to council an IMP reset in a couple of months; and a Council Member's request that staff conduct a study about the materials and the percentage of hot mix versus cold mix being used to repair potholes.

2. [23-0226](#) Stage 1 Water Restrictions and Drought Update presented by Mike Murphy, COO of Corpus Christi Water

City Manager Peter Zanoni stated that hotter and dryer temperatures will last until about April.

Chief Operations Officer of Corpus Christi Water Michael Murphy presented information on the following topics: water restrictions and lake levels; ongoing drought in Texas; recharge zones; and upcoming initiatives.

Council Members, City Manager Zanoni, and Chief Operations Officer Murphy discussed the following topics: a Council Member's request for the annual evaporation rate for Lake Corpus Christi and Choke Canyon; staff is pursuing a ground storage program on Evangeline and Aquifer Storage and Recovery; the drought contingency plan will be brought to council next week; the trigger elevation point depends on what happens on the water shed above us; while the city is in a drought, water is not required to be released to the bays and estuaries; and the importance of educating the public about water releases.

3. [23-0228](#) Environmental Protection Agency (EPA) Interim Objection letters to Texas Commission on Environmental Quality (TCEQ)

City Attorney Miles Risley read letters from Environmental Protection Agency (EPA) to Texas Commission on Environmental Quality (TCEQ).

Council Members, City Manager Peter Zanoni, and Chief Operations Officer of Corpus Christi Water Michael Murphy discussed the following topics: the City has confidence in environmental modeling; the city acquired intake permits that did not go to a contested case hearing; the City is pursuing alternative sources of water; three years ago alternative sources of water were much more costly than desalination; and a Council Member's suggestion for the City to consider rainwater capture.

F. PUBLIC COMMENT

Mayor Guajardo opened public comment.

Jack Gordy, 3913 Montego Dr., spoke regarding his concern about hiring outside counsel.

Cheryl Votzmeyer-Rios, 901 N. Upper Broadway, spoke regarding the revitalization of The Ritz Theatre.

Adam Rios, 7301 Tangled Ridge Court, spoke regarding recognition of Cole Park Skate Park and soil suggestions to be used at Salinas Park.

Henry Williams, 2422 Summers St., spoke regarding the high cost of vehicle impoundment and the amount of violence in our nation.

Alycia Kasperitis, 4657 Ocean Dr., spoke in support of Item 17 adopting the building codes.

Garrett Dorsey, 2037 Sunnycrest St., welcomed and thanked Council for their work.

Armon Alex, 1610 La Joya St. and Christopher Phelan, 3806 Kingston Dr., spoke regarding the crude oil spill in Corpus Christi Bay.

Shirin Delsooz, 6030 Tapestry Dr., spoke regarding protected bike paths in the city.

G. BOARD & COMMITTEE APPOINTMENTS:

4. [23-0116](#) Capital Improvements Advisory Committee (10 vacancies)
Crime Control & Prevention District (9 vacancies)
Marina Advisory Committee (4 vacancies)
Watershore and Beach Advisory Committee (4 vacancies)

Mayor Guajardo referred to Item 4.

Capital Improvements Advisory Committee:

Reappointed: Rudy Garza Jr., Hailey R. Gonzalez, and Trey Summers

Crime Control and Prevention District:

Reappointed: David Gonzalez and Andrew Leeton,

Appointed: Susie Saldana, Mariah A. Boone, Joseph Kramer, Tracy Teague, and Isabel Araiza

Reinstated: Sandy J. Fernandez and Marshal Tong

Marina Advisory Committee:

Reappointed: Richard E. Bell, Don J. Dunlap, Robert Kelley, and Alyssa B. Mason

Watershore and Beach Advisory Committee:

Reappointed: Larisa A. Ford (Scientist) and Scott A. Lawson (Engineer)

Appointed: Armon D. Alex (Scientist) and David S. Zill (At Large)

H. EXPLANATION OF COUNCIL ACTION:

I. CONSENT AGENDA: (ITEMS 5 - 15)

Approval of the Consent Agenda

Mayor Guajardo referred to the Consent Agenda. Council Members pulled Item 13 for individual consideration.

A motion was made by Council Member Pusley, seconded by Council Member Roy to approve the Consent Agenda with the exception of Item 13. The motion carried by the following vote:

Aye: 9 - Mayor Guajardo, Council Member Barrera, Council Member Hernandez, Council Member Hunter, Council Member Pusley, Council Member Suckley, Council Member Roy, Council Member Klein and Council Member Campos

Abstained: 0

5. [23-0115](#) Approval of the two sets of January 10, 2023 Special Meeting Minutes and January 10, 2023 Regular Meeting Minutes

The Minutes were approved on the consent agenda.

Consent - Second Reading Ordinances

6. [23-0019](#) Ordinance appropriating \$1,300,000 from the settlement of State of Texas and City of Corpus Christi v. Valero Marketing and Supply Company and Ergon Asphalt and Emulsion, Inc., which was previously approved by City council on September 21, 2021, and which may only be used for a backflow prevention program in accordance with the settlement documents; and amending the operating budget.

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

Enactment No: 032962

7. [23-0098](#) Ordinance authorizing an amendment of the current contract with Sinister, LLC for a monthly rent rate of \$100 for the second option year of the city owned property located at 1401 Leopard Street for a parking lot.

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

Enactment No: 032963

8. [22-2030](#) Ordinance authorizing a 30-year ground lease, with two five-year options to extend, with Corpus Christi Renewables, LLC, for the development, management, operation, and sale of processed landfill gas at the Cefe Valenzuela Landfill in exchange for a monthly royalty payment; and providing for publication. (28-day delay required between readings)

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

Enactment No: 032964

Consent - Contracts and Procurement

9. [22-1701](#) Motion authorizing a two-year supply agreement with Omicron Controls, Inc., of The Woodlands, Texas, in an amount not to exceed \$75,154.40 for the purchase of large water flow meters to be utilized by Corpus Christi Water, with FY 2023 funding of \$37,577.20 from the Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2023-008

10. [22-1906](#) Resolution authorizing a three-year service agreement with Doggett Heavy Machinery Services, LLC, in an amount not to exceed \$266,250.00 for repairs of John Deere construction equipment for the Asset Management Department, with FY 2023 funding of \$73,958.33 from the Fleet Maintenance Service Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032965

Consent - Capital Projects

11. [22-1952](#) Motion awarding a construction contract to National Power Rodding Corp., Austin, Texas, for Citywide Wastewater Indefinite Delivery Indefinite Quantity (IDIQ) project in an amount of \$5,000,000.00, located Citywide, with FY 2023 funding available from the Wastewater Capital Fund.

This Motion was passed on the consent agenda.

Enactment No: M2023-009

General Consent Items

12. [23-0162](#) Motion to authorize renewal of agreement with the United Corpus Christi Chamber of Commerce to support the operations and activities of the South Texas Military Task Force during Fiscal Year 2023 in the amount of \$75,000.

This Motion was passed on the consent agenda.

Enactment No: M2023-010

13. [23-0187](#) Motion appointing George Holland as City Auditor with compensation as follows: annual salary of \$130,000, monthly car allowance of \$400, standard benefits, and vacation accrual at the rate of an 11-year employee; all contingent upon completion of employment requirements of the City of Corpus Christi.

Mayor Guajardo referred to Item 13.

There were no comments from the Council.

Council Member Hernandez made the following motion: Motion appointing George Holland as City Auditor with compensation as follows: annual salary of \$130,000, monthly car allowance of \$400, standard benefits, and vacation accrual at the rate of an 11-year employee; all contingent upon completion of employment requirements of the City of Corpus Christi, seconded by Council Member Klein. 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 Pusley, Council Member Suckley, Council Member Roy, Council Member Klein and Council Member Campos

Abstained: 0

Enactment No: M2023-011

14. [23-0201](#) Approval of a resolution by the City Council of the City of Corpus Christi, Texas providing for the defeasance and calling for redemption of certain currently outstanding obligations: directing that the City Secretary, or designee, effectuate the redemption of these obligations: and other matters in connection there with.

This Resolution was passed on the consent agenda.

Enactment No: 032966

Consent - First Reading Ordinances

15. [23-0202](#) Ordinance appropriating \$1,342,418.83 from Debt Service Fund Balance for the payment of debt and amending the FY 2023 operating budget.

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

J. RECESS FOR LUNCH

Mayor Guajardo recessed the Council meeting for lunch at 1:43 p.m. Executive Session Item 20 was held during the lunch recess. Mayor Guajardo reconvened the meeting at 2:24 p.m.

K. PUBLIC HEARINGS: (ITEM 16)

16. [22-2026](#) Case No. 1022-05 Cypress Point Capital, LLC. (District 5): Ordinance rezoning a property at or near the southeast corner of County Road 43 and Farm to

Market Road 2444 (South Staples Street) from the "FR" Farm Rural District to the "RS-22" Single-Family 22 District. Providing for a penalty not to exceed \$2,000 and publication.(Planning Commission and Staff recommend approval)

Mayor Guajardo referred to Item 16.

Assistant Director of Development Services Nina Nixon-Mendez presented information on the following topics: recent activity; zoning and land use; public notification; and analysis and recommendation.

Mayor Guajardo opened the public hearing.

There were no comments from the public.

Mayor Guajardo closed the public hearing.

A Council Member, City Manager Peter Zanoni, and Assistant Director Nixon-Mendez discussed the following topic: the new annexed territory is connected to the rest of the city by FM 2444, CR 43 and CR 18.

Council Member Hunter made a motion to approve the ordinance, seconded by Council Member Campos. 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 Pusley, Council Member Suckley, Council Member Roy, Council Member Klein and Council Member Campos

Abstained: 0

L. INDIVIDUAL CONSIDERATION ITEMS: (ITEMS 17 - 18)

17. [23-0077](#) Ordinance amending Chapter 14 of the Corpus Christi Code to adopt with local amendments, the International Code Council's 2021 editions of the International Building Code, International Existing Building Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Residential Code, and International Swimming Pool and Spa Code; amending Chapter 14 of the Corpus Christi Code to adopt with local amendments, the National Fire Prevention Association's 2020 edition of the National Electrical Code; Providing for a penalty not to exceed \$500 and publication.

Mayor Guajardo referred to Items 17 and 18.

Assistant Director of Development Services Michael Dice presented information on the following topics: overview; Construction Trade Advisory and Appeals Board (CTAAB); CTAAB positions; 2021 ICC codes; 2021 IBC-building; 2020 NFPA-electrical; 2021 IPC-plumbing; 2021 ISPSC-swimming pool and spa; 2021 IFC-fire code; timeline; and recommendation.

Council Members and Assistant Director Dice discussed the following topics: an amendment to the plumbing code will be proposed during second reading; and staff has met with the Builders Association on multiple occasions.

Mayor Guajardo opened public comment.

There were no comments from the public.

Mayor Guajardo closed public comment.

Council Member Pusley made a motion to approve Items 17 and 18, seconded by Council Member Suckley. These Ordinances were 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 Pusley, Council Member Suckley, Council Member Roy, Council Member Klein and Council Member Campos

Abstained: 0

18. [23-0078](#) Ordinance amending Chapter 18 of the Corpus Christi Code to adopt with local amendments, the International Code Council's 2021 editions of the International Fire Code; Providing for a penalty not to exceed \$2,000 and publication.

See Item 17.

M. BRIEFINGS: (ITEM 19)

19. [22-1443](#) Hunden Strategic Partner's presentation on the results of the feasibility study for options regarding Renovation-Expansion of the American Bank Center, Convention Center Hotel, and Mixed-Use Entertainment District.

Mayor Guajardo referred to Item 19.

Assistant Director of Aviation Elsy Borgstedte, President of Hunden Strategic Partners (HSP) Rob Hunden, and Architecture of Convergence Design David Greusel presented information on the following topics: Host, Stay, Play; placemaking and real estate advisory; why is the American Bank Center (ABC) important; ABC visitation; competitive convention centers; major competitors' district elements; the challenges; Corpus Christi; downtown aerial; ABC walkability; market-based recommendations; ABC current layout and floor plans; proposed ground floor plan; proposed second floor plan; SEA district site concept plan; and 30-year impact summary.

Council Members, City Manager Peter Zanoni, Mr. Hunden, and Mr. Greusel discussed the following topics: the total investment by public and private sectors would be \$639 million; a Council Member's request for Hunden to provide examples of cities with a hotel/convention center and what their success rate was; a Council Member's desire for

more entertainment venues in the downtown area; the maintenance cost for the American Bank Center is about \$40 to \$50 million; a Council Member's suggestion to give a tax incentive to restaurants and bars, and encourage more bike and walking trails; a Council Member's request for staff to prioritize projects and funding sources; and what state and federal funding may be available.

N. EXECUTIVE SESSION: (ITEM 20)

Mayor Guajardo referred to Executive Session Item 20. The Council went into Executive Session at 1:43 p.m. The Council returned from Executive Session at 2:24 p.m.

20. [23-0183](#) **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 City Auditor and **Texas Government Code § 551.074** (personnel matters) to deliberate the appointment, employment, evaluation, reassignment, or duties of a public officer or employee (City Auditor).

This E-Session Item was discussed in executive session.

O. ADJOURNMENT

There being no further business, Mayor Guajardo adjourned this meeting at 4:12 p.m.