



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, July 21, 2020

11:30 AM

Council Chambers

Addendums may be added on Friday.

A. Mayor Joe McComb to call the meeting to order.

Mayor McComb called the meeting to order at 11:31 a.m.

B. Invocation to be given by Mayor Joe McComb.

Mayor McComb gave the invocation.

C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag.

Mayor McComb led the Pledge of Allegiance to the flag of the United States and 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 Zanoni, City Attorney Miles K. Risley and City Secretary Rebecca L. Huerta.

Note: Council Members Rudy Garza, Roland Barrera and Greg Smith participated by video conference. Council Member Michael Hunter participated telephonically.

Present: 9 - Mayor Joe McComb, Council Member Roland Barrera, Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Gil Hernandez, Council Member Michael Hunter, Council Member Ben Molina, Council Member Everett Roy, and Council Member Greg Smith

- E. PUBLIC COMMENT - AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COUNCIL.** To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Council. This meeting will be broadcast at cctexas.com/services/council-meeting-agendas-minutes-video. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Council should be provided in written format and presented to the City Secretary and/or designee no later than five minutes after the start of each meeting of the City Council. Testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's door and on the City website, and allow for electronic submission. The written public testimony shall be provided to members of City Council prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This testimony shall serve as the required public testimony pursuant to Texas Government Code 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference. The public may participate remotely by following the instructions of the City Secretary at cctexas.com/departments/city-secretary.

Mayor McComb referred to comments from the public.

The following citizens submitted written public comments which are attached to the minutes:

Miah Rodriguez; and Guy Watts, 4237 Ocean Dr.

The following citizens called in regarding desalination:

Eli Rodriguez, 1012 West Merriman; Andrea Hamid, 7030 Wakeforest; Melissa Zamora, 3917 Brawner Pkwy.; Megan Crawford, 529 Greenway Dr.; Sandra Sanchez, 6130 Wooldridge Rd.; Eli McKay; Isabel Araiza, 326 Poenisch; Lorena Kolasinski, 902 Pyramid Dr.; Julie Rogers, 710 Furman Ave.; Brittany Garcia, Brawner Pkwy.; and Maria Araiza, 442 Waverly Dr.

The following individual called in regarding Item 19:

Carrie Robertson Meyer, 4401 Gulfbreeze Blvd.

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

Mayor McComb referred to City Manager's Comments. City Manager Peter Zaroni reported on the following topics: review of the upcoming Council action items with a focus on the 2020 bond program; budget; and general election.

a. GOVERNMENT ACTIONS RELATED TO CORONA VIRUS

Director of Public Health District Annette Rodriguez presented an update on COVID 19: statistics for Texas and Nueces County; Nueces County cases by months; Department of State Health and Human Services COVID-19 test reporting; COVID-19 mortality for Nueces County; deaths by age group; Health District reverse alert messages; Health District-drive thru-frequently asked questions; "I'm negative and I'm positive"; update to definition of symptom-based testing strategy; and pharmacy prescriptions.

Council Members, City Manager Peter Zanoni and Director of Public Health District Annette Rodriguez discussed the following topics: the confirmed and probable cases have been reported on for about three days; an antigen test has a shorter turnaround time for results than the PCR test, but since it has more false negatives, needs to be confirmed with a PCR test; the website is currently not updated; the probable cases remain probable and do not need to be confirmed by the CDC; and the low dose steroid is given as the least harmful treatment, but the most helpful.

G. MINUTES:

1. Regular Meeting of July 14, 2020 and Special Meeting of July 8, 2020.

A motion was made by Council Member Roy, seconded by Council Member Molina that the Minutes be approved. The motion carried by a unanimous vote.

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

H. BOARD & COMMITTEE APPOINTMENTS:

2. Planning Commission (3 vacancies)
Airport Zoning Commission (3 vacancies)
Corpus Christi Commission on Children & Youth (11 vacancies)

Mayor McComb referred to Item 2.

Planning Commission and Airport Zoning Commission
Council Member Guajardo nominated Cynthia Garza. Council Member Barrera nominated Javier Gonzalez. Council Member Hunter nominated Brian Mandel.

Council Member Molina made a motion to appoint Cynthia Garza, Javier Gonzalez and Brian Mandel, seconded by Council Member Guajardo and passed unanimously.

Corpus Christi Commission on Children & Youth
Council Member Molina made a motion to reappoint Captain Laura Garcia (Law Enforcement) and Clarissa Mora (At-Large), seconded by Council Member

Barrera.

Council Member Molina made a motion to appoint Jazmine Gonzales (Tuloso-Midway Student) and Susan Klaus (Faith-based organization / At-Large), seconded by Council Member Roy and passed unanimously.

For the CCISD High School Representative category, Council Member Smith nominated Milan Maheshwari. Council Member Hernandez nominated Benjamin Martinez. Benjamin Martinez was appointed with Mayor McComb, Council Members Garza, Guajardo, Hernandez, Hunter and Roy and voting for Benjamin Martinez, and Council Members Molina, Barrera and Smith voting for Milan Maheshwari.

Council Member Molina made a motion to appoint Liesl Cressman (At-Large) and Sammy Davila (At-Large), seconded by Council Member Guajardo and passed unanimously.

I. EXPLANATION OF COUNCIL ACTION:

J. CONSENT AGENDA: (ITEMS 3 - 12)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. Council members requested that Items 3, 7, 10, 11 and 12 be pulled for individual consideration.

There were no comments from the Council.

A motion was made by Council Member Guajardo, seconded by Council Member Roy to approve the Consent Agenda with the exception of Items 3, 7, 10, 11 and 12. The consent agenda was approved with the following vote:

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

- 3.** One-Reading Ordinance approving an agreement between the City of Corpus Christi and the Corpus Christi Business and Job Development Corporation in an amount up to \$500,000 for Type A funding of arterial and collector streets within the City; approving a Chapter 380 agreement in an amount up to \$500,000 with United Way of the Coastal Bend for nonprofit organizations; appropriating an amount up to \$500,000 from the unreserved fund balance of the Business and Job Development Fund for use on the arterial and collector street improvements; amending the operating and capital budget.

Mayor McComb referred to Item 3.

A Council Member, City Attorney Miles Risley and Chief Financial Officer Constance Sanchez discussed the following topics: the Texas Constitution

prohibits gifts; the amount of \$25,000 will be provided to non-profits; and the purpose of this grant is to keep the non-profits open.

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

Aye: 8 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Nay: 1 - Council Member Hernandez

Abstained: 0

Enactment No: 032160

Consent - Second Reading Ordinances

4. Ordinance approving a three year Business Incentive Agreement between the Type B Corporation and The Botanical and Nature Institute of South Texas, Inc. dba South Texas Botanical Gardens & Nature Center in the amount of \$89,000 for the resurfacing of the nature trail at 8545 South Staples Street, effective upon signature of the City Manager or designee; appropriating funds in the amount of \$89,000 from the Type B Economic Development Fund; and amending the budget.

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

Enactment No: 032161

5. Ordinance changing the name of William Street to Lomax Street located in City Council District 1. (Requires at least 3/4 majority vote for approval)

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

Enactment No: 032162

Consent - Contracts and Procurement

6. Motion authorizing William Street as the honorary street name for Lomax Street and the installation of two illuminated signs mounted at two intersections that bear the honorary street name.

This Motion was passed on the consent agenda.

Enactment No: M2020-119

7. Resolution authorizing execution of Professional Service Agreement between the Corpus Christi-Nueces County Public Health District and Texas A&M University-Corpus Christi for COVID 19 modeling for an amount not to exceed \$217,840.

Mayor McComb referred to Item 7.

Council Members, Texas A & M University Corpus Christi Dr. Phillipe Tissot, City Manager Peter Zaroni and Assistant Director of Environmental Daniel McGinn discussed the following topics: the professors at Texas A&M are paid for nine months out of the year; the County will pay a 40% share; the contracts will be 100% funded through the CARES Act Program, no local tax dollars will be spent; the models are from England and Switzerland and the professors are focusing that modeling on the Coastal Bend; the City reached out to Texas A&M for their services; a Council Member's request to have a volunteer agreement put in place; a Council Member's request for Council to be better informed; are there other options available besides Texas A&M; the modeling provided reliable forecasting; a Council Member's request for a summary of all the information; and the importance of continuing with the modeling for peace of mind for the community.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Enactment No: 032163

8. Motion authorizing a three-year supply agreement with Ennis-Flint, Inc. from Thomasville, North Carolina, in amount not to exceed \$134,970.72 for the purchase of traffic control thermoplastic pavement markings material for the Public Works Department, with FY 2020 funding in the amount of \$7,498.37 available through the Streets Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-120

9. Motion authorizing a purchase of three John Deere mini excavators from Doggett Heavy Machinery Services, LLC., in an amount of \$277,780.00, for the Utilities Department, effective upon issuance of letter of acceptance, with FY 2020 funding in an amount of \$138,906.00 available in the Fleet Maintenance Services Fund and \$138,874.00 available in the Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-121

Consent - Capital Projects

11. Motion awarding four Master Service Agreements to provide design services for general renovations for multiple citywide facility projects with interior, exterior, mechanical, electrical, plumbing, and site civil design

services for Bond and Capital Improvement Projects to Gignac & Associates LLP, LNV Inc, WKMC Architects, Inc and Bath Group, Inc, all firms are located in Corpus Christi, Texas, for an initial amount up to \$200,000 per contract per year with one additional renewal option to be administratively authorized for a total not to exceed \$400,000, funding will be approved with the delivery orders and is available through FY 2020 Capital Improvements Program and the recommended Bond Program.

Mayor McComb deviated from the agenda and referred to Item 11.

Council Members and Director of Engineering Services Jeff Edmonds discussed the following topics: an issue with Gignac & Associates with previous work completed for CCISD; if there were any issues with Gignac Associates' on the work they did on the water feature in front of the American Bank Center; entering into Master Services Agreements; and task orders are issued for each assignment.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

Enactment No: M2020-123

12.

Motion authorizing execution of Change Order number 8 for the removal and replacement of the Master Channel 31 culvert structure on the Rodd Field Road Expansion project, located in Council District 5, with Haas-Anderson Construction in the amount of \$1,399,932 for a total restated fee of \$17,277,353.76, with funding available from the Stormwater FY 2020 Capital Improvement Program Budget.

Mayor McComb deviated from the agenda and referred to Item 12.

Council Members, City Manager Peter Zanoni and Director of Engineering Jeff Edmonds discussed the following topics: this was a 2014 bond project; the design cost is not included in this project; a Council Member's request for details regarding how the project is being funded in order to approve the project, especially if it is below the budgeted amount; the \$17 million project cost does not include engineering; the CIP budget includes engineering; the CIP book is a planning guide; the CIP book does not include a description for engineering fees or design; if there is money remaining in the storm water budget; and a Council Member's request for more funding information in the agenda memo and to ensure all expenditures are accounted for in the CIP.

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

Aye: 7 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Hunter

Abstained: 1 - Council Member Hernandez

Enactment No: M2020-124

- 10.** Motion authorizing the renewal of four Facilities Master Services Agreement Contracts for the second year of a two-year term, with no guaranteed minimum and a maximum aggregate of \$2,500,000 per agreement in any one-year with Barcom Construction, Davila Construction, Gourley Contracting and Teal Construction, all construction contractors located within City, for minor construction, repair, rehabilitation, and alteration services for city facilities located City wide, funding is approved with the delivery orders and available through FY 2020 Capital Improvements Program and 2018 Bond Program.

Mayor McComb said he would recuse himself from this item, along with Council Member Molina. Mayor Pro Tem Smith presided in his absence, and referred to Item 10.

Council Members, City Manager Peter Zaroni and Director of Engineering Jeff Edmonds discussed the following topics: this project is for a one year renewal on these four construction contracts; there is competition among these four contractors; and quarterly reports are to be provided.

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

Aye: 7 - Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Roy and Council Member Smith

Abstained: 2 - Mayor McComb and Council Member Molina

Enactment No: M2020-122

General Consent Items

K. RECESS FOR LUNCH

The recess for lunch was held during Executive Session Item 18.

L. PUBLIC HEARINGS: (ITEM 13)

- 13.** Ordinance adopting the fiscal year (FY) 2020-2021 Consolidated Annual Action Plan (CAAP) for the Community Development Block Grant (CDBG) budget in the amount of \$2,758,645, the Emergency Solutions

Grant (ESG) budget in the amount of \$232,899, and the HOME Investment Partnerships (HOME) budget in the amount of \$1,141,628 for a total of \$4,133,172.00 of entitlement funding from the United States Department of Housing and Urban Development (HUD) and authorizing the execution of all necessary documents to submit the CAAP, authorizing a staff complement of 26 positions; accept and appropriate funding for the approved CAAP projects and further execute funding agreements, amendments or other documents necessary to implement the FY2020-2021 CAAP with organizations for approved projects.

Mayor McComb referred to Item 13.

Director of Housing and Community Development Rudy Bentancourt presented the following: staff recommendations-CDBG FY2020; staff recommendations-ESG FY2020; and staff recommendations-HOME FY2020.

Council Members, City Manager Peter Zaroni and Director Bentancourt discussed the following topics: why wasn't there a tax credit approval for Fish Pond Development and Washington Coles; Washington Coles voluntarily withdrew from the competition of the program and the tax credit approval was funded for the Village at McArdle due to its top ranking; the staffing amount includes two additional co-compliance officers; the funding is coming from the CDBG; why is the City providing additional funding for some projects on top of the tax credits; and the role of the City has typically been to pass a resolution in support of a project at the request of a developer.

Mayor McComb opened the public hearing. There were no comments from the public.

Mayor McComb closed the public hearing.

Council Member Guajardo 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: 7 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Molina, Council Member Roy and Council Member Smith

Nay: 1 - Council Member Hernandez

Absent: 1 - Council Member Hunter

Abstained: 0

M. REGULAR AGENDA:

N. FIRST READING ORDINANCES: (ITEM 14 - 16)

- 14.** Ordinance amending the Fire Prevention Permit Fee Schedule of the Corpus Christi Code of Ordinances that will add nine additional fees that were previously collected by a third-party consultant.

Mayor McComb referred to Item 14.

Fire Chief Robert Rocha presented information on the following topics: by bringing the Fire Protection Engineer within the Fire Department, the City will no longer require the services provided by the third-party Fire Protection Engineer.

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

Aye: 9 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Abstained: 0

15.

Ordinance authorizing Change Order No. 19 with PLW Cadagua Partners of The Woodlands, Texas, for several additional scope items to O.N Stevens Water Treatment Plant High Service Building No. 3 in the amount of \$549,603.44, located in City Council District 1, for a total contract value not to exceed \$23,336,407.53 and amending the FY 2020 Capital Improvement Program budget.

Mayor McComb referred to Item 15.

Council Members and Director of Engineering Services Jeff Edmonds discussed the following topics: three of the prior change orders have been approved by Council.

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

Aye: 8 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Hunter

Abstained: 0

16.

Ordinance accepting and appropriating \$3,592,094.00 in the City of Corpus Christi's Emergency Management Grants Fund as a partial disbursement from the Coronavirus Relief Fund, established by the CARES Act and provided through the Texas Department of Emergency Management, for prevention, preparation for, and response to the COVID-19 pandemic.

Mayor McComb referred to Item 16.

Director of Finance Heather Hurlbert presented information on the following topics: the money was allocated through the CARES Act; expenses that qualify under these criteria are then categorized into six expense categories: medical expenses; public health expenses; payroll expenses for employees whose

services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency; expenses of action to facilitate compliance with COVID-19 related public health measures; expenses associated to the provision of economic support in connection with the COVID-19 public health emergency; and any other COVID-19 related expenses reasonably necessary to the function of the government that satisfy the Fund's eligibility criteria.

A Council Member and City Manager Peter Zaroni discussed the following topics: any activity related to COVID-19 must be reported.

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

Aye: 8 - Mayor McComb, Council Member Barrera, Council Member Garza, Council Member Guajardo, Council Member Hernandez, Council Member Molina, Council Member Roy and Council Member Smith

Absent: 1 - Council Member Hunter

Abstained: 0

O. BRIEFINGS: (ITEM 17)

17. Staff Professional Recommendation of Proposed 2020 Bond to City Council for input and discussion

Mayor McComb referred to Item 17.

Director of Engineering Services Jeff Edmonds presented information on the following topics: proposed bond 2020 program overview; bond 2020 program summary; key dates for bond 2020; guiding principles; rough proportionality; bond 2020 map; streets; streets-council district 1; streets-council district 2; streets-council district 3; streets-council district 4; streets-council district 5; citywide streets projects; parks; parks-council district 1; parks-council district 2; parks-council district 3; parks-council district 4; parks-council district 5; citywide parks projects; public safety; citywide public safety projects; general obligation debt capacity; recent general obligation bond programs; and financial impact.

Council Members, Assistant Director of Parks and Recreation Joe Johnson, Director of Engineering Services Jeff Edmonds, City Manager Peter Zaroni, Assistant Director of Public Works Sarah Munoz, Chief Financial Officer Constance Sanchez and Director of Public Works Richard Martinez discussed the following topics: the Bill Witt Aquatic Center will cost approximately \$420,000 a year to maintain, which will include more lifeguards; the Collier Pool is not big enough for swim clubs; Flour Bluff ISD will not allow the use of their natatorium for swim clubs; what kind of impact will the street projects have on our utility rates; do we have the option to use some of our debt capacity; if there is a way to avoid raising the property taxes by two cents associated with bond 2018; the importance of having swim facilities available to the community for swim lessons as a matter of personal safety; the Texas State Aquarium is a \$15 million project; the voters approved a bond program in 2018 that required a two-cent debt service tax rate increase; there is no property tax rate increase in 2020; Rodd Field Road is in the MPO Regional Parkway plan; the project is a \$30 million program and the City will be

responsible for 20% of this amount; a Council Member's concern of repairing Rodd Field Road before Yorktown for safety reasons; the less traffic on Yorktown the better; and a traffic study has not been done on Yorktown Blvd.

P. EXECUTIVE SESSION: (ITEMS 18 - 19)

- 18. 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 matters in collective bargaining agreement(s) with the Corpus Christi Professional Firefighters' Association, and potential approval in open session of collective bargaining agreement with the Corpus Christi Professional Firefighters' Association.

This E-Session Item was discussed in executive session.

- 19. 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 *TIRZ #4 Development Reimbursement Agreement-The Frazier and Service Agreement No. 2901 Contract for Professional Services for Phase I of the North Beach Navigable Canal Project*

This E-Session Item was discussed in executive session.

Q. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor McComb referred to Future Agenda Items. No Items were discussed or identified.

R. ADJOURNMENT

This meeting was adjourned at 5:32 p.m.