



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Tuesday, December 20, 2022

11:30 AM

Council Chambers

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**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 Pastor, David Bendett, Rock City Church.**

Pastor, David Bendett, Rock City Church, gave the invocation.

**C. Pledge of Allegiance to the Flag of the United States and to the Texas Flag to be led by Haley Zepeda, Sophomore at Roy Miller High School.**

Haley Zepeda, Sophomore at Roy Miller 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 Zaroni, 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 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. [23-0049](#) Staff Announcement**

Nadia Chandler Hardy, Assistant City Manager

City Manager Zaroni introduced Assistant City Manager Nadia Chandler Hardy. She will oversee Parks and Recreation, Corpus Christi International Airport, Libraries, and Information Technology. She has 15 years of government experience.

2. [23-0050](#) FY 2022 4th Quarter Budget and Finance Update

City Manager Peter Zanoni presented information on the FY 2022 4th Quarter Budget and Finance Update: presentation overview; FY 2022 year end timeline; FY 2022 general fund revenues; FY 2022 general fund expenses; general fund balance; HOT tax revenue; HOT tax expenses; water fund revenues and expenses; summary; and next steps.

3. [23-0051](#) Mud Bridge Repair Update by Ernesto De La Garza, Director of Public Works

Director of Public Works Ernesto De La Garza presented information on the following topics: background and history of mud bridge; traffic control plan; updates on repair work; next steps; example pictures-east side; and example pictures-west side.

Council Members, Director De La Garza, and City Manager Zanoni discussed the following topics: the estimated time for the repairs to the Mud Bridge is about a month; TxDOT granted \$20 million to completely replace the Mud Bridge; and there are major safety concerns with working at night underneath the bridge, so that is not an option.

4. [23-0053](#) 2022 United Way Charitable Campaign Recap

City Manager Peter Zanoni announced that \$155,000 was raised for the United Way Charitable Campaign.

President and CEO at United Way of the Coastal Bend Libby Averyt thanked City Manager and the Library Department for organizing this campaign.

5. [23-0054](#) 37th Annual Martin Luther King Jr. Commemorative March on Monday, January 16, at City Hall

City Manager Zanoni announced the 37th Annual Martin Luther King Jr. Commemorative March on Monday, January 16, at City Hall.

President of Corpus Christi Alumnae Chapter of Delta Sigma Theta Sorority, Inc. Nikela Pradier stated that the Martin Luther King Jr. Commemorative March will now begin at City Hall, and thanked city staff for their help in organizing this event.

**F. PUBLIC COMMENT**

Mayor Guajardo opened the public comment period.

Jay Gardner, 3922 Sweet Bay Dr., thanked all Council Members for their dedication and work to the City.

Lorenzo Garza Jr., 3517 Mimosa Dr., spoke regarding discrimination and property issues.

Gary Jaskier, 325 Doddridge Rd., spoke about his concern of vehicles speeding on the 300 block of Doddridge Road.

Lisa Gerdes, 3636 Monterrey St., thanked all Council Members for their assistance on Item 26.

Clent Mericle, 3221 Olsen Dr., spoke regarding his concern about closing the Collier swimming pool during the holidays.

Michael Miller, 5110-b, IH 37, spoke regarding a bid protest pertaining to Item 37.

Shirley Thornton, 1917 Woodcrest Dr., thanked Council Members for their service and the need for emergency services in Flour Bluff.

Adam Rios, 7301 Tangled Ridge Court, spoke in support of BMX bikes at Salinas Park.

Alissa Mejia, 41 Camden Place, spoke in support of Item 23, Salinas Park connectivity.

Susie Luna Saldana, 4710 Hakel Dr., spoke in support of hiring locally owned businesses.

The following citizen submitted a written public comment which is attached to the minutes: Julie Rogers, 710 Furman Ave.

**G. BOARD & COMMITTEE APPOINTMENTS: (NONE)**

**I. CONSENT AGENDA: (ITEMS 6 - 31)**

**Approval of the Consent Agenda**

Mayor Guajardo referred to the Consent Agenda. Council Members pulled Items 6, 16, 17, 18, 19, 20, 23, 26, 27, 29 and 31 for individual consideration.

A motion was made by Council Member Pusley, seconded by Council Member Molina to approve the Consent Agenda with the exception of Items 6, 16, 17, 18, 19, 20, 23, 26, 27, 29 and 31. 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

**6. [23-0022](#) Approval of the December 6, 2022 Regular Meeting Minutes**

Mayor Guajardo referred to Item 6.

Council Member Hernandez asked to pull this item to change his vote from "Aye" to "Abstain" on Item 7.

Council Member Hernandez made a motion to amend the minutes as stated, seconded by Council Member Smith.

Council Member Hernandez made a motion to approve the minutes as amended, seconded by Council Member Smith. The Minutes were approved as amended 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

*Consent - Second Reading Ordinances*

7. [22-1955](#) Ordinance authorizing the acceptance of a grant in an amount of \$281,193.79 from the State of Texas, Criminal Justice Division for the Victims of Crime Act Grant with an in-kind match of \$18,080.00 for the Corpus Christi Police Department's Victim Assistance Program; and appropriating \$281,193.79 in the Police Grants Fund; and authorizing five full-time positions. (Requires 2/3 Vote)

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

Enactment No: 032931

8. [22-1956](#) Ordinance authorizing acceptance of a grant in an amount of \$47,393.76 from State of Texas, Criminal Justice Division for Violence Against Women Program with a cash match of \$13,351.61 and in-kind match of \$6,960.00; and appropriating \$60,745.37 in the Police Grants Fund; and authorizing one full-time civilian position for a Victim Case Manager.

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

Enactment No: 032932

9. [22-1958](#) Ordinance authorizing acceptance of a grant in an amount of \$45,776.00 from the State of Texas, Criminal Justice Grant Program for the Edward Byrne Memorial Justice Assistance Grant for the purchase of six additional in-car video systems for the Corpus Christi Police Department; and appropriating \$45,776.00 in the Police Grants Fund. (Requires 2/3 Vote)

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

Enactment No: 032933

10. [22-1959](#) Ordinance authorizing acceptance of a grant in an amount of \$150,000.00 from the State of Texas, Criminal Justice Division for the Paul Coverdell Forensic Sciences Improvement Grant for the purchase of a 3D laser scanner for the Corpus Christi Police Department's Forensic Services Division; and appropriating \$150,000.00 in the Police Grants Fund. (Requires 2/3 Vote)

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

Enactment No: 032934

11. [22-1810](#) Ordinance authorizing acceptance of a grant from State Farm Insurance in an amount of \$10,000.00 for the Corpus Christi Police Department Crime Reduction Unit to purchase supplies used to promote and support Neighborhood on Watch groups throughout Corpus Christi; and appropriating \$10,000.00 in the Police Grants Fund. (Requires 2/3 Vote)

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

Enactment No: 032935

12. [22-1960](#) Ordinance authorizing the acceptance of a grant in the amount of \$415,806.00 from the Assistance to Firefighters Grant Program, for incident command training, water rescue training, and purchasing personal protective equipment for the Corpus Christi Fire Department's technical rescue program, with a City cash match of \$37,800.55; and appropriating \$415,806.00 in the Fire Grants Fund. (Requires 2/3 Vote)

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

Enactment No: 032936

13. [22-1800](#) Ordinance authorizing acceptance of a \$1,000 grant from NuStar Logistics L.P. for the purchase of supplies and equipment for the Corpus Christi Fire Department's HazMat Program; and appropriating \$1,000 into Fire Grant Fund. (Requires 2/3 Vote)

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

Enactment No: 032937

14. [22-2099](#) Ordinance approving the amended Tax Increment Reinvestment Zone #3 Project & Financing Plans as approved by the Board of Directors of Reinvestment Zone Number Three, City of Corpus Christi, Texas on December 6, 2022, which adds a program for funding of Technology, Innovation and Entrepreneurial Ecosystem Development.

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

Enactment No: 032938

15. [22-1984](#) Case No. 1022-02, Mc J's and Associates, LLC. (District 4): Ordinance rezoning a property at or near 14909 Granada Drive from the "RM-AT/IO" Multifamily AT District with the Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with the Island Overlay and a Planned Unit Development Overlay; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval) (Requires 2/3 Vote)

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

Enactment No: 032939

16. [22-2001](#) Case No. 1022-04 James Jones (District 2): Ordinance rezoning a property at or near 3301 South Staples Street from the “RS-6” Single-Family 6 District to the “RS-TF” Two-Family District; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval) (Requires 2/3 Vote)

Mayor Guajardo referred to Item 16.

Council Member Hernandez requested to pull this item to vote no, as he did on first reading.

Council Member Molina made a motion to approve the ordinance, seconded by Council Member Smith. This Ordinance was passed on second reading 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: 032940

*Consent - One-reading Ordinances*

17. [22-1598](#) One-Reading Ordinance increasing Engineering Inspection Fees; approving the addition of four full-time positions with required salaries, benefits, and equipment to the Engineering Services Department budget; and amending the FY 2023 Operating Budget with funding coming from the FY 2023 Capital Improvement and Operational Budgets as required.(Requires 2/3 Vote)

This Item was withdrawn.

18. [22-2068](#) One-Reading Ordinance authorizing a five-year Lease Agreement with Coastal Bend Cricket Club which will allow for Coastal Bend Cricket Club to have access to, and use of a cricket pitch that will be constructed by the City at the Westside Pony Field #2, located at 4033 Greenwood Drive, within the boundary of Salinas Park. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 18.

Council Members and Director of Parks and Recreation Robert Dodd discussed the following topics: a Council Member's concern whether the language in this agreement clarifies that when the Cricket Club is not using Salinas Park, it does not restrict the public from using it; and Brockhampton Park was not considered because of its size.

Council Member Pusley 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: 032941

19. [23-0017](#) One-Reading Ordinance authorizing a 75-month license agreement with Texas Market Research Group, L.L.C. for use of 121 parking spaces at the City parking lot located at 900 Mann Street during specified hours. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 19.

Council Members, Director of Finance Heather Hurlbert, City Manager Peter Zanoni, and Redevelopment Officer Jason Alaniz discussed the following topics: this is a city owned parking lot; the City has the right to terminate this agreement if a developer would like to use this location; and there are alternative parking locations if the city terminates this agreement.

Council Member Pusley made a motion to approve the ordinance, seconded by Council Member Smith. This Ordinance was passed on emergency 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: 032942

20. [23-0027](#) One-Reading Ordinance abandoning and vacating utility easements totaling 4,000.05 square feet out of Flour Bluff Center, Block 6, Lots 1, 2, 3, 4, 5, 6, 7, 8, 38, 39, and 40, located at 9825 and 9841 South Padre Island Drive; conditioned on the dedication of a replacement easement.

Mayor Guajardo referred to Item 20.

Council Members stated that this is a good news item because it's great for the City and Flour Bluff, and thanked staff and Director of Rising Tide Ministries Lisa Gerdes for their work.

Council Member Smith 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:** 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: 032943

*Consent - Contracts and Procurement*

21. [22-1896](#) Motion authorizing the purchase of six additional self-contained breathing apparatus air-paks and cylinders from HEAT Safety Equipment LLC., of Von Ormy, Texas, through the HGACBuy Cooperative, for \$54,563.30 to be utilized by the Fire Department, with FY 2023 funding from the General Fund. (Requires 2/3 Vote)

This Motion was passed on the consent agenda.

Enactment No: M2022-176

22. [22-2105](#) Resolution authorizing a five-year license agreement with Infor US, Inc., of New York, New York, for a Workforce Management ("WM") software module for time management to assist Human Resources and Payroll in improving employee timekeeping, automating workflows, and shortening the time to process payroll for a total amount of \$1,039,996.16 and authorizing an agreement with The Arcanum Group, Inc., of Aurora, Colorado, for implementation of the WM module for \$562,552.00, with FY 2023 funding of \$758,877.00 from the Information Technology Fund. (Requires 2/3 Vote)

This Resolution was passed on the consent agenda.

Enactment No: 032944

*Consent - Capital Projects*

23. [22-1247](#) Motion awarding a construction contract to Mako Contracting, Corpus Christi, TX, for the Salinas Park Connectivity project, located in Council District 3, in an amount of \$302,156.10 with FY 2023 funding available from the Park CIP Fund. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 23.

Mayor Guajardo stated she pulled this item to recognize that it's a good news item in that Salinas Park is being integrated with Airport Park.

Mayor Guajardo 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: M2022-177

*General Consent Items*

24. [22-2096](#) Resolution Approving the Calendar Year 2023 Annual Audit Plan to be implemented by the City Auditor's Office.

This Resolution was passed on the consent agenda.

Enactment No: 032945

25. [23-0028](#) Resolution authorizing a developer participation agreement with MPM Development, LP to reimburse developer up to \$192,253.75 for the City's share of the cost to construct Lady Alexa Drive (formerly Iron Throne Drive). (Requires 2/3 Vote)

This Resolution was passed on the consent agenda.

Enactment No: 032946

26. [23-0021](#) Resolution authorizing a Substantial Amendment to the City of Corpus Christi's FY2020/PY2019 Consolidated Annual Action Plan for U.S. Department of Housing and Urban Development funds reducing the Emergency Solutions Grant COVID allocation from \$2,667,276 by \$533,147.46 to \$2,134,128.54; allocating \$1,144,611.54 to The Salvation Army for construction of temporary housing; authorizing the execution of all necessary documents to submit the Substantial Amendment; and further authorizing the execution of all documents necessary to implement the Substantial Amendment.

Mayor Guajardo referred to Item 26.

Council Members, Director of Neighborhood Services Linda Stewart, City Manager Peter Zaroni and Case Manager Specialist of The Salvation Army Kyle Knutson discussed the following topics: the funding will be used to remodel and expand a gymnasium to add 120 permanent shelter beds; and the Salvation Army will be open from Thursday night until Monday morning due to the inclement weather.

Council Member Pusley made a motion to approve the resolution, seconded by Council Member Lerma. This Resolution 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: 032947

27. [22-2071](#) Resolution approving the Program for Public Information, a community outreach campaign to help residents plan for and protect themselves from flooding and other disasters, as part of the City's participation in the Community Rating System Program (CRS).

Mayor Guajardo referred to Item 27.

Mayor Guajardo stated that this is a good news item in that it will provide a 20% discount on flood insurance policies.

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

**Aye:** 7 - Mayor Guajardo, Council Member Barrera, Council Member Lerma, Council Member Martinez, Council Member Molina, Council Member Pusley and Council Member Smith

**Absent:** 2 - Council Member Hernandez and Council Member Hunter

**Abstained:** 0

Enactment No: 032948

28. [22-2025](#) Motion authorizing six Corpus Christi B Corporation Small Business Assistance Agreements with the following entities for one year: one with Service Corps of Retired Executives (SCORE), one with Texas A&M University-Corpus Christi, and four with Del Mar College for a total amount not to exceed \$675,000 to support small businesses within the City of Corpus Christi. (Requires 2/3 Vote)

This Motion was passed on the consent agenda.

Enactment No: M2022-178

29. [22-2054](#) Resolution authorizing execution of an Interlocal cooperation agreement with the Corpus Christi Downtown Management District for dockless vehicle cleanup services in the annual amount not to exceed \$41,250.00, with funding available in the Dockless Vehicle Fund. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 29.

Council Members and Director of Finance Heather Hurlbert discussed the following topics: the City is still in the process of geofencing the scooters; the Downtown Management District Clean Team will dedicate a minimum of 20 hours per week to

dedicated scooter cleanup; the money received from the scooters will go to a dedicated fund, any profit goes to downtown improvements; and the goal is to have the drop zones identified by March 2023.

Council Member Pusley made a motion to table this item, seconded by Council Member Lerma. This Item was tabled 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:

*Consent - First Reading Ordinances*

30. [22-2079](#) Ordinance accepting two Federal Emergency Management Agency (FEMA) - Public Assistance (PA) reimbursement grants in the amount of \$276,171.44 (Category B - emergency measures and Category Z - management costs) including local match of \$26,302.04 from the Texas Division of Emergency Management (TDEM).

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

31. [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)

Mayor Guajardo referred to Item 31.

Council Members and Director of Solid Waste David Lehfeltdt discussed the following topics: this is a good news item; thanked staff for moving the City forward environmentally; and the net gain for solid waste is \$320,000 plus any other royalties produced.

Council Member Hernandez made a motion to approve the ordinance, seconded by Council Member Pusley. 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

**Absent:** 1 - Council Member Lerma

**Abstained:** 0

**J. RECESS FOR LUNCH**

Mayor Guajardo recessed the Council meeting for lunch at 1:44 p.m. Executive Session Item 48 was held during the lunch recess. Mayor Guajardo reconvened the meeting at 3:05 p.m.

**K. RECESS TO CORPORATION MEETING: (ITEM 32)**

Mayor Guajardo recessed the Council meeting at 4:01 p.m. for the Corporation Meeting.

**32. 23-0030 North Padre Island Development Corporation Special Meeting**

This Corporation Meeting was held.

**L. RECONVENE CITY COUNCIL MEETING:**

Mayor Guajardo reconvened the Council meeting at 4:06 p.m.

**M. INDIVIDUAL CONSIDERATION ITEMS: (ITEMS 33 - 40)**

**33. 23-0031 Resolution authorizing termination of the Tri-Party Agreement between the City of Corpus Christi, the Corpus Christi Tax Increment Reinvestment Zone No. 2, and the North Padre Island Development Corporation; and authorizing dissolution of the North Padre Island Development Corporation.**

Mayor Guajardo referred to Item 33.

Mayor Guajardo opened public comment.

There were no comments from the Council or the public.

Mayor Guajardo closed public comment.

Council Member Smith made a motion to approve the resolution, seconded by Council Member Lerma. This Resolution 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: 032949

**34. 22-2050 Resolution relating to City of Corpus Christi's intention to reimburse itself from future issuances of Utility System Revenue bonds in an amount not to exceed \$270,000,000 for Utility System expenditures budgeted in the Fiscal Year 2022-2023 Capital Improvement Plan but incurred before the issuance of the bonds.**

Mayor Guajardo referred to Item 34-36.

Mayor Guajardo opened public comment.

There were no comments from the Council or the public.

Mayor Guajardo closed public comment.

Council Member Pusley made a motion to approve the resolution, seconded by Council Member Hunter. This Resolution 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: 032950

35. [22-2051](#) Resolution relating to City of Corpus Christi's intention to reimburse itself from future issuances of General Obligation bonds in an amount not to exceed \$125,000,000 for expenses related to projects included in the voter approved 2022 Bond Election incurred before the issuance of the bonds.

See Item 34.

Enactment No: 032951

36. [22-2097](#) Resolution relating to City of Corpus Christi's intention to reimburse itself from future issuances of Certificates of Obligation in an amount not to exceed \$53,800,000 for expenses budgeted in the Fiscal Year 2022-2023 Capital Improvement Plan (CIP).

See Item 34.

Enactment No: 032952

37. [22-1423](#) One-Reading Ordinance authorizing a construction contract to Fulton Coastcon General Contractors of Corpus Christi, Texas, for the construction of the Police Training Academy in an amount of \$21,154,706.00 and authorize a professional services contract amendment No. 3 to Turner Ramirez & Associates, Inc., Corpus Christi, Texas, to provide construction phase services in an amount of \$93,953.00 for a for a total restated fee not to exceed \$1,199,553.00, located in Council District 5, amending the Capital Budget \$3,763,536.00 with FY 2023 funding available from Certificates of Obligation and General Fund. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 37.

Assistant Director of Engineering Project Management Ratna Pottumuthu presented information on the following topics: police training academy location; police training academy; project scope; low bid; project schedule; and change orders and reporting.

Council Members, Assistant Director Pottumuthu, Assistant Director of Finance and Procurement Josh Chronley, City Manager Peter Zaroni, City Attorney Miles Risley, and Police Chief Mike Markle discussed the following topics: Fulton Construction did include scope items in their proposal, therefore it is appropriate to award the bid to Fulton Construction as they are the low bidder; the original budget for this project was about \$16 million, so this project is about \$4 million over budget; should a change order be requested by staff for this project, anything over \$25,000 will be approved through Council per staff's recommendation; this project is in partnership with Del Mar College who is saving taxpayer dollars; a Council Member thanked Del Mar College and Fulton Construction for their commitment to this project; and a Council Member's concern with the procurement process.

Mayor Guajardo opened public comment.

Scott Leeton, 3122 Leopard St., thanked Mayor, Council and City Manager for their support with this project.

Executive Vice President and Chief Operating Officer at Del Mar College Lenora Keas, thanked the Council Members for their support with this project.

Mayor Guajardo closed public comment.

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

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

**Abstained:** 1 - Council Member Barrera

Enactment No: 032953

38. [22-1997](#) Ordinance authorizing the Second Amended and Restated Addendum No. 1 to Lease Agreement with Foresight Corpus Christi Golf, L.L.C. a Texas Limited Liability Company, which provides for \$412,000.00 from the Golf Fund and \$1,160,000 from the anticipated Certificates of Obligation for increased construction costs for improvements to the Lozano Golf Center Executive Nine Hole Course and practice range; appropriating \$412,000 from the Golf Fund; and amending the operating and capital budgets.

Mayor Guajardo referred to Item 38.

Council Members, Assistant City Manager Neiman Young, Director of Parks and Recreation Robert Dodd, and Chief Operating Servant of Foresight Golf Ed Miller discussed the following topics: the original funding from 2011 of \$2.3 Million to remodel the golf course did not include lighting; the developer's goal is to create a nighttime entertainment venue for the City; and the project has begun and the grand opening is

scheduled for Labor Day weekend of 2023.

Mayor Guajardo opened public comment.

There were no comments from the public.

Mayor Guajardo closed public comment.

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

39. [23-0044](#) One-Reading Ordinance authorizing execution of all documents necessary to acquire approximately 12.4 acres of real property and 11.3 acres of easements from Flint Hills Resources Corpus Christi, LLC, and related entities across property owned by said company and related entities at or near Nueces Bay Boulevard and Broadway Street, extending into the Corpus Christi Industrial Canal, for public use as water supply projects, including approval of development agreements in a total amount of up to \$5,455,000 previously approved by City Council; declaring a public necessity; providing for the City of Corpus Christi to authorize the use of the power of eminent domain to acquire the aforementioned areas for water supply projects; the consideration of the use of eminent domain to condemn property by a single record vote for all units of property to be acquired herein; and delegating authority to initiate condemnation proceedings and execute related documents to the City Manager. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 39.

Chief Operating Officer for Water Utilities Michael Murphy presented information on the following topics: location map; cost and basis of terms; and staff recommends approval.

Mayor opened public comment.

There were no comments from the public.

Mayor closed public comment.

Council Members and Assistant City Attorney Janet Whitehead discussed the following topics: a Council Member stated he will be voting no on this item because he did not receive the information he requested; and this option is good for three years with two one-year renewals.

Council Member Smith made the following motion: "I move that the City of Corpus Christi authorize the execution of all documents necessary, and alternatively, the use of the power of eminent domain, to acquire approximately 12.4 acres of real property and 11.3 acres of easements from Flint Hills Resources Corpus Christi, LLC, and related entities across property owned by said company and related entities at or near Nueces Bay Boulevard and Broadway Street, extending into the Corpus Christi Industrial Canal for public use for water supply projects," seconded by Council Member Hunter. This Ordinance was passed on emergency and approved with the following vote:

**Aye:** 7 - Mayor Guajardo, Council Member Barrera, Council Member Hunter, Council Member Martinez, Council Member Molina, Council Member Pusley and Council Member Smith

**Nay:** 2 - Council Member Hernandez and Council Member Lerma

**Abstained:** 0

Enactment No: 032954

40. [23-0042](#) One-Reading Ordinance authorizing execution of all documents necessary to acquire an underground utility easement from Union Pacific Railroad near Broadway Street and Palm Drive; declaring a public use and necessity; and authorizing the City Manager to institute condemnation by eminent domain proceedings to acquire an underground utility easement for water supply projects across railroad right-of-way near Broadway Street and Palm Drive in a manner that does not interfere with transportation by rail carriers or operation of railroad tracks or railroad facilities. (Requires 2/3 Vote)

Mayor Guajardo referred to Item 40.

Mayor Guajardo opened public comment.

There were no comments from the public.

Mayor Guajardo closed public comment.

Council Member Martinez made the following motion: "I move that the City of Corpus Christi authorize the use of eminent domain to acquire an underground utility easement across railroad right-of-way near Broadway Street and Palm Drive that does not interfere with transportation by rail carriers or operation of railroad tracks or railroad facilities from Union Pacific Railroad and related entities for public use for water supply projects," seconded by Council Member Smith. This Ordinance was passed on emergency 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

**Nay:** 1 - Council Member Lerma

**Abstained:** 0

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Enactment No: 032955**N. PUBLIC HEARINGS: (ITEMS 41 - 43)**

41. [22-2053](#) One-reading ordinance annexing sections of County Road (CR) 43 and CR 18 located south of Farm to Market Road (FM) 2444 and being approximately 9.78 acres, annexing approximately 37.44 acres of land per owner petition, and annexing a section of FM 2444 from CR 41 to County Road 47 into the territorial limits of the City of Corpus Christi; and approving related service plans.  
(Requires 2/3 Vote)

Mayor Guajardo referred to Item 41.

Director of Planning Dan McGinn presented information on the following topics: location map; overview of annexation tract; background; planned development; and staff recommendation.

Council Members, Director McGinn, and City Attorney Miles Risley discussed the following topics: a Council Member commended staff and thanked the developer for their patience with this annexation; why does the City need to annex County Roads 18 and 43; and the City's goal is to annex the state's right-of-way.

Mayor Guajardo opened public comment.

Real Estate Agent Wayne Lundquist, 700 Everhart Rd., stated that the property between CR 41 and 43 has three different owners.

Mayor Guajardo closed public comment.

Council Member Pusley made a motion to approve the ordinance, seconded by Council Member Martinez. 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

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Enactment No: 032956

42. [22-2095](#) Ordinance adopting a new Westside Area Development Plan, an element of the Plan CC Comprehensive Plan; rescinding the former Westside Area Development Plan adopted by ordinance #22166; and amending the Plan CC Comprehensive Plan.

Mayor Guajardo referred to Item 42.

Planning Manager Annika Yankee stated that this ordinance adopts the Westside Area

Development Plan. The plan includes three vision themes that were presented at the December 6, 2022 City Council Meeting.

A Council Member and Planning Manager Yankee discussed the following topic: in response to a Council Member's recommendation about adding a police substation to the westside residential area, staff stated that the police department does not recommend adding one.

Mayor Guajardo opened the public hearing.

There were no comments from the public.

Mayor Guajardo closed the public hearing.

Council Member Hunter 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:** 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

43. [23-0005](#) Ordinance authorizing a Water Arterial Transmission Grid Main Construction Reimbursement Agreement ("Agreement") up to \$471,488.10 with Cypress Point Capital, LLC ("Developer") to construct a required water arterial transmission grid main line for the proposed residential development located South of Farm Road 2444 on County Road 43, otherwise known as Caroline's Heights Unit 1; and authorizing future transfer and appropriation of Water and Wastewater Trust Fund revenue up to \$471,488.10 to reimburse the developer in accordance with the agreement.

Mayor Guajardo referred to Item 43.

Council Members and Director of Development Services Al Raymond discussed the following topics: the trust fund balance is currently in the negative; and a briefing on impact fee study will be brought to Council in January.

Mayor Guajardo opened the public hearing.

There were no comments from the public.

Mayor Guajardo closed the public hearing.

Council Member Pusley 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

**O. CANVASSING ELECTION: (ITEM 44)**

44. [23-0029](#) One-Reading Ordinance canvassing returns and declaring the results of the Runoff Election held on December 13, 2022 in the City of Corpus Christi for the purpose of electing the Council Members for Districts One, Two, and Three.

Mayor Guajardo referred to Item 44.

Mayor Guajardo read the results of the December 13, 2022 run off election into the record.

Council Member Smith made a motion to amend the ordinance to include the results as stated, seconded by Council Member Barrera and passed unanimously.

Council Member Smith made a motion to approve the ordinance as amended, seconded by Council Member Molina. This Ordinance was passed on emergency as amended 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: 032957

**P. BRIEFINGS: (ITEMS 45 - 47)**

45. [23-0025](#) Quarterly briefing update to City Council on operations at the American Bank Center

This Item was withdrawn.

46. [23-0055](#) Coastal Bend Council of Governments Meeting Update

This Item was withdrawn.

47. [23-0058](#) Metropolitan Planning Organization Meeting Update

This Item was withdrawn.

**Q. EXECUTIVE SESSION: (ITEM 48)**

Mayor Guajardo referred to Executive Session Item 48. The Council went into Executive

Session at 1:44 p.m. The Council returned from Executive Session at 3:05 p.m.

48. [23-0015](#) **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 purchase, exchange, lease, or value of real property rights for desalination and water treatment, transmission, and storage facilities, including areas at or near the (1) the Inner Harbor Ship Channel Seawater Desalination Site at or in the vicinity of Nueces Bay Blvd, Summers St., Palm Dr., John St., and Broadway Street, Nueces Bay Heights Subdivision, Sunset Place Subdivision, and the Industrial Canal and (2) the La Quinta Channel Seawater Desalination Site involving various properties between Highway 361 and the La Quinta Ship Channel and areas in and adjacent to said locations, (3) other water rights and contracts for the purchase of water including, but not limited to, water related permits on or near the Colorado River, Waldron Road, Laguna Madre, Oso Bay, and/or the Mary Rhodes Pipeline, (4) applications for water rights permits, discharge permits, and other permits from the Texas Commission of Environmental Quality and/or the U.S. Army Corps of Engineers, and (5) potential use of eminent domain proceedings to effectuate the aforementioned acquisitions and pursuant to **Texas Government Code § 551.072** to deliberate the purchase, exchange, lease, or value of real property (including, but not limited to, property (water) rights at or in the vicinity of the aforementioned locations) 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 discussed in executive session. (see related items 39 and 40)

**R. ADJOURNMENT**

There being no further business, Mayor Guajardo adjourned this meeting at 4:53 p.m.

## Norma Duran

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**From:** Jotform <noreply@jotform.com>  
**Sent:** Tuesday, December 20, 2022 10:54 AM  
**To:** CitySecretary; Norma Duran  
**Subject:** Public Input: 12-20-2022 - Julie Rogers

**[ [ WARNING: External e-mail. Avoid clicking on links or attachments. We will NEVER ask for a password, username, payment or to take action from an email. When in doubt, please forward to SecurityAlert@cctexas.com. ] ]**

Warning: Replies to this message will go to returns@jotform.com. If you are unsure this is correct please contact the Helpdesk at 826-3766.



### Public Comment & Input Form

Date of Meeting	12-20-2022
Name	Julie Rogers
Address	Street Address: 710 Furman Ave City: Corpus Christi State / Province: TX Postal / Zip Code: 78404
Topic	Gratitude
Agenda Item Number	N/A
Describe Feedback:	Honorable Councilpersons & Mayor, thank you for your service to our community during your tenure. We live in uptown and have seen many improvements here and in the downtown district. Unfortunately, we have seen an increase of unhoused people probably due to the pandemic, economics and our good weather. Since we walk every day and also volunteer, we know our unhoused neighbors pretty well and find them to be quite good neighbors. They keep the neighborhood clean and try not to bother anyone but there is nowhere to go if you carry your belongings and/or have pets, including our libraries that serve as warming centers. We need a low barrier shelter which essentially means that the requirements for entry are limited or minimal. Our homeless providers and the City do a good job trying to help the homeless but there is a gap for the segment that will freeze with the artic blast. In keeping with

the Posada tradition, we ask, in the name of  
heaven, that you find them shelter. God bless us all.

Provide an email to  
receive a copy of your  
submission.

[rogersjuliet@gmail.com](mailto:rogersjuliet@gmail.com)