



## AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of May 10, 2022  
Second Reading Ordinance for the City Council Meeting of May 17, 2022

**DATE:** May 4, 2022  
**TO:** Peter Zanoni, City Manager  
**FROM:** Tammy Embrey, Director, Intergovernmental Relations  
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Acceptance of 2022 Texas Defense Economic Adjustment Assistance Grant Program  
in an amount of \$800,000  
Clear Zone Easement Acquisition at NOLF Cabaniss Field

### **CAPTION:**

Ordinance authorizing the acceptance of a grant application totaling \$800,000 to the Office of the Governor for funding from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program with a matching contribution from the City of \$800,000 for easement acquisition, real estate transaction costs, project management and grant administration services

### **SUMMARY:**

To receive the Defense Economic Adjustment Assistance Grant (DEAAG) program funds, the State of Texas requires award recipients to sign Grant Agreements identifying the responsibilities of the recipient and the State. An appropriation of \$800,000 will be made from fund 3543-Texas Military Preparedness Commission Certificates of Obligation to fund the city's match for the project. Reimbursement grant funds will be deposited into 1072-Community Development Grant Fund for the Clear Zone Easement Acquisition at NOLF Cabaniss Field. The City FY 2021-2022 Operating Budget adopted by Ordinance will be amended to increase revenues by \$800,000 and the City's FY 2022-2022 CIP budget will be amended to appropriate the matching funds.

### **BACKGROUND AND FINDINGS:**

On January 27, 2022, the City of Corpus Christi was awarded a grant from the State of Texas totaling \$800,000 to fund the Clear Zone Easement Acquisition at NOLF Cabaniss Field. The governor awarded \$15.3 million in grants to 6 communities in this round of DEAAG funding. The Texas Legislature appropriated \$30 million in this biennium to the Texas Military Preparedness Commission (TMPC) Defense Economic Adjustment Assistance Grant (DEAAG) fund to assist defense communities that have been impacted by a past or future Base Realignment and Closure action.

Cabaniss Field, which began as a flight training field in July 1941, contains two Class A runways (, an air traffic control tower and a fire station on the 971-acre site. NOLF Cabaniss is approximately 8.6 miles (12.9 km) west of the Naval Air Station. The field is in the primary growth corridor for the City of Corpus Christi immediately north of Oso Creek. According to the City's London Area Development Plan adopted in March 2020, the property subject to the proposed restrictive use easement is mostly located within the 100-year flood plain. However, some of the property fronts Weber Road (Farm to Market Road 43) and could include low- and medium-density commercial development promoted by street and infrastructure improvement projects, the availability of quality schools in the London Independent School District (ISD) and rapid residential development. London ISD has added 452 students between 2015/16 and 2020/21, an increase of 54.6 percent. Since 2010 existing home sales in the London ISD have more than tripled. The school district has 15 actively building residential subdivisions and three more in the planning stages. It is imperative with this explosive growth projected in this area to protect the Clear Zone for NOLF Cabaniss Field from incompatible developments which might threaten its mission and operations.

Since the 1980s, the City prioritized protecting the Navy Flight training fields in our areas from encroachment by incompatible development by acquiring land in AICUZ studies Clear Zones for three airfields used by NASCC for flight training operations – Truax Field on NASCC, NOLF Waldron Field and NOLF Cabaniss Field. The City held those tracts of land to protect private development and prevent incompatible development. The City also adopted Joint Land Use Studies (JLUS) and ordinances in its Unified Development Code (UDC) to establish zoning regulations to ensure compatible development.

The Navy's Community Planning and Liaison Officer was added as an ex-officio member of the City's Planning and Zoning Commission to improve communication between the City, Navy and the development community. Because of this cooperative approach, the Navy has been able to successfully engage in discussions with proposed project developers early so potential encroachments might be mitigated before they become a problem or cause a conflict with Navy mission and operations. The City also established an Airport Zoning Board to provide land use regulatory protections in areas adjacent to the three Navy training fields and the Corpus Christi International Airport. Finally, in 2017, the City received Congressional authorization in the National Defense Authorization Act and completed a land swap in 2021 with the Navy to exchange more than 40 acres of City-owned land in Clear Zones and APZs for Truax, Waldron and Cabaniss Fields to the Navy in exchange for approximately 44 acres of surplus Navy property.

The 2020 AICUZ Study was developed based on the projected aircraft operations (projected out to year 2030). Clear Zones for a Class A Runway are 3,000 feet immediately beyond the end of the runway and 1,000 feet wide. Clear Zones should remain undeveloped. APZ 1 is an area beyond the Clear Zone 1,000 feet wide and 2,500 feet in length and may be either rectangular or curved to conform to predominant flight tracks. APZ 2 is the area beyond APZ 1 that also measure 1,000 feet wide and 2,500 feet in length, It may be either rectangular or curved to conform to predominant flight tracks.

This DEAG project by the City follows Navy AICUZ policy guidance by seeking a restrictive easement in the Clear Zone and APZ 1 of NOLF Cabaniss Field.

<b>PROJECT COST LEVERAGE</b>	<b>DOLLARS</b>	<b>PERCENTAGE</b>
DEAAG	\$ 800,000	50%
CITY OF CORPUS CHRISTI	\$800,000	50%

**ALTERNATIVES:**

The Council may choose not to approve the grant agreements and the TMPC will reallocate the funds to other defense communities in Texas.

**DEPARTMENTAL CLEARANCES:**

Budget, City Manager, Gas Operations, Engineering, Finance, Legal

**FISCAL IMPACT:**

Accepting the grant will provide \$800,000 to fund the Clear Zone Easement Acquisition at NOLF Cabaniss Field. The City of Corpus Christi will provide a match of \$800,000 which will cover the easement purchase and associated closing costs, and grant administration for the project.

**Funding Detail:**

Fund: 3543 - Texas Military Preparedness Commission Certificates of Obligation  
 Organization/Activity: 220133543EXP  
 Mission Element: 051  
 Project # (CIP Only): 22013 – DEAAG-NOLF Cabaniss Easement  
 Account: 550701 – Land and Right-of-way  
 Amount: \$800,000

Fund: 1072 – Community Development Grant Fund  
 Mission Element: 051  
 Project # (CIP only) N/A  
 Account: 550701 – Land and Right-of-way  
 Amount: \$800,000

**RECOMMENDATION:**

Staff recommends approval of the grant agreement.

**LIST OF SUPPORTING DOCUMENTS:**

- Ordinance
- Award Letter for Clear Zone Acquisition at Cabaniss Field
- Clear Zone Acquisition Project Grant Agreement
- Map of Easement location