

Ordinance finding that there is no feasible and prudent alternative to the expanded use from approximately 0.4 acres to 0.677 acres of Mt. Vernon Park located along 5100 block of McArdle Road by The Corpus Christi Area Council for the Deaf for the expansion and continued operation of The Corpus Christi Area Council for the Deaf, and determining that all reasonable planning has occurred to minimize harm to Mt. Vernon Park resulting from such use; and authorizing the City Manager or designee to execute a ten-year lease agreement with The Corpus Christi Area Council for the Deaf for expanded lease area of approximately .677 acres of Mt. Vernon Park, with one ten-year extension term.

Whereas, The Corpus Christi Area Council for the Deaf currently has a lease with the City of Corpus Christi for approximately .4 acres out of Mt. Vernon Park, which is located along the 5100 block of McArdle Road;

Whereas, The Corpus Christi Area Council for the Deaf desires to expand its operations from approximately .4 acres to .677 acres of Mt. Vernon Park;

Whereas, Chapter 26 of the Texas Parks & Wildlife Code requires the City Council to hold a public hearing to determine if a feasible and prudent alternative exists prior to taking or using a public park for a non-park purpose, such public hearing to be held after three weekly notices of the public hearing first published not less than 30 days prior to the public hearing; and

Whereas, notices of the public hearing were published on Tuesday February 19, 2013, Tuesday February 26, 2013, and Tuesday March 5, 2013 in the *Corpus Christi Caller-Times*; and

Whereas, City Council held a public hearing on **March 12, 2013** to receive clearly enunciated locate preferences concerning the expanded lease of .677 acres of Mt. Vernon Park with The Corpus Christi Area Council for the Deaf at its regularly scheduled City Council meeting;

Now, therefore, be it ordained by the City Council of the City of Corpus Christi, Texas:

Section 1. The facts set forth in the preamble of this ordinance are true.

Section 2. That City Council followed the requirements of Chapter 26 of the Parks & Wildlife Code to determine if there was a feasible and prudent alternative to the expanded use of Mt. Vernon Park property for non-park purposes, in particular the expanded lease of the park property to The Corpus Christi Area Council for the Deaf.

Section 3. That after conducting the public hearing, the City Council determines that there was no feasible and prudent alternative to the expanded lease of the Mt. Vernon Park property to The Corpus Christi Area Council for the Deaf.

Section 4. That after conducting the public hearing the City Council determines that all reasonable planning has occurred to minimize the harm to the park resulting from the expanded use.

Section 5. That the City Council considered clearly enunciated local preferences in making the findings that justify the approval of the lease to The Corpus Christi Area Council for the Deaf.

Section 6. That the City Manager or designee is authorized to execute a ten-year lease agreement with The Corpus Christi Area Council for the Deaf for the expanded lease area of approximately .677 acres of Mt. Vernon Park, with one ten-year extension term.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, _____, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, _____, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED, this the _____ day of _____, _____.

ATTEST:

Armando Chapa
City Secretary

Nelda Martinez
Mayor