



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, May 12, 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 11:32 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 Member Greg Smith participated by video conference. Council Member Michael Hunter participated telephonically.

Mayor McComb took a moment to recognize Municipal Clerks Week, May 3-9, 2020. He also declared the month of May as Municipal Clerks Month.

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 people submitted public comments which are attached to the minutes:

Mary Ehrmin, 1717 Waldron Rd.; Justin Stringer; and Stephanie Hatridge, 415 Cole St.

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

Mayor McComb referred to City Manager's Comments. City Manager Peter Zanoni reported on the following topics:

1) General Fund Revenues. 2) General Fund Update. 3) Airport Fund Revenues. 4) Airport Revenues. 5) Initial COVID-19 Impact Solution. 6) Development Services Fund Revenues. 7) Development Services Fund Projected Revenue Impact. 8) Development Services Revenues and Solution. 9) Water Fund Revenues. 10) Water Revenue. 11) Water Revenues. 12) Initial COVID-19 Impact Solution. 13) Wastewater Fund Revenues. 14) Wastewater Revenues. 15) Budget Revenue Shortfall Impact Solution. 16) Visit Corpus Christi (Convention and Visitors' Bureau-CVB). 17) Hotel Occupancy Tax Projected Revenue Impact. 18) State Hotel Occupancy Tax Revenues. 19) American Bank Center. 20) Impact on American Bank Center Capital Improvement Projects. 21) Initial COVID-19 Impact Solution. 22) Impacts on Regional Economic Development Corporation. 23) Initial COVID-19 Impact Solution. 24) Impacts of Coronavirus on Downtown Budget. 25) Next Steps. 26)

Recognition of National Police Week. 27) Introduction of New Executives. 28) Health and Wellness Initiative.

Council Members and City Manager Zanoni discussed the following topics: a council member's concern regarding wastewater revenue shortfall; the rate model, which was prepared by consultants, included incorrect assumptions; rather than use consultants, the goal is to have in-house rate analysts; if we remove the wastewater fund issue, where would we be in terms of the budget shortfall; a council member's requests for all funds summary; question about using fund balance for advertising to bring more people to Corpus Christi; Nueces County Judge Barbara Canales has created a beach task force that Council Members Guajardo and Smith serve on; and a council member's request to summarize where the reserve funds are being utilized.

a. GOVERNMENT ACTIONS RELATED TO CORONA VIRUS

Director of Public Health District Annette Rodriguez presented an update on COVID-19: 147 positive cases to date; the age group of 30-49 is the most prominent; drive thru testing; notable cases; and stop the spread of germs.

Council Members, City Manager Peter Zanoni, and Director Annette Rodriguez discussed the following topics: if any testing has been done at childcare facilities; all people who test positive for COVID-19 have to be removed from work; has tracing been done to determine where the positive testing started; Nueces County has a low percentage of positive testing and deaths; and new guidelines will be available from CDC on probable cases.

b. OTHER

G. MINUTES:

1. Regular Meeting of April 21, 2020

A motion was made by Council Member Garza, seconded by Council Member Guajardo 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. Motion ratifying the appointment of Intergovernmental Relations Director Tammy Embrey as the City's delegate to the Texas Municipal League (TML) Municipal Policy Summit.

Mayor McComb referred to Item 2.

City Secretary Rebecca Huerta stated that Mayor McComb is requesting ratification of the appointment of Tammy Embrey as the City's delegate to the

Texas Municipal League (TML).

A motion was made by Council Member Garza, seconded by Council Member Guajardo. The motion 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

Enactment No: M2020-097

I. EXPLANATION OF COUNCIL ACTION:

J. CONSENT AGENDA (ITEMS 3 - 23)

Approval of the Consent Agenda

Mayor McComb referred to the Consent Agenda. Council members requested that Items 5, 20 and 21 be pulled for individual consideration.

There were no comments from the Council; or written testimony from the public.

A motion was made by Council Member Garza, seconded by Council Member Roy to approve the Consent Agenda with the exception of Items 5, 20 and 21. The motion 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. Ordinance Extending the Local State of Disaster as related to Covid-19 Declared and Renewed by the Mayor of the City of Corpus Christi, Texas; and declaring an emergency.

This Emergency Ordinance was passed on the consent agenda.

Enactment No: 032100

4. Ordinance authorizing the acceptance and appropriation of a grant contract in the amount of \$285,679.00, from the Texas Department of State Health Services in the Health Grants Fund, to perform activities in support of Coronavirus 19 (COVID-19) May 12, 2020, through March 15, 2021; and declaring an emergency.

This Emergency Ordinance was passed on the consent agenda.

Enactment No: 032101

Consent - Second Reading Ordinances

5. Zoning Case No. 0220-02, J3PV Investment, LP. (District 4). Ordinance rezoning property at or near 113 Porto Villageo Drive from the "RM-AT" Multifamily AT District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development. Planning Commission and Staff recommend Approval with the condition that the side yard setback shall be 3 feet where the PUD adjoins lots that are not part of the development.

Mayor McComb referred to Item 5. City Secretary Huerta said the public hearing and first reading ordinance were considered by the Council on April 21, 2020. Public comments were included in the zoning report that the Council received, but these comments were not read into the record because they were not received according to Council's COVID-19 public comment procedures. Although not legally required, in the spirit of inclusiveness, City Secretary Huerta read the following public comments into the record, which are also attached to the minutes:

Adam Monaco; Kathleen Acock, 105 Porto Villageo Dr.; James Read Robison, 146 Villa Pamplona Dr.; Bruce and Cindy Clark, 145 Porto Villageo Dr.; Steve Goolsby, 122 Villa Pamplona Dr.; Manuel and Iliana Diaz, 6506 Villa Soria Dr.; Elisa and David Verratti, 129 Porto Villageo Dr.; Jonathan Rogero, 105 Porto Villageo Dr.; Laurie and Bill Miggins, 101 Porto Villageo Dr.; William Kevin Pitchford, 14493 SPID; Trey and Katie LaQuey, 6501 Villa Castellon Dr.; and D. McCall, 703 Osuna Rd.

Council Members and Director of Development Services Al Raymond discussed the following topics: the deed restriction is between the developer and the land owner; there have not been any homes built in the last ten years; no street parking will be allowed; there has not been any development since 2001 other than the nine homes that have been built; and this development could be like two separate subdivisions.

Mr. Raymond said staff was recommending an amendment to Section 2 of the ordinance prior to second reading as follows: "all structures in zone A13 or AE must have the top of the bottom floor at or above two feet above the adopted Base Flood Elevation. All structures in zone V13 or VE must have the bottom of the lowest horizontal member at or above two feet above Base Flood Elevation." Council Member Guajardo made a motion to amend the ordinance recommended by staff, seconded by Council Member Garza. The motion passed 8-1, Council Member Hernandez voting "No".

Council Member Smith made a motion to approve the ordinance as amended, seconded by Council Member Guajardo. This Ordinance was passed on second reading 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: 032102

6. Zoning Case No. 0220-04, Nazari Mohammad Rezaei (District 3). Ordinance rezoning property at or near 5506 Cain Drive from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. Planning Commission and Staff recommend Denial of the change to the "CN-1" Neighborhood Commercial District in lieu thereof, approval of the "RS-6/SP" Single-Family 6 District with a Special Permit with conditions. A $\frac{3}{4}$ favorable vote is required to overrule Planning Commission recommendation.

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

Enactment No: 032103

7. Zoning Case No. 0320-01, Margo Lyn Moore (District 4). Ordinance rezoning property at or near 7517 South Padre Island Drive (State Highway 358) from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District. Planning Commission and Staff recommend Approval.

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

Enactment No: 032104

8. Ordinance accepting \$281,250.00 Air Quality Planning Grant from Texas Commission on Environmental Quality and appropriating in the Community Enrichment Grant Fund.

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

Enactment No: 032105

9. Ordinance authorizing the conversion of 12 Firefighter I positions to Firefighter II - EMS for a total cost of \$30,888 to provide adequate staffing of an additional medic unit that is being placed into service in District 2 at Fire Station 7 in accordance with the FY2020 budget.

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

Enactment No: 032106

Consent - Contracts and Procurement

10. Resolution authorizing a three-year supply agreement with Teleflex, LLC for a total amount not to exceed \$193,839.80 for the purchase of battery-powered EZ-IO needles and drills used for intraosseous infusion used by the Corpus Christi Fire Department's Emergency Medical Services Paramedics, with FY 2020 funding in an amount of \$62,935.00 available through the General Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032107

11. Motion authorizing a three-year service agreement with Juan Sanchez, dba Drain King for a total amount not to exceed \$55,290.00 for plumbing services and repairs for the Corpus Christi International Airport (CCIA), effective upon issuance of notice to proceed, with FY 2020 funding in the amount of \$9,215.00 available through the Airport Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-087

12. Motion authorizing an amendment to a Service Agreement for Cellular Services for Phones, Wireless Devices and Connectivity with T-Mobile USA, Inc. for an amount not to exceed \$91,536.00, increasing the service agreement value to \$2,292,000.00 for cellular services, with FY 2020 funding in an amount of \$38,140.00 available through various funds.

This Motion was passed on the consent agenda.

Enactment No: M2020-088

13. Resolution authorizing two, 24-month service agreements with one additional twelve-month option period for mowing and grounds maintenance with each of the following Contractors: Dorame General Repair & Lawn, LLC, in an amount not to exceed \$52,000.00 for Group 9 and Manning Lawn Care and Landscaping, LLC, in an amount not to exceed \$40,832.00 for Group 10, effective upon issuance of notice to proceed, with FY 2020 funding in an amount of \$15,500.00 available through the General Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032108

14. Resolution authorizing five, 24-month service agreements, with one additional twelve-month option period for mowing and grounds maintenance of Parks and Recreation Parks Groups 6, 7 and 8 and Storm Water Groups 7 and 8 with each of the following vendors respectively: Manning Lawn Care and Landscaping, LLC for Parks Group 6 in an amount not to exceed \$98,890.00; Dorame General Repair & Lawn, LLC for Parks Group 7 in an amount not to exceed \$96,000.00 and for Parks Group 8 in an amount not to exceed \$44,000.00; Tony's Lawn Service for Storm Water Group 7 in an amount not to exceed \$47,960.00 and for Storm Water Group 8 in an amount not to exceed \$196,720.00, effective upon issuance of notice to proceed, with funding in an amount of \$39,815.00 available through the FY 2020 General Fund and \$40,780.00 available through the FY 2020 Storm Water Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032109

15. Resolution authorizing a three-year service agreement in an amount not to exceed \$104,040.00 with Lawn in Order, for mowing and grounds maintenance of Storm Water drainage ditches, with funding in an amount of \$11,560.00 available in the FY 2020 Storm Water Fund.

This Resolution was passed on the consent agenda.

Enactment No: 032110

16. Motion authorizing a three year service agreement in an amount not to exceed \$1,049,976.00 with 2Chainz Brushing and Clearing, LLC, for mowing of storm water drainage ditches, with funding in an amount of \$116,664.00 available in the FY 2020 Storm Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-089

17. Motion authorizing amendment number five with Coastal Maintenance Concepts, LLC, for a total not to exceed amount of \$90,000.00 increasing the service agreement value to \$1,518,892.50 for sweeping services, with funding in an amount of \$90,000.00 available in the FY 2020 Storm Water Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-090

18. Motion authorizing a lease-purchase of one used cold planer milling machine from Holt Cat, for a total amount of \$617,032.80, to be used by Public Works/Street Operations to remove deteriorated asphalt in preparation of the new pavement surface, effective upon issuance of letter of acceptance, with FY 2020 funding in the amount of \$41,135.52 available through the Streets Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-091

19. Motion authorizing a lease-purchase of one crawler dozer and one wheel loader from Doggett Heavy Machinery Services, LLC, for a total amount of \$676,535.69 to be used by Solid Waste Services for the brush disposal area, effective upon issuance of letter of acceptance with FY 2020 funding in the amount of \$45,102.38 available through the General Fund.

This Motion was passed on the consent agenda.

Enactment No: M2020-092

Consent - Capital Projects

20. Motion awarding a construction contract to Port Enterprises Ltd., to replace the Central (La Retama) Library roof in the amount of \$1,872,914, located in City Council District 1, funding is available through Bond 2012 and Bond 2018 funds.

Mayor McComb referred to Item 20.

There were no comments from the Council.

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

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

Absent: 1 - Council Member Barrera

Abstained: 1 - Council Member Molina

Enactment No: M2020-093

21. Motion awarding Amendment No. 2 to a contract with Freese and Nichols, Inc. for engineering services to design and prepare construction documents for Spillway Electrical Upgrades, Outlet Tower Improvements, new maintenance facility and other safety and maintenance improvements at the Choke Canyon Dam in the amount of \$600,330, for a total contract value not to exceed \$648,482, effective upon issuance of notice to proceed, with funding approved and available from Water Supply 2020 Capital Improvement Program Budget.

Mayor McComb referred to Item 21.

Council Members, City Manager Peter Zanoni, Director of Water Utilities Kevin Norton and Director of Engineering Services Jeff Edmonds discussed the following topics: why is the Capital Improvement Project (CIP) funding level twice the amount that was budgeted; additional items were added to the scope of work of the project; the amount in the CIP is not the total amount needed to complete this work; the royalties and bonuses were paid into a fund that can be used because the City owns some of the mineral rights; the need to have a plan on how to spend the money on the project; and what are the funding sources of the CIP.

Council Member Barrera 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 McComb, Council Member Barrera, Council Member Guajardo, Council Member Hernandez, Council Member Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Nay: 1 - Council Member Garza

Abstained: 0

Enactment No: M2020-094

General Consent Items

22. Resolution authorizing outside city limits water contract with Matias Serrata Jr. to provide public water to his property located outside the city limits described as Lot 1, Block 1, Serrata Family Tract, also commonly known by its street address as 2447 County Road 51, under Corpus Christi Code Section 55-113.

This Resolution was passed on the consent agenda.

Enactment No: 032111

23. Resolution approving a pool of financial underwriters to be used on as needed rotational basis for five years for issuance of bonds with compensation to firms through the bond proceeds at the time of sale.

This Resolution was passed on the consent agenda.

Enactment No: 032112

K. RECESS FOR LUNCH

The recess for lunch was held from 1:25 p.m. to 2:01 p.m.

L. PUBLIC HEARINGS: (ITEM 24)

24. Ordinance authorizing an amendment to the Water Distribution Main Line Extension Construction and Reimbursement Agreement with Esther Ybarra to extend a line to a planned residential property located at 7541 Weber Road; and appropriating \$11,929.50 from the Water Distribution Main Trust Fund to reimburse developer. (District 3)

Mayor McComb referred to Item 24.

Director of Development Services Al Raymond presented information on the following topics: vicinity map; and staff's recommendation.

Mayor McComb opened the public hearing. There were no comments from the Council; or written testimony from the public.

Mayor McComb closed the public hearing.

Council Member Hunter made a motion to approve the ordinance, seconded by Council Member Garza. 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 Hunter, Council Member Molina, Council Member Roy and Council Member Smith

Nay: 1 - Council Member Hernandez

Abstained: 0

Enactment No: 032115

M. REGULAR AGENDA: (NONE)

N. FIRST READING ORDINANCES: (ITEMS 25 - 27)

25. Ordinance abandoning and vacating a 5-foot wide by approximately 78-feet long (391 sq. ft.) portion of a 20-foot wide easement in Lot 10, Section 12, Flour Bluff and Encinal Farm and Garden Tracts. (District 4)

Mayor McComb referred to Item 25.

Director of Development Services Al Raymond presented information on the following topics: vicinity map; aerial overview; and staff's recommendation.

There were no comments from the Council.

Council Member Garza 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

Enactment No: 032116

26. Ordinance authorizing the delegation of the issuance of City of Corpus Christi, Texas Utility System Junior Lien Revenue Improvement and Refunding Bonds, Series 2020 for Water and Wastewater Utility improvements in an amount not to exceed \$110,000,000 and refunding various series in an amount not to exceed \$240,000,000, within set parameters and according to the plan of finance set by the City's financial advisors to the City Manager, Chief Financial Officer, or Finance Director and authorizing other matters incident and related thereto.

Mayor McComb referred to Items 26 and 27.

Mr. Noe Hinojosa with Estrada Hinojosa, the City's financial advisor, presented information on the following topics: 2020 potential debt issuance summary; draft financing timetable; general obligation debt program; general obligation debt outstanding; GO taxable advance refunding debt monitor; tax-exempt current/delayed refunding and taxable advance refunding (all bonds with

savings); GO sources and uses-combined new money and refunding plan of finance; tax rate impact: new money only (current market rates); and tax rate impact: new money and refunding.

A Council Member, City Manager Peter Zanoni and Advisor Hinojosa discussed the following topics: the General Obligation (GO) side savings of refinancing is about \$7 million and the water and sewer side savings are more significant; the number combined is nearly \$31 million, therefore more work can be done; and confident that the rates will stay low.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Guajardo. This Ordinance was passed and approved 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

Enactment No: 032117

27. Ordinance authorizing the delegation of the issuance of City of Corpus Christi, Texas General Improvement and Refunding Bonds, Series 2020 related to Streets and City Facilities improvements in an amount not to exceed \$96,000,000 and refunding various series in an amount not to exceed \$94,100,000, within set parameters and according to the plan of finance set by the City's financial advisors to the City Manager, Chief Financial Officer, or Finance Director and authorizing other matters incident and related thereto.

See Item 26.

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: 032118

O. BRIEFINGS: (NONE)

P. EXECUTIVE SESSION:

Q. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

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

R. ADJOURNMENT

The meeting was adjourned at 3:40 p.m.

Andrew Dimas [DevSvcs]

From: Cindy Clark <cyndleclark@yahoo.com>
Sent: Tuesday, April 7, 2020 3:57 PM
To: Andrew Dimas [DevSvcs]
Subject: [EXTERNAL]Fwd: Porto Villageo

Follow Up Flag: Follow up
Flag Status: Flagged

[[**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.]]

andrew this is my next door neighbor residing at 141 porto village dr

thanks!
cindy clark

Sent from my iPhone

Begin forwarded message:

From: Elisa Verratti <everratti@gmail.com>
Date: March 30, 2020 at 4:55:34 PM CDT
To: Cindy Clark <cyndleclark@yahoo.com>
Subject: Fwd: Porto Villageo

Letter from Adam Monaco

Begin forwarded message:

From: Adam Monaco <monacatclaims@yahoo.com>
Subject: Porto Villageo
Date: March 30, 2020 at 4:17:08 PM CDT
To: andrewd2@cctexas.com
Cc: Elisa Verratti <everratti@gmail.com>, "monaco_ray@yahoo.com"
[<monaco_ray@yahoo.com>](mailto:monaco_ray@yahoo.com)

Dear Mr. Dimas,

I am a property owner in the subdivision of Porto Villageo. I have personally met with Cosmo and Casey in the early stages of the planning of improvements for the development. I was especially encouraged by the management team engaging a proven and successful developer to assist in the design and implementation of common elements and overall concept of future building. One only has to drive a few miles North to visualize a well designed and managed subdivision along Hwy 361.

Unfortunately, I was unable to personally attend the last homeowner's meeting in Corpus Christi. Most of the details of the proposed changes in plat and deed restrictions were lost

by a non-visual presentation via a remote connection. What I did glean was the discussion of density housing units with a townhome concept similar to Cinnamon Shores. This concept has been repeated in La Palmilla and Sunflower to name a few other developments. The concept has proved popular with the construction of additional buildings throughout these subdivisions in Port Aransas. The architecture is a primary factor with the popularity of the concept along with the added benefits of a dedicated PUD. The concept also allows competitive pricing as compared with the typical detached single family lots and homes. The integration of this concept has been a benefit to the property owners in other well managed subdivisions.

My concern would be with the architectural design and construction of the units proposed to be built in Porto Villageo. My expectation after the remote connection is that the developer or proposed contractor would produce drawings and plans for the current homeowners to view and discuss. A scaled model of a typical building would be preferred in my opinion since I gathered that the construction would deviate from any similar buildings being constructed in any of the subdivisions I previously mentioned.

The current situation affecting the US would preclude a formal meeting room with numerous residents, however, I would suggest creating and emailing drawings and plans for the proposed buildings to all the members of the homeowners association.

A reply or response would be greatly appreciated.

Adam Monaco
210-861-0686

Andrew Dimas [DevSvcs]

From: Kathleen Acock <KAcock@alphabuilding.com>
Sent: Wednesday, April 15, 2020 9:10 PM
To: Andrew Dimas [DevSvcs]
Subject: J3PV Investment LP Rezoning Requesto to Change to PUD, Case Mp/ 0220-02
Attachments: Notice form signed for April 21 meeting.pdf; Council Meeting Notiec .pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[**[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.]]

City Council, City of Corpus Christi Meeting Date: April 21, 2020

Kathleen K. Acock, Lot Owner, Lots 12 & 13, Block 1, Porto Villageo, Corpus Christi

Topic Rezoning Case No. 0220-02 - Porto Villageo, Corpus Christi. J3PV Investments LP Petition change from Multi-Family AT District to RS-4.5 PUD District.

Introduction: I am the owner of a business that serves all of south Texas. We have been actively and consistently performing minor construction projects for various institutions and the City of Corpus Christi for the past ten years. Until just recently I owned a home at the Catalina Condominiums on Ocean Drive near Roberts St. It was with great delight that we spotted, and although they were very expensive, were able to purchase two lots at Porto Villageo on the island. In addition to a great beach view, the lots and streets were well laid out and large enough that we could enjoy peaceful use of our home and property. At the time of purchase (December 2019) we were not aware nor did we know of the plans of J3PV to disrupt our plans.

I am IN OPPOSITION to rezoning of Porto Villageo as requested by J3PV.

The notice of meeting for each lot I own, with my signature is an attachment above to this letter.

1. I was not notified by any method of the proposed changes, or meetings. Since my two lots are adjacent to the ones proposed to be reduced in size (8-11, Block 1) I think this was deliberate and I was denied my voice in this matter.
2. The proposed development will significantly increase the population and traffic density and the value of my lots will be seriously reduced, especially my Lot 12 sitting next to a small lot and bungalow.
3. The developer in an effort to maximize land use and profit has included plans to reduce the set backs on all four sides of the lots in the rezoning area and to build much smaller "bungalows" than currently required by the deed restrictions.

My lot 12 will lose the side set back distance afforded in the deed restrictions and will be affected by rain water run off and interference from a neighbor who according to the developer will be 1' from my boundary line. Not 3' or the 5" in my purchase

The back set back at the back of the lots 8-11 boundary goes to "0" and will have a large swimming pool. The developer has made no provision for environmental problems that would occur with flooding across the pool and into the swale behind the lots on Block 1 that flows to the Gulf.

The side setbacks are so restricted on all bungalow or PUD residence, the HVAC units will have to be mounted on the roof. Any lots next to these clusters will be subject to the equipment noise from the HVAC units . It will affect us when we are outside or trying to enjoy our balconies peacefully. I object to giving up my peace and quiet in order to let the developer maximize his profits.

4. Current residential requirements in the deed restrictions require pitched roofs of clay tile. The PUD changes will allow for a flat roof with false gables at the front and back. Flat roofs are not only unattractive, but, violate the deed restrictions.

5. Cluster or "0" lot line residences have more restrictive fire codes as to framing, exterior sheathing and windows. With Lot 11 being converted to a 3' easement, the developer should be required to provide me and other residences adjacent to the clusters, the same fire protection upgrades to provide fire protection/mitigation to our residences.

6. None of the plats and plans and drawings indicate how emergency access will be maintained for fire and EMS

7. Parking. These bungalows proposed in the PUD will either maybe have one garage or none. In order to provide parking they will have 'head-in' slots in front of the entrance of the new cluster. To do this they must reduce the size of our current sidewalks and the width of the roadway as shown in red dots on the Master Site Plan. What about boats, friends, relatives vehicles, etc? Again our traffic flow and safety of pedestrians and children are endangered to assist the developer make more profit.

8. How will they utilize HOA dues - by community or cluster ?

9. The developer claims that the property has sat vacant too long. True, but the property can not sell itself. This is a failure to launch. The developer has made no obvious effort to have a sales team or advertising of the property for sale.

I respectfully request that Lots 8-1 be removed from the rezoning plan and left as they are now. That will give us a straight street of lovely homes, minimize road and sidewalk disruption and maintain the property values for that Block.

Thank you for your help in this matter. Kathleen Acock

My objections are more fully described below.

Objection 1: I own lots Lots 12 and 13, Block 1 which are adjacent to the lots in Block 1 proposed for rezoning. We have engaged an architect and hope to start construction this fall. Although our purchase was finalized in December I did not receive any notice of the so-called annual meeting (held in February for the year 2019,) nor did I receive notice of the Planning Committee meeting until too late to participate. However, once I understood what was happening, I read in detail the March 4, 2020 meeting minutes, watched the video of the session. I noted that the Chair, Mr. Crull, opposed changes to the community proposed rezoning. Because of sloppy paperwork and lack of communication, I was denied my opportunity to participate in the decision making on this matter. I do have an opinion as a lot owner and interested party.

Objection 2: My lots no.s 12 & 13 , Block 1 are adjacent to Lots 8,9,10 and 11 which are proposed for rezoning and construction of a cluster of small bungalows on 1,400 sq ft lots. The development plan of J3PV will significantly increase the population density, vehicles and noise levels both in front of my house and next to my house.

a. **Setbacks:** In the Meeting Minutes it was clarified that the **side setbacks for PUD lots** that abut adjacent existing lots, as my Lot 12, will be 3'. This is a deed violation. The requirement is 5'. As a defense to reducing the side setbacks, the developer says that there is no issue with roof water run off because the bungalow eave will be 2 foot out, leaving 1 foot of bungalow property between it and my property line. He is correct in his measurement, however, the set back distance must be that space between the *face or end of the eave to the common boundary line*. From the eave to my boundary must be 5' not 1'. As to water run off, depending on the direction, velocity and heaviness of the rainfall it will not only fall down from the end of the eave but angle out into the neighbor property. The original plat provided 5 foot on both sides of the common boundary allowing sufficient room for the water to collect and run off without damage to either property.

J3PV proposes to change the **front setback from the original 20 foot to 10 foot** and the **rear yard setback from the original 5' to 0'**. Behind these lots on Block 1 is a very large easement that travels to the Gulf. At the back boundary of the existing Lots 8, 9, 10 they propose to build a large swimming pool to serve the cluster against the ditch/easement. The same is true on the other side of the development. These clusters can not help but have a negative impact creating water and potentially other chemical overflow into the easement/ditch. I note there was no engineer report regarding potential impact to this area, referencing the Texas Natural Resources Code.

b. **HVAC Equipment.** The developer proposes to put the HVAC equipment, assumed one per bungalow, on the roof of each bungalow. This presents two problems that violate the existing deed restrictions:

- first, they propose a flat roof whereas the existing houses all have peaked tile roofs which are far better at handling water/rain than flat ones. Their rendering provided shows false gables to suggest peaked roofs. *This false roof proposed will not add to or reflect the current aesthetics.*
- Secondly, the equipment noise will be extremely disruptive to persons wishing quiet enjoyment of their balconies, second or third floor and porches. At a minimum *the developer must be required to encapsulate the equipment in a screen structure to force the sound upward* and mitigate the noise level.

c. There are more extensive **fire code requirements applicable to constructing these 0 lot line bungalows**. They must be constructed using *materials and windows with a minimum one hour fire rating*. As the neighbor to one of these clusters, my house and property are at risk because of the proximity and density of the bungalows. *The developer should be required to upgrade the exterior walls and windows of all existing and future houses built adjacent to the clusters* as a protection from the damage a fire in the cluster would bring.

d. There is no detail regarding the **maintenance of emergency access**, especially for these "clusters" and the homes adjacent. Before the developer is approved for the rezoning, *details of how emergency access will be provided* to each of the bungalows and to the existing homes.

e. **Parking:** although code standard is 9 x 18', that is a code minimum. The 9' width is not sufficient to avoid car doors pitting the adjacent cars or other body damage, particularly If one of the cars is a large SUB or truck. I understand even HEB allows 10' width. Also the developer must **verify that behind all these head in parking spots there will remain a 25' wide road** providing sufficient room for vehicles to turn in or back out.

g. **Trash Containers.** What plans does the developer have for pick up of trash within the bungalow cluster?

h. Finally, How much do they propose to charge **bungalow owners for Home Owners Association dues** ? How will that money be used? How much will be paid to the existing PV HOA? What amounts will be designated for road, parking and sidewalk maintenance, for the walkway to the beach, for the use of water for beach goers to rinse off. What about fire department support, security as the project becomes more dense, security on Labor Day weekend

and other three day weekends - who will monitor and have vehicles removed that are incorrectly parked, and other violations.

i. ***Failure to launch.*** *If the developer wishes to sell more lots and reap more rewards, he should invest in a sales office, a sales team and advertising that the public would know this was available. To complain that it had remained underdeveloped for some time is not sufficient reason to come in, disrupt the existing deed restrictions and thus reduce the value of the existing lots and houses.*

In closing, there has been no transparency in the process, at least from J3PV with the owners, leaving too many serious questions unanswered. My highest interest is the protection, security and quiet enjoyment of my house and lots so **eliminating the cluster of bungalows on Lots 8-11, Block1 will satisfy my interests. However, for all home and current lot owners to enjoy the same benefits I desire, I request the City Council vote "No" for this request and turn it down completely.**

Thank you for your time and consideration of my request. Please stay well, the City needs good people to support it's future!

Sincerely,

Kathleen Acock

105 Porto Villagageo

Corpus Christi, Texas

Kathleen Acock

Chief Executive Officer

ALPHA BUILDING CORPORATION

Corporate Office, San Antonio, TX

O: 210.491.9925 : 210.491.9932

E: kacock@alphabuilding.com

W: alphabuilding.com

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Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. Si usted desea dirigirse a la comisión durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0220-02**

J3PV Investments, LP. has petitioned the City of Corpus Christi to consider a change of zoning from the "RM-AT" Multifamily AT District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development, not resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

113 Porto Villageo Drive and described as Lots 8 through 11, Block 1, Lots 6, 7, 9, 10 through 15 and 17 through 21, Block 3, Porto Villageo, located along the east side of State Highway 361, north of Beach Comber Drive, and south of Mustang Island Estates Drive.

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning. The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on Wednesday, February 19, 2020, during one of the Planning Commission's regular meetings, which begins at 5:30 p.m., in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

Printed Name: JAMES READ ROBISON

Address: 146 Villa Pampanga Drive

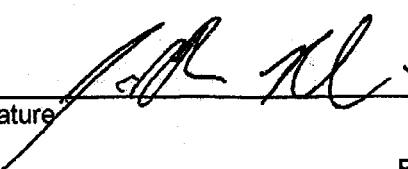
City/State: Port Aransas, Tx

IN FAVOR IN OPPOSITION

Phone: 817-240-7353

REASON: Value of property will decrease

Developer leaves our neighborhood in disrepair
for years.

Signature: 

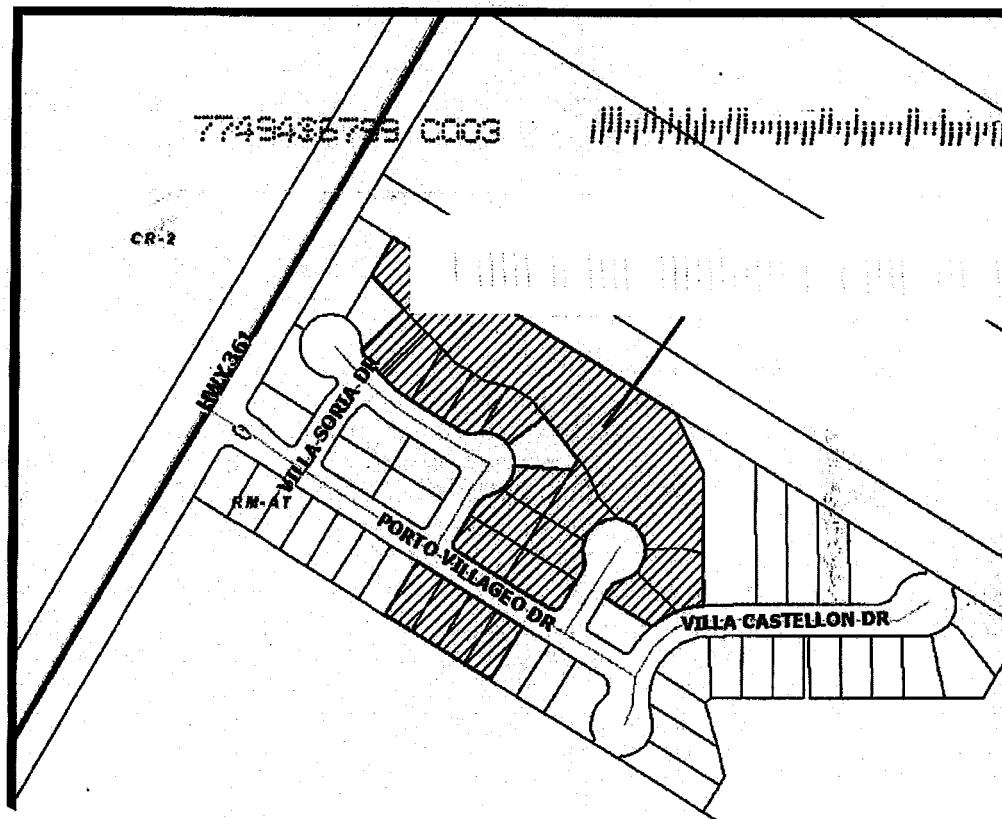
City of Corpus Christi
Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469

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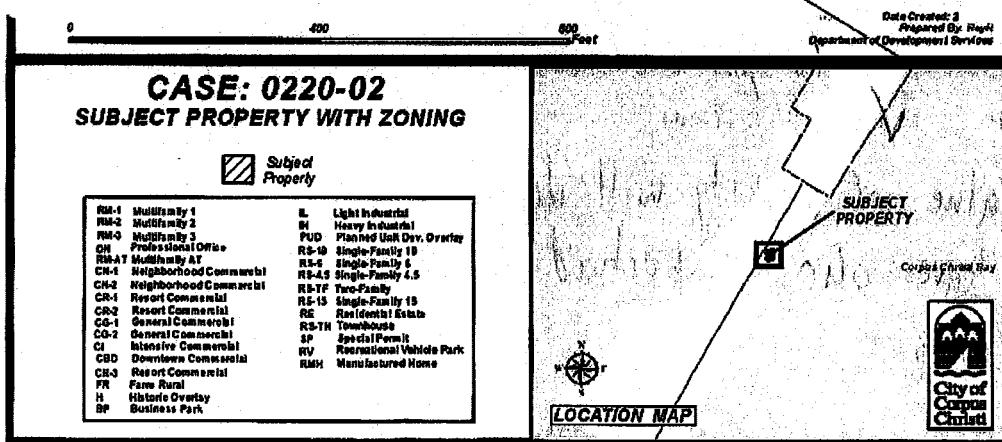
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ROBISON JAMES READ
1414 Trails of Katy Ln
Katy, TX 77494

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BY:



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Prepared by: DPD
Department of Development Services



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NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

Printed Name: BRUCE AND CINDY CLARK

Address: 145 Porto Villageo dr - City/State: Port-Aransas

IN FAVOR IN OPPOSITION

Phone: 256 990 2931

REASON: DUE TO THE FACT THAT THIS SAME DEVELOPER, J3PV, HAS IGNORED & NEGLECTED THE EXISTING COMMON AREAS OF PV FOR A YEAR & A HALF (PHOTOS ATTACHED) THIS INCLUDES POOL, BATHROOMS, STORAGE ROOMS, FENCE, WALKOVER TO BEACH. THESE AREAS POSE HEALTH & SAFETY RISKS TO RESIDENTS & VISITORS & RENTERS OF Porto Villageo

Signature

Bruce Clark

SEE MAP ON REVERSE SIDE
INFOR Case No.: 20ZN1005
Property Owner ID: 8

Case No. 0220-02
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

YET, THEY WANT TO SPEND AN INORDINATE AMOUNT OF \$\$\$\$ TO SPEND AN INORDINATE AMOUNT OF \$\$\$ IN THE DEVELOPMENT W/ SEPARATE HOA WITHIN OUR COMMUNITY.

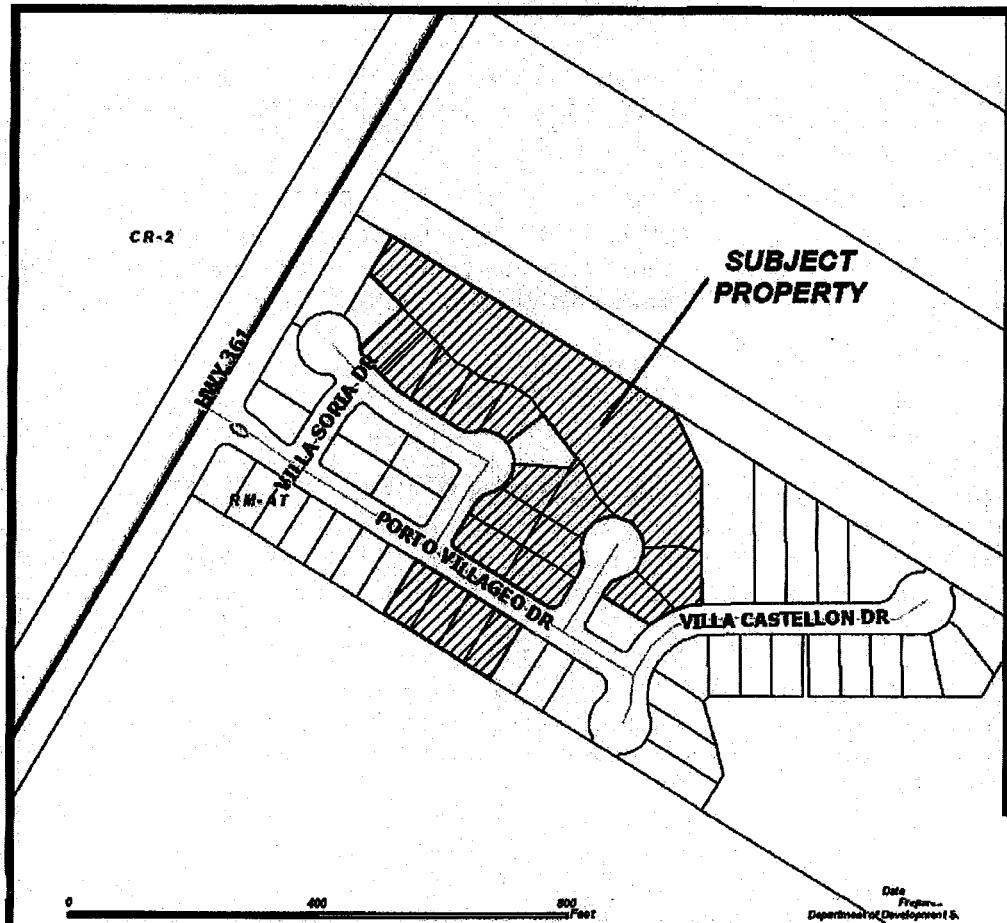
City of Corpus Christi
Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469

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CLARK BRUCE AND CYNTHIA C
145 PORTO VILLAGIO
PORT ARANSAS, TX 78373



Date: _____
From: _____
Department of Development S.

CASE: 0220-02
SUBJECT PROPERTY WITH ZONING

Subject Property
PROPOSAL

RM-1	Multifamily 1	X	Light Industrial
RM-2	Multifamily 2	X	Heavy Industrial
RM-3	Multifamily 3	X	Planned Unit Dev. Overlay
OH	Professional Office		
ON	Office Overlay		
CH-1	Neighborhood Commercial	X	Single-Family 10
CH-2	Neighborhood Commercial	X	Single-Family 6
CR-1	Resort Commercial	X	Single-Family 4.5
CR-2	Retail Commercial	X	Two-Family
CD-1	General Commercial	X	Single-Family 15
CD-2	General Commercial	X	Single-Family 18
CI	Intensive Commercial	X	Two-Family Overlay
CO	Commercial Commercial	X	Two-Family Overlay
CR-3	Resort Commercial	X	Two-Family Overlay
PR	Farm Residential	X	Two-Family Overlay
R	Historic Overlay	X	Two-Family Overlay
BP	Business Park	X	Two-Family Overlay

LOCATION MAP



Corpus Christi Bay

SUBJECT PROPERTY

Andrew Dimas [DevSvcs]

From: Steve Goolsby <sdgools@hotmail.com>
Sent: Monday, March 23, 2020 2:04 PM
To: Andrew Dimas [DevSvcs]
Subject: [EXTERNAL]Porto Villageo rezoning request

Follow Up Flag: Follow up
Flag Status: Flagged

[[**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.]]

Dear Sirs,

I would like to address the request that has been made relevant to rezoning of vacant lots situated in the Porto Villageo subdivision located on Mustang Island. First of all, let me inform you that I have not authorized anyone to speak on my behalf. The letter that was sent to you by Crystan Copeland on behalf of the Porto Villageo Owners Association indicated that she was writing "to express the community's support for J3PV Investments, LP development plan....." I have not spoken to any property owner within the subdivision that is supportive of this development plan. She further stated that at a HOA meeting that "the association was hesitant at first due to having received numerous development plans in the past from developers which all unfortunately fell through." I have owned my home for 11 years and I have never experienced any plans for development because the property was already platted and recorded and developed prior to my purchase and I did not detect any hesitance at the meeting relevant to this. I did detect, however, a degree of hesitance directed toward this new plan which completely disregards the filed and recorded deed restrictions, or covenants, that are in existence and which were in effect when we made our investment.

You see, I have been a real estate appraiser and consultant for 45 years and have testified as an Expert Witness in numerous courts of law throughout the state of Texas for the last 40 years. When people acquire real estate in fee simple they acquire certain owner's rights which are further protected by deed restrictions. Therefore, I am of the opinion that the reason why all of the owners that I have spoken with are concerned with this new development plan is due to the total disregard for the deed restrictions that were put into place to protect our investment and our rights as owners. At the aforementioned meeting, the developer was specifically asked if these new proposals relevant to the "cluster homes" were going to be zero lot lines and the answer was "no, there will be distances of 8 to 10 feet between structures".

I have also attended two meetings at City Hall before the Corpus Christi Planning Commission with Chairman Crull overseeing these hearings. The developer stated that when you drive into the subject subdivision there will probably be a 1,000 SF residential structure next to an existing 1,700 SF structure, so it won't be a big deal. I could probably agree with that if it was only applicable to this subdivision. However, I don't know of any existing structure that only has 1,700 SF and then it was further expressed that it was their intention to build some structures as small as 850 SF after we had been told in the HOA meeting that the smallest structure was to be 1,000 SF. At the second planning commission, the representative from the city, the developer's engineer and the developer were asked what is the minimum gross living area SF requirement in

the deed restrictions and each of them replied "1,400 square feet". Once again, this is not true. Our deed restrictions explicitly require a minimum size of 1,500 SF of gross living area which is not inclusive of the required garage space since parking in the streets is prohibited with the exception of construction vehicles during periods of construction. If you will notice, the developer is also calling for a minimum parking requirement. I would like to know how this can be policed with such a high density relevant to constructing houses on 1,400 SF lots which also contradicts our 4,500 SF minimum lot size recorded in the deed restrictions. We had also originally been told that the side setbacks would be 5 feet but that has now been changed to 3 feet and the engineer stated that since the roof overhang is to be 2 feet there could be no flooding of the houses next to the property. I had asked that very question relevant to flooding since my property is proposed to be adjacent to some of these proposed new structures and that the developer was proposing raising the elevation considerably. I was told that it was against the law to flood adjoining properties and the city representative also expressed that opinion to the commission at our first meeting. I told the commission that it is real hard for me to rest assured that nothing like this would occur since we all know that NO ONE ever breaks the law! However, I have been flooded before and I can assure you that "the law" does not offer much assurance after you have been flooded.

I would just like to close by telling you that I am not opposed to new construction in our neighborhood but I am greatly concerned by the inconsistencies that I have witnessed so far. I also think that your recommendations could actually be advantageous for all those concerned. I have previously served for several years on the Zoning Board of Adjustments for a city in North Texas; therefore, I am confident and positive that something can be resolved that would protect everyone's interest, including property owners and the developer.

Thank you for your consideration,
Steve Goolsby
122 Villa Pamplona

PUBLIC COMMENT/INPUT FORM

City of Corpus Christi

Enter either "City Council" or the name of the City Board: CITY COUNCIL

DATE OF MEETING (mm/dd/yy): 04/21/20

NAME: Manuel and Iliana Diaz

ADDRESS: 6506 Villa Soria

CITY: Corpus Christi STATE: TX ZIP:

TOPIC: J3PV INVESTMENT LP REZONING REQUEST TO CHANGE TO PUD

AGENDA ITEM NUMBER (if applicable):

If no agenda item is specified, then this will be considered a general public comment and not a public hearing.

I was surprised to see a letter from the Association indicating how happy we are with the proposed changes. In case you do not know the Association is controlled by the developers. All Board members were selected by the developers. There is absolutely no one representing the house owners. The few residents (developer owns most of the lots) are not happy with the proposed changes. Anything that comes from the Porto Villageo Owners Association simply should be read as the opinion of the developer.

In all my years as a civil engineer I have seen all kinds of developers but never one that is not willing to reach a consensus with the neighbors. In paper, the proposed changes may look very good for the City as a high-density development could bring more taxes to the City. What the developer has failed to tell you is that one of the sections they are proposing to develop is a pond (see Figures 1 and 2). Yes, I know, that proper engineered foundations can be developed but just selecting that type of site is inviting trouble. Would the City be responsible for all the foundation issues that may arise 10 years from now when the developer is gone? Proper settlement of that area will take years. I do not think this developer is planning to wait several years. Since this is the same developer that has decided (as part of the Association that he owns) not to pay the insurance to have carts using our walkway to the beach (which has been used for that purpose for many years



Figure 1. Aerial view of Porto Villageo.

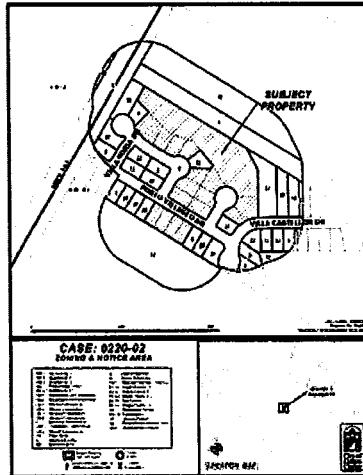


Figure 2. Proposed Development

without any issues) I can only imaging the type of foundations the developer will be willing to pay. Even

though not clearly described in the proposal by the developer the pond area will also be mix used development with access roads. Would the City maintain those access roads after the developer leaves?

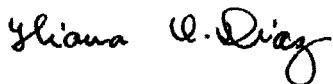
Another questionable situation that will be created by the proposed development is that according to the coastal flooding plans the worst path that a flood will follow will exactly be through the high-density proposal. I believe most of it is a zone V which according to FEMA cannot have fill material used to support the structures. Has the developer provided any plans to mitigate the effect of coastal flooding that instead of affecting one house may now, with the proposed high-density development, affect four to six families? The pond is in a zone V therefore construction over fill should not be permitted.

Has the developer included a study of the runoff effect the proposed rezoning will have in the area? Most cities are trying to move away from these types on massive developments an embracing a more sustainable development. Any development like the one being proposed will have a negative impact on the environment. The impervious area will be high as yards are being reduced to almost nothing. I do not think the City of Corpus Christi, with their emphasis on sustainability, wants a project like this.

In my opinion, the developer should have checked the existing covenants for the area before investing. At this point it seems that the developer is trying to bully his or her way through. A compromise could be that lots should not be smaller than 4500 square feet, all houses should have yards to absorb runoff and avoid erosion issues, and the construction type should remain as is, tile roofs and stucco walls, to maintain the integrity of the neighborhood and the value of our homes.



Manuel Diaz, P.E., Ph.D. 3/31/2020



Iliana Diaz 3/31/2020

Andrew Dimas [DevSvcs]

From: Elisa Verratti <everratti@gmail.com>
Sent: Sunday, April 5, 2020 11:40 AM
To: Andrew Dimas [DevSvcs]; andrewdimas2@cctexas.com
Cc: Dave Verratti
Subject: [EXTERNAL]Opposition to rezoning of and development proposal for Porto Villageo

Follow Up Flag: Flag for follow up
Flag Status: Flagged

[[**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.]]

Mr Dimas,

As owners of the property of 129 Porto Villageo, we vehemently oppose the proposed changes for a number of reasons.

Their public notification slide is misleading for 2 reasons.

The single vote in favor of the proposal is the HOA. The management company running the HOA was hired by the developers to create this HOA after they purchased the land in our subdivision. For them to say that the members of the HOA approve the proposal is misleading at best and likely a conflict of interest. No-one at the HOA was authorized to speak for us as our representative or to state that they had our approval for sending the letter. There is not a single homeowner I've spoken to who actually approves of this proposal. This same HOA has just now started repairs to the boardwalk and pool area that have been needed since Hurricane Harvey in 2017, even after they had us pay new HOA dues in 2018. The timing of these repairs is suspiciously convenient for them, and it is unclear to me if they are really concerned about the best interests of the homeowners they claim to represent.

Saying that there were only 2 opposed for 0.0874% is also misleading. The notification area only includes 7 of the 9 homeowners in the development. The rest of the notifications are currently vacant lots, protected wetland, or highway! This means they are counting 26 "properties" unrepresented by people who actually live in or own houses in the subdivision. Making this calculation based on square footage alone (which is what it appears to be) diminishes the opinions and concern of actual residents and owners in comparison to empty lots and unusable space. This is a manipulation of data purely for the developer's self interest. People who have invested money and time in actual homes here should be given more respect, and their opinions should be given more weight than the padded numbers they have created with vacant lot "approval".

We are very concerned about this new development that completely disregards the deed restrictions that were in place when we bought the property. Large, single family stucco houses, with garages and tile roofs, distinct requirements for building setback and separation were a huge deciding factor for our choice to buy this property. This is one of the few neighborhood with these qualities. If we wanted to buy a tiny house in a cluster village of look-alikes, we could have had dozens of neighborhoods to choose from and purchased at a much lower price point. We believed the deed restrictions and HOA requirements would protect our investment and the unique appeal of the subdivision, but these proposed changes would destroy all of those desirable aspects of this subdivision and devalue our existing houses significantly.

Our house is currently the smallest in the neighborhood, with just over 2500 square feet of living space on a lot of 5000 square feet. The minimum restrictions say that the interior dimensions should be no less than 1500 square feet of livable space. To say that these new structures with 1400 square foot LOTS would "fit in just fine" next to a 2500 square foot house is simply ridiculous. One of those lots would be right next to our property, and would be completely dwarfed by our house. With the proposed zero lot lines and largely paved property, the runoff could easily cause flooding of our house. The lack of height restrictions is also concerning, as that can easily be abused.

We are not opposed to new development, but we would like our investment and our deed restrictions to be respected. This proposal is not respectful of any of that. The developers have not been straightforward with their proposal process, as you can see from comments sent by other residents who were actually able to attend all the meetings. We hope that J3PV Investments will take their ideas back to the drawing board and come up with an idea that is not completely dismissive of the concerns that we all have.

Please feel free to contact us if you have any questions or concerns.

Thank you,
Elisa and David Verratti
129 Porto Villageo
everratti@gmail.com
512-608-5551
dverratti@gmail.com
512-517-0341

Mr. Dimas,

Thank you for taking my letter and giving it your consideration.

City Council

City of Corpus Christi

April 21, 2020

Jonathan Rogero, Lot Owner

105 Porto Villageo, Lot 12, Block 1, Porto Villageo, Corpus Christi

Matter: J3PV Investment LP Rezoning Request to Change to PUD.

Hello, my name is Jonathan Rogero, and I own lot 12 in the Porto Villageo subdivision. I would first like to extend my thanks to the council for allowing me this forum to discuss the current proposed PUD changes in my neighborhood. I'll start by saying that I am **adamantly opposed** to all aspects of the proposed changes. The city has already heard from many of my neighbors (if not all of them), that we the taxpayers and people who live in the area day in and day out, were not adequately informed or consulted with about how these changes would affect us. My neighbors have brought to light some very important technical deficiencies in the thought process and proposed execution of these changes, so I will approach my concerns on a more basic level.

About a year ago, I began my search for the perfect spot to build a place that my whole family could gather. My parents are getting up in age, my kids have kids, and I want to make sure that we capture all of the special moments that come with this period in our lives. What better way to get together, then to build a robust beach house in a quaint, quiet, beautiful little neighborhood. Of course I understood that rental properties are just a way of life in Port Aransas/Corpus, so I looked for a spot where the homes were of such a value, and size that they would attract families and not your typical spring breakers or to be blunt, kids whose parents rented them a party cottage.

I settled on Porto Villageo, because it met these criteria and it had some extra amenities such as a pool and a cart path to the beach. During my first tour of the land, I was told by a current resident that the PUD was not very involved in keeping up the place, but having been a carpenter for much of my youth, I was willing to do some work myself if it bettered the community, and so I made my purchase and immediately employed an architect to begin design on my families dream house.

You can imagine my surprise when I was notified of the intended changes coming from the absent landlord. Pretty much everything they want to do slaps in the face my reasoning to buy in the community, not to mention the incredible loss of property value that will occur.

My basic concerns are the following:

1. Neighborhood density – The proposition will severely increase population at any given time. The neighborhood layout was never designed contemplating this kind of increase in population
2. Parking – On street parking creates a safety issue for children, and the stalls proposed would be not be wide enough to keep vehicles from being undamaged.
3. Drainage – I am not an engineer, but I know for a fact, that the proposition will change how drainage flows, and on top of that they are enclosing a pond that I'm pretty sure causes environmental issues of run off and wildlife concerns.
4. Lot size and setback – In choosing my homesite, I made a purchasing decision based on lot size. I paid more than I might have elsewhere because I knew we would all be held to a minimum size house sitting on large adequate lots.
5. Quality of Life – Along with the technical reasons this is a bad proposition, I chose to live in this neighborhood to obtain a certain quality of life for my family. What they are wanting to do violates that for all of us who love our property. We are excited every time a new home goes up because currently, it is held to a standard that we all have agreed lends itself to the quality of life we want for our families. This proposition will dramatically change that.

As I stated before, my neighbors have done an excellent job of laying out the issues from a technical level. My plea is on a human level. The way this was designed, contemplated, and shoved at us is just wrong and will have a huge impact on our community.

For all of the reasons above, and many more I Jonathan Rogero owner for lot 12 in the Porto Villageo subdivision, am very opposed to J3PV Investment LP Rezoning request to change to PUD.

Thank you very much for your consideration and allowing us a platform to express our opinions. Having owned to homes in Corpus Christi, as a taxpayer both business and residential, I appreciate all you do.

Sincerely,
Jonathan Rogero
President
Alpha Building Corporation

jrogero@alphabuilding.com

Andrew Dimas [DevSvcs]

From: captmiggs@aol.com
Sent: Tuesday, March 24, 2020 10:04 AM
To: Andrew Dimas [DevSvcs]; captmiggs@aol.com
Subject: [EXTERNAL]Input Form for 04/21/20 City Council Meeting

[[**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.]]

Andrew Dimas,

Enclosed is our form for consideration at the 04/21 City Council Meeting.

Thank you,

Laurie and Bill Miggins

PUBLIC COMMENT / INPUT FORM

City of Corpus Christi

Enter either "City Council" or the name of the City Board: CITY COUNCIL

DATE OF MEETING (mm/dd/yy): 04/21/20

NAME: LAURIE AND BILL MIGGINS

ADDRESS: 101 PORTO VILLAGEO DRIVE

CITY: Port Aransas STATE: TX ZIP: 78373

TOPIC: J3PV INVESTMENT LP REZONING REQUEST TO CHANGE TO PUD

We are concerned that the proposed changes in Porto Villageo will ultimately decrease the market value of our home.

Our specific concerns are:

- 1) The lot setbacks have been changed from 5 or 10 ft to "zero lot lines"
- 2) The increased parking density will cause potential dangerous situations. Fire trucks, ambulances, and garbage trucks will be unable to navigate the streets.
- 3). The lot sizes have changed from 4500 sf to 1400 sf.

Overall, we are not opposed to the idea of the PUD's. However, we are opposed to the number of small 800 square foot unattractive boxes they propose to build, without regard to the above.

Maybe if each PUD contained one less small building, then the 10 ft set back could be complied with, and the 800 square foot structures and lots could be larger.

Another suggestion may be an open parking area or even better a 1 car garage under the smallest buildings which would make them look larger and relieve some of the parking issues.

Public Comment/Input Form

City Council

William Kevin Pitchford
14493 SPID, Ste A, PMB 441
Corpus Christi, TX 78418

Subject: J3PV Investments LP Re-zone request for Porto Villageo

Date of Meeting: April 21, 2020

Dear City Council Members,

I am a property owner in the Porto Villageo subdivision - (Lot 8, Block 3) in which J3PV Investments is requesting a zoning change to a PUD.

While I am not opposed to a zoning change to a PUD, the scope of the proposed changes are unacceptable. I am opposed to the following:

- 1) Reducing the lots to "Zero Lot Lines"
- 2) Eliminating front and rear setbacks
- 3) Reducing lot size down to 1400 sq. ft.
- 4) Dwellings with no garages and no designated off street parking

I am especially concerned about the parking situation. Homes without garages and no designated off-street parking will result in cars parked everywhere making access for fire/rescue vehicles difficult!

This condition will be made worse by the fact that these units will be approved for short term rentals and will most likely result in multiple individuals sharing a unit along with multiple cars per unit.

In closing, I urge you to not approve this zoning change in its current form.

Thank You,

Wm Kevin Pitchford

William Kevin Pitchford

Andrew Dimas [DevSvcs]

From: Katie LaQuey <katielaquey@gmail.com>
Sent: Monday, March 30, 2020 8:09 PM
To: Andrew Dimas [DevSvcs]; Cindy Clark
Subject: Porto Villageo - City Council Meeting 4/21 PUBLIC COMMENT / INPUT FORM CORRECTED
Attachments: Public Comment Form Porto Villageo.pdf

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Andrew,

*** SEE ATTACHED CORRECTED PUBLIC COMMENT FORM FOR CITY COUNCIL MEETING ON 4/21 ***

We are opposed to the proposed changes to Porto Villageo. We are concerned that the changes are not in keeping with the current style and will significantly decrease the market value of our home.

We do not oppose new development in our neighborhood but we would like to request that all building is kept to the same standards as the current homeowners who have already invested so much in this community.

When we built our home three years ago we were REQUIRED to follow specific rules on construction including but not limited to a stucco exterior and tile roof. Both of which, we paid a large premium for. At the time that we invested in this community we had no way of knowing that someone would come in to the neighborhood and try to change the building standards and lot size so drastically.

We request that future construction follows the rules we had to follow when we bought and built in the neighborhood. The current lot size, home size, and building specifications should remain consistent to protect the home values of the current residents. We have invested a great deal of money in our Porto Villageo home investments and it would be devastating for the homeowners to lose property value.

These zero lot line tiny homes belong in a neighborhood where that is the overall style. Our lot is 9588 square feet and the proposed development is suggesting a 1400 square foot lot size. This is an outrageous proposal and we request that the lot size stay at a minimum 4500 square feet in keeping with the current neighborhood requirements.

Sincerely,

Trey and Katie LaQuey
469-231-2264
6501 Villa Castellon Dr
Port Aransas, TX 78373



KATIE LAQUEY | Cell: 469-231-2264 | www.LeadingEdgeTX.com



Each office independently owned and operated.

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WIRE FRAUD: During your representation by REMAX Dallas Suburbs, you will NEVER be asked, via email, to wire or send funds to ANYONE, not even a title company. DO NOT COMPLY WITH EMAIL INSTRUCTIONS TO WIRE FUNDS!

Sent from my iPhone

Sarah Brunkenhoefer

From: CitySecretary
Sent: Thursday, April 23, 2020 10:01 AM
To: Rebecca Huerta
Cc: Sarah Brunkenhoefer; Norma Duran
Subject: FW: Porto Villageo Rezoning Request
Attachments: Dear City Council Members.pdf

FYI.

From: WKPITCHFORD <wkpitch@gmail.com>
Sent: Thursday, April 23, 2020 9:55 AM
To: CitySecretary <CitySecretary@cctexas.com>
Cc: wkpitch@gmail.com
Subject: Porto Villageo Rezoning Request

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Dear Ms. Huerta,

Attached is my public comment/input for the May 12, 2020 City Council Meeting addressing the Porto Villageo Rezoning Request.

Thank You Very Much,

William Kevin Pitchford
361-331-3356
wkpitch@gmail.com

Public Comment/Input Form

City Council

William Kevin Pitchford
14493 SPID, Ste A, PMB 441
Corpus Christi, TX 78418

Subject: J3PV Investments LP Re-zone request for Porto Villageo

Date of Meeting: May 12, 2020

Dear City Council Members,

I am a property owner in the Porto Villageo subdivision - (Lot 8, Block 3) in which J3PV Investments is requesting a zoning change to a PUD.

While I am not opposed to a zoning change to a PUD, the scope of the proposed changes are unacceptable. I am opposed to the following:

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- 2) Eliminating front and rear setbacks
- 3) Reducing lot size down to 1400 sq. ft.
- 4) Dwellings with no garages and no designated off street parking

I am especially concerned about the parking situation. Homes without garages and no designated off-street parking will result in cars parked everywhere making access for fire/rescue vehicles difficult!

This condition will be made worse by the fact that these units will be approved for short term rentals and will most likely result in multiple individuals sharing a unit along with multiple cars per unit.

In closing, I urge you to not approve this zoning change in its current form.

Thank You,

Wm Kevin Pitchford

William Kevin Pitchford
361-331-3356
wkpitch@gmail.com

Sarah Brunkenhoefer

From: CitySecretary
Sent: Monday, May 11, 2020 5:58 PM
To: Rebecca Huerta
Cc: Norma Duran; Sarah Brunkenhoefer
Subject: FW: May 12 City Council Agenda item #4 (20-0431)

FYI.

From: midwayleasing@comcast.net <midwayleasing@comcast.net>
Sent: Monday, May 11, 2020 5:08 PM
To: CitySecretary <CitySecretary@cctexas.com>
Subject: May 12 City Council Agenda item #4 (20-0431) *#5*

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Warning: Replies to this message will go to midwayleasing@comcast.net. If you are unsure this is correct please contact the helpdesk.

City Council,

My name is D. McCall, I own 2 lots on the beach front in the name of CCC&S Family, LLC. I am in support of the changes requested by Charles Duffley for the Porto Villageo subdivision. My 2 lots are beach-front lots and I have been involved in this subdivision for several years, it has not worked based upon the present lot layout. I believe the only way to make this project work is to reduce the size of the lots and the setbacks. Mr. Duffley has been extremely successful in other subdivisions on the island and I fully support this move.

Thank you for your consideration.

D. McCall
Midway Leasing, Inc.
Rio Grande-Alameda, Ltd.
CCC&S Family LLC
703 Osuna Rd. NE, Ste. 6
Albuquerque, NM 87113
505-345-4444
Fax: 505-344-9618

PUBLIC COMMENT/INPUT FORM

City of Corpus Christi

Enter either "City Council" or the name of the City Board: Corpus Christi

DATE OF MEETING (mm/dd/yy): _____

NAME: Mary Ehrmin

ADDRESS: 1717 Waldron Road

CITY: Corpus Christi STATE: TX ZIP: 78418

TOPIC: COVID 19 and reopening

AGENDA ITEM NUMBER (if applicable): _____

If no agenda item is specified, then this will be considered a general public comment and not a public hearing.

The rate of coronavirus infection in Nueces County has been rising since the partial reopening on May 1st, and now we can expect more openings - and more infections - beginning May 18th. This pattern of rising infections rates is common across the country except in Washington State and New York where governors have not rushed to rescind the stay at home orders.

Please don't ignore the numbers. A spike in infections and a second shut down will not help anybody or anything. A sick population will not foster economic recovery. Please put people's health first. It will pay in the long run. The reopening is especially unfair to those who are required to return to work in unsafe times and conditions.

Most of the people I know do not believe it is safe to reopen and they plan to continue to stay at home. But the ignorant will equate reopening with safety and our COVID19 infection rates will continue to rise. Please refer to "The Risks - Know Them - Avoid Them" by Erin Bromage online.

Sarah Brunkenhoefer

From: Rebecca Huerta
Sent: Monday, April 27, 2020 8:49 AM
To: Norma Duran; Sarah Brunkenhoefer
Subject: FW: This weekend

Public comment for 5/12.



Rebecca L. Huerta TRMC, CMC City Secretary

City of Corpus Christi
1201 Leopard Street | Corpus Christi, TX 78401
P.O. Box 9277 | Corpus Christi, TX 78469-9277
Phone: (361) 826-3105 | Fax: (361) 826-3113
RebeccaH@cctexas.com

If your e-mail is a Public Information Request, please
send to CityOpenRecords@cctexas.com.

From: CitySecretary <CitySecretary@cctexas.com>
Sent: Monday, April 27, 2020 7:24 AM
To: Rebecca Huerta <RebeccaH@cctexas.com>
Subject: FW: This weekend

FYI.

From: Justin Stringer <justin.levi.js@gmail.com>
Sent: Sunday, April 26, 2020 8:31 AM
To: CitySecretary <CitySecretary@cctexas.com>
Subject: This weekend

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Hello I am a tax paying citizen from the island. It's about time you do something to protect your most highest paying tax bracket in this county. After this weekend, you have an obligation to do better, I'm ashamed to call myself a Texan because we are better than this. The beaches were packed, no social distancing was followed, cars stacked. I can see this all from my balcony. I'll be including multiple photos of the miles long line that extended from light to light making it very difficult off locals to go about their essential duties. For as long as I've been here I have never seen this much traffic and in the middle a pandemic no less. There is no way corpus christi has this many residents. We are in the midst of a pandemic and you as the mayor should be ashamed for allowing the virus to continue to spread by allowing so many vacationers here. It's time you step up and so something. The virus is spread by people. With many other cities beginning to hit their peak it is only a matter of time before corpus sees an increase in the amount of cases. With my experience in infection control I can say confidently that corpus has reacted very inappropriately during the pandemic

when compared to the surrounding local governments. By not following in suit with the other counties you created a hot spot where people have been coming down to fish or go to the beach this entire time, possibly infecting other Texans along the way. Your are responsible for saving lives here, do your job. I'll also remind you that it is re-election year and every move you make will reflect on that.

A concerned taxpayer

Sarah Brunkenhoefer

From: Rebecca Huerta
Sent: Monday, April 27, 2020 8:51 AM
To: Norma Duran; Sarah Brunkenhoefer
Subject: FW: [EXTERNAL]Photos of the traffic from tourists
Attachments: 20200425_170613.jpg; 20200425_170600.jpg

Public comment for 5/12.



Rebecca L. Huerta TRMC, CMC
City Secretary

City of Corpus Christi
1201 Leopard Street | Corpus Christi, TX 78401
P.O. Box 9277 | Corpus Christi, TX 78469-9277
Phone: (361) 826-3105 | Fax: (361) 826-3113
RebeccaH@cctexas.com

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send to CityOpenRecords@cctexas.com.**

From: CitySecretary <CitySecretary@cctexas.com>
Sent: Monday, April 27, 2020 7:26 AM
To: Rebecca Huerta <RebeccaH@cctexas.com>
Subject: FW: [EXTERNAL]Photos of the traffic from tourists

FYI.

From: Justin Stringer <justin.levi.js@gmail.com>
Sent: Sunday, April 26, 2020 8:33 AM
To: CitySecretary <CitySecretary@cctexas.com>
Subject: [EXTERNAL]Photos of the traffic from tourists

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It extended past every light. This makes it near impossible for life saving service to reach citizens during a pandemic.





PUBLIC COMMENT/INPUT FORM

City of Corpus Christi

Enter either "City Council" or the name of the City Board: City Council

DATE OF MEETING (mm/dd/yy): 05/12/20

NAME: Stephanie Hatridge

ADDRESS: 415 Cole

CITY: Corpus Christi STATE: TX ZIP: 78404

TOPIC: clothing the Wind Dancer at Oleander Point

AGENDA ITEM NUMBER (if applicable): _____

If no agenda item is specified, then this will be considered a general public comment and not a public hearing.

Hello Mayor McComb,

I would like to invite you and the members of our City Council to prayerfully contemplate clothing the Wind Dancer. The Wind Dancer is a bronze larger-than-life fully nude image of woman. Clothing has been a sign of HUMAN DIGNITY from the beginning, protecting us and setting us above all creation.

A woman's body truly is a beautiful art form.....just wait till you meet our artist....but she is more, endowed with divine purpose and a soul that thrives on LOVE and VIRTUE, especially in the way of chastity, modesty and self-control.

Clothing the wind dancer would be a visible sign of TRUE LOVE, which is PROTECTION of the whole woman. Clothing the wind dancer should inspire our community in ways to educate and influence in the ways of virtue.

I am currently designing a weather-worthy garment that can be easily replicated. I would also enjoy working with others to design beautiful multi-cultural garments for the future.

THANK YOU