

Ordinance

Amending the Unified Development Code by revising subsections 8.5.1.C and 8.5.2.I clarifying the transfer of monies from trust funds; providing for severance, publication, and effective date.

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding this amendment of the City of Corpus Christi, Texas ("City") Unified Development Code ("UDC");

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, November 19, 2014, during a meeting of the Planning Commission, and on Tuesday, December 9, 2014, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment to the UDC would best serve the public's health, necessity, and convenience and the general welfare of the City and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. That UDC subsection 8.5.1.C is amended by revising the text to read as follows:

"8.5.1 C. **Credits and Reimbursement**

* * * * *

"4. **Review of Funds**

The City Council may, after a public hearing, transfer monies from one trust fund to the other in order to better carry out the purposes of this Unified Development Code. Water trust funds may be transferred to water trust funds or wastewater trust funds.

Once every two years, the City Council shall review the adequacy of all fees and charges established herein and the sufficiency of the trust fund and may, after a public hearing, adopt a new schedule of fees and charges ~~or transfer monies from one trust fund to the other in order to better carry out the purposes of this Code.~~

* * * * *

SECTION 2. That UDC subsection 8.5.2.I is amended by revising the text to read as follows:

"8.5.2.I. **Review of Funds**

The City Council may, after a public hearing, transfer monies from one trust fund to the other in order to better carry out the purposes of this Unified Development Code. Wastewater trust funds may be transferred to wastewater trust funds or water trust funds.

Once every two years, the City Council shall review the adequacy of all fees and charges established herein and the sufficiency of the trust funds, and may, after a public hearing, adopt a new schedule of fees and charges ~~or transfer monies from one trust fund to the other in order to better carry out the purposes of this Code.~~"

SECTION 3. If for any reason any section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this Ordinance shall be held to be invalid or unconstitutional by final judgment of a court of competent jurisdiction, such judgment shall not affect any other section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this Ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, sentence, clause, phrase, word, or provision of this Ordinance be given full force and effect for its purpose. The City Council hereby declares that it would have passed this Ordinance, and each section, paragraph, subdivision, sentence, clause, phrase, word, or provision thereof, irrespective of the fact that any one or more sections, paragraphs, subdivisions, sentences, clauses, phrases, words, or provisions be declared invalid or unconstitutional.

SECTION 4. Publication shall be made in the City's official publication as required by the City's Charter.

SECTION 5. This ordinance is effective immediately upon passage.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 9th day of December 2014 by the following vote:

Nelda Martinez	<u>Aye</u>	Chad Magill	<u>Aye</u>
Kelley Allen	<u>Aye</u>	Colleen McIntyre	<u>Aye</u>
Rudy Garza	<u>Aye</u>	Lillian Riojas	<u>Aye</u>
Priscilla Leal	<u>Absent</u>	Mark Scott	<u>Absent</u>
David Loeb	<u>Aye</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 16th day of December, 2014, by the following vote:

Nelda Martinez	<u>Aye</u>	Chad Magill	<u>Aye</u>
Kelley Allen	<u>Aye</u>	Colleen McIntyre	<u>Aye</u>
Rudy Garza	<u>Aye</u>	Lillian Riojas	<u>Aye</u>
Priscilla Leal	<u>Absent</u>	Mark Scott	<u>Absent</u>
David Loeb	<u>Aye</u>		

PASSED AND APPROVED, this the 16th day of December 2014

ATTEST:

Rebecca Huerta

Rebecca Huerta
City Secretary

Nelda Martinez

Nelda Martinez
Mayor

EFFECTIVE DATE
12/14/14

030369