



NORTH PADRE ISLAND
MICHAEL J. ELLIS
SEAWALL PROJECT

PRESENTATION TO City Council

08/27/24

Michael J. Ellis Seawall - 1970's



Michael J. Ellis Seawall - Today



NORTH PADRE ISLAND SEAWALL - HISTORY

1965

Padre Island Investment Corp (PIIC) announced 1st hotel on Padre Island.

1967

Padre Island - Corpus Christi, Section A Plat Recorded.

1967

Protective Covenants & Landowners' Agreement.

1968

Seawall construction starts.

1972

Court order halts seawall extension to north & south.

1974

State of Texas vs PIIC judgement.

1981

City annexes area of North Padre Island containing seawall.

1981

Assignment of Trustee to PIPOA.

1983

1st Amendment to Protective Covenants.

1992

Protective Covenants amended.

1995

SB 1688 amends Natural Resources Code § 61.017.

1996

2nd Amendment to Protective Covenants

2006

Protective Covenants amended.

2011

Beach & Seawall renamed after Michael J. Ellis

2023

City Includes \$15M in FY24 CIP project to upgrade seawall.

FY 2024 CIP PROJECT

Project # 24133
Project Name North Padre Island Seawall Improvements



Type Improvement/Additions
Useful Life 25 years
Category Site Improvements

Department TIRZ #2
Contact Economic Development Director
Priority Community Investment
Council District 4

Status Active

Description

The North Padre Island Seawall is located on the gulf beach which is frequented by tourists and citizens daily. The structure serves as a barrier between the beach and the buildings but is also a walkway along the beach area. It is in need of repairs and the area currently lacks amenities such as benches, lighting, and shade structures. This project will assess the needs of the area and then provide funding to fulfill the identified needs.

Justification

This project was deemed a priority of TIRZ #2 Board and will provide needed amenities for visitors to North Padre Island.

Expenditures	Prior Years	2024	2025	2026	Total
Construction/Rehab		1,000,000	5,506,757	5,506,757	12,013,514
Design		1,500,000			1,500,000
Eng, Admin Reimbursements		275,000	605,743	605,743	1,486,486
Total		2,775,000	6,112,500	6,112,500	15,000,000

Funding Sources	Prior Years	2024	2025	2026	Total
Tax Increment Finance District		2,775,000	6,112,500	6,112,500	15,000,000
Total		2,775,000	6,112,500	6,112,500	15,000,000

Important Background

- Seawall was privately built on land claimed by the State of TX under Open Beaches Act.
- The state sued Padre Island Investment Corporation (PIIC) for trespass.
- A judgment was issued in 1974 that granted the public permanent access to the seawall and beach and granted ownership of some tracts to the state.
- Hurricane Allen caused significant damage in 1980. Adjoining property owners created a seawall committee to fund the repairs.
- The City of Corpus Christi annexed the seawall area in 1981.
- 1995 Legislation reiterated permanent public easement and established that vegetation line would be considered the face of the seawall in exchange for constructing a public parking lot and roadway easements for beach access.
- The City helped facilitate the state requirement to provide public parking.

Current Seawall Status

- The seawall is privately owned and maintained.
- The seawall is in a poor state of repair.
- Owners cannot restrict access to the public.
- Owners have difficulty insuring the seawall.
- The seawall is not currently eligible for Assistance under the FEMA Public Assistance Program.
- Catastrophic damage would likely be the responsibility of the owners.



An aerial photograph showing a coastal residential area. A long, straight seawall runs along the beach, separating the ocean from the land. Behind the seawall, there are several residential buildings, some with swimming pools, and a road. The beach is visible in the foreground, and the ocean is on the left side of the image.

Proposed Seawall Status

- A \$15M project was approved in the FY24 CIP to improve the seawall.
- The City needs the real estate rights to make the repairs and upgrades.
- The City must be legally responsible for maintenance and repair to be FEMA PA eligible.
- City is seeking an easement dedication and not fee simple ownership of seawall property.
- Owners will no longer be at risk for seawall damage, maintenance, or claims.

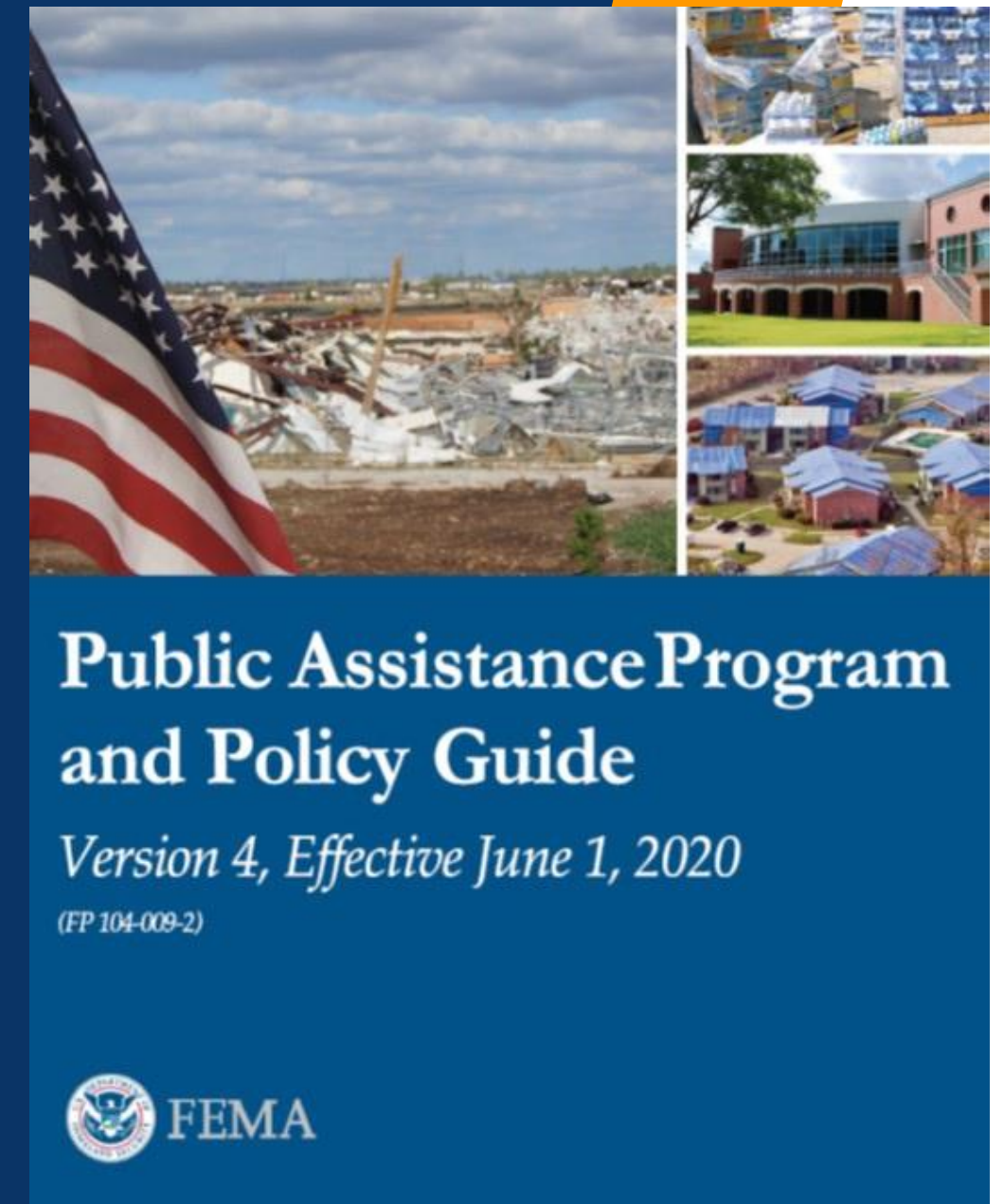
North Padre Island Seawall in 1980

after damage from Hurricane Allen



FEMA PA Program

- The FEMA PA Program provides Federal grant assistance for the restoration of disaster-damaged public facilities.
- FEMA provides assistance based on authorities and limitations defined in federal statutes and regulations.
- The four basic components of FEMA PA eligibility are: eligible applicant, eligible facility, eligible work and eligible cost.
- In order increase the likelihood that future Seawall disaster repairs would be FEMA PA eligible, the City must legally assume responsibility for its maintenance.
- Also need to avoid the seawall's classification as a "Flood Control Work" under the USACE definition.



ACTIONS COMPLETED

- City has received expert advise on optimizing the likelihood of FEMA PA eligibility.
- Property survey and easement exhibits have been prepared.
- City has corresponded with all owners.
- A Town Hall meeting was held April 11, 2024.
- City has formed a steering committee of landowners helping to facilitate easement acquisition.
- Engineering has selected a design firm and engaged them on preliminary engineering activities.
- The Gulfstream has signed a letter of intent with conditions for granting the maintenance easement.
- The Gulfsteam letter is being shared as a template for the other property owners.

NEXT STEPS

- City will use the Gulfstream letter of intent to get similar instruments from the other property owners.
- Council will need to assume “legal responsibility” for the seawall. This is necessary to help ensure FEMA PA eligibility. Will be conditioned on easement acquisition.
- City will also seek negative determinations from USACE and NRCS.
- Detailed design contract award by council.
- Stakeholder meetings will be scheduled to get feedback on the design.
- Project will be advertised for bid once the bid docs are ready. This will probably be early to mid 2025.
- Construction will probably take 12-18 months.

REQUIRED LEGAL ACTIONS

- Deed from PIPOA, Trustee, conveying all of its rights, title and interest to the seawall to the City.
- Amendment No. 3 to the Protective Covenants and Landowner's Agreement deleting Article VI Seawall Maintenance Agreement.
- Easement from each seawall tract owner conveying a permanent easement and maintenance easement to the City.
- Council action assuming legal responsibility for the seawall.

QUESTIONS?

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