

**CITY OF CORPUS CHRISTI, TEXAS, RESOLUTION No. 12-00830 A
RESOLUTION DECLARING THE CITY'S SUPPORT OF AND CONSENT
TO THE CREATION OF THE PADRE ISLES MUNICIPAL MANAGEMENT DISTRICT**

WHEREAS the CITY of CORPUS CHRISTI (the "City") has received a request from property owners in the PADRE ISLES PROPERTY OWNERS ASSOCIATION (the "POA") area that the City consent to the creation of a Municipal Management District (the "District") to; allow the area to take steps to ready itself for future natural disasters by creating an entity that can be used to pursue economic assistance from both the State and Federal governments, as well as Private entities; and,

WHEREAS the State of Texas and the United States Federal Emergency Management Agency prefer to fund entities that are considered independent political subdivisions; and,

WHEREAS Municipal Management Districts are Independent Political Subdivisions of the State of Texas; and

WHEREAS the proposed legislation to be filed in the Legislature of the State of Texas to create the PADRE ISLES MUNICIPAL MANAGEMENT DISTRICT shall be consistent with all applicable laws governing municipal management districts, including Chapter 375 of the Texas Government Code, and the new Chapter of the Special District Local Laws Code; and,

WHEREAS the PADRE ISLES MUNICIPAL MANAGEMENT DISTRICT is authorized to supplement and not supplant city services provided within the boundaries of the district; and

WHEREAS the City and the POA have agreed to the following conditions and restrictions for the proposed PADRE ISLES MUNICIPAL MANAGEMENT DISTRICT:

1. The district's boundaries coincide with the boundaries of the POA;
2. The district is authorized to receive gifts, grants, and loans;
3. The district board has no authority to levy taxes or assessments;
4. District residents may petition the board of the district to levy assessments to finance improvement projects, in accordance with provisions in Chapter 375, Local Government Code;
5. Improvement projects are restricted to the reconstruction, preservation, and maintenance of District-owned bulkheads within the boundaries of the District;
6. The POA shall transfer ownership of the bulkheads and related easements to the district making the bulkheads public facilities;
7. The POA and the district shall include a reversion clause in the event of the dissolution of the district;
8. The district shall not duplicate existing City services within its boundaries and should only complement those services.
9. The City, under Section 375.207, Local Government Code, retains authority to approve a bond issuance by the district;

10. The district shall under Section 375, Local Government Code, be responsible for any damage to City-owned facilities or infrastructure caused by a district improvement project;
11. The City retains authority by ordinance to dissolve the district;
12. If the district decides to dissolve, it cannot do so unless all of its bond debts are repaid or defeased,
13. If the district defaults on its bond debt, the City is not responsible for the district's assets, liabilities, or obligations, and
14. If the City dissolves the district, the district's bonds, debts, obligations and liabilities and any property and assets, except as specified in the property transfer and reversion agreement, are assumed by the City.

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

Section 1. The City Council hereby declares its support of legislation creating the PADRE ISLES MUNICIPAL MANAGEMENT DISTRICT by the Legislature of the State of Texas, a draft copy of which is attached to this resolution, subject to the limitations, restrictions and conditions listed above.

Section 2. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been disclosed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND ADOPTED this twenty-second (22nd) day of January, 2013.

APPROVED this twenty-second (22nd) day of January, 2013.

Mayor of the CITY OF CORPUS CHRISTI

Pursuant to Article XXX, Section XXX, CORPUS CHRISTI City Charter, the effective date of the foregoing resolution is _____.

City Secretary

The above resolution was passed by the following vote:

Nelda Martinez _____

Kelley Allen _____

Rudy Garza _____

Priscilla Leal _____

David Loeb _____

Chad Magill _____

Colleen McIntyre _____

Lillian Riojas _____

Mark Scott _____