

Ordinance amending the FY 2020 City of Corpus Christi Capital Budget to appropriate \$350,000 from the unreserved fund balance in Seawall Improvements; transferring and appropriating said funds into Seawall CIP Fund; adding the Bayshore Park Improvement Project to the Capital Improvement Program; and authorizing a change order to Fulton-Coastcon, Inc. of Corpus Christi, Texas to restore the Bayshore Park Playground Area (Water's Edge Park in Council District 1) for a total amount not to exceed \$234,745.

WHEREAS, on November 7, 2000, residents of the City of Corpus Christi ("City") passed Proposition 4, Seawall Improvement, which authorized the adoption of a sales and use tax for the promotion and development improvements to the downtown Seawall and for maintenance and operating costs of said Seawall improvements for the life thereof to be imposed for 25 years;

WHEREAS, the 1/8th cent sales tax authorized by passage of Proposition 4 was subsequently enacted by the City Council and filed with the State Comptroller of Texas, effective April 1, 2001, to be administered by the Corpus Christi Business and Job Development Corporation Board ("Board");

WHEREAS, the City has determined that it is in the best interest of the citizens of the City that Seawall improvement funds be used to pay for certain infrastructure improvements, namely the repair of the poured-in-place flooring at The Water's Edge Park playground (the "Project");

WHEREAS, the Board and the City Council have previously treated the travel lane of Shoreline Boulevard as the boundary of the Seawall for purposes of the Seawall Improvement Fund;

WHEREAS, due to the realignment of Shoreline Boulevard, the original right-of-way for the street is now included within the boundary of The Water's Edge Park and closed to all traffic and the current travel lane of Shoreline Boulevard is on the other side of the park, thus adjusting the boundary so that access to the playground does not require passing a travel lane on Shoreline Boulevard;

WHEREAS, The Water's Edge Park is a crucial entertainment destination in the downtown, which attracts visitors and improves the economic development value of the downtown Seawall, and the repair of the poured-in-place flooring will serve to increase the value of the Seawall to the citizens of the City;

WHEREAS, the poured-in-place flooring in its current state of disrepair has become a blight on The Water's Edge Park and a detriment to the entertainment and tourist value of the downtown Seawall, necessitating such repairs, and;

WHEREAS, The Water's Edge Park is a Seawall improvement for purposes of the Seawall Improvement sales tax approved by the City's voters.

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

SECTION 1. The Board specifically finds that the foregoing statements included in the preamble of this resolution are true and correct and adopts such findings for all intents and purposes related to the authorization of this procurement.

SECTION 2. In accordance with its previous resolution from June of 2018, the Board maintains that the boundary of the seawall improvements shall include public improvements that are connected to the downtown seawall without passing a travel lane on any public street and flood protection features necessary to the downtown seawall flood protection system. As the poured-in-place flooring falls directly into this definition, it is an eligible seawall improvement.

SECTION 3. The Water's Edge Park is included in the definition of "improvements to the downtown seawall" in Proposition 4 approved by the City's voters on November 7, 2000, because the park contributes to the value of the downtown seawall for economic development purposes and tourism purposes and connects to and includes portions of the Seawall within its boundary.

SECTION 4. The Corpus Christi Job and Development Board authorized the City's Parks and Recreation Department, as an agent of the Corporation, to proceed with the Project in an amount not to exceed \$350,000, after City Council approval.

SECTION 5. The Corpus Christi Operating and Capital Budget for FY '20 adopted by Ordinance No. #031870 is amended to appropriate \$350,000 from the unreserved fund balance in Fund 1120 Seawall Improvements Fund and transferred and appropriated in Seawall CIP Fund 3271 increasing revenues and expenditures in the amount of \$350,000.

SECTION 6. The Corpus Christi Operating and Capital Budget for FY '20 adopted by Ordinance No. #031870 is amended to add the Bayshore Park Playground (Water's Edge Park) Project.

SECTION 7. A change order in an amount not to exceed \$234,745 is authorized for Fulton Coastcon, Inc. of Corpus Christi, Texas for restoration of Bayshore Park Playground Area (Water's Edge Park). The work, located in City Council District 1, will not proceed until a notice to proceed has been issued.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2019, by the following vote:

Joe McComb _____	Michael Hunter _____
Roland Barrera _____	Ben Molina _____
Rudy Garza _____	Everett Roy _____
Paulette M. Guajardo _____	Greg Smith _____
Gil Hernandez _____	

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2019, by the following vote:

Joe McComb _____	Michael Hunter _____
Roland Barrera _____	Ben Molina _____
Rudy Garza _____	Everett Roy _____
Paulette M. Guajardo _____	Greg Smith _____
Gil Hernandez _____	

PASSED AND APPROVED on this the _____ day of _____, 2019.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor