

Resolution authorizing the City's Engineering Department to proceed with the SEA District water feature restoration project.

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 Board 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 and improvement of two City-owned water features in the SEA District (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, one of the water features included in the Project, the Water Garden, is not located within the boundary set by the first travel lane of Shoreline Boulevard, but is connected to the Seawall by concrete, without interruption by a lane of travel, and serves the Art Museum of South Texas, which is built on top of the Seawall;

WHEREAS, the Project is consistent with the purposes for which the Seawall Improvement Fund was created and approved by the voters of the City;

WHEREAS, the Water Garden is a crucial entertainment destination in the SEA district, which attracts visitors and improves the economic development value of the downtown Seawall, and the repair of the Water Garden will serve to increase the value of the Seawall to the citizens of the City;

WHEREAS, the Water Garden in its current state of disrepair has become a blight on the SEA District and a detriment to the entertainment and tourist value of the downtown Seawall, necessitating such repairs;

WHEREAS, the Water Garden was in existence at the time of the proposition vote and contributed to the value of the downtown Seawall that the voters chose to protect by approving the proposition; and

WHEREAS, the Water Garden 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 BOARD OF THE CORPUS CHRISTI BUSINESS AND JOB DEVELOPMENT CORPORATION 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. The Water Garden 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 Water Garden was in existence at the time that the proposition was approved and contributed to the value of the downtown seawall for economic development purposes.

SECTION 3. The detriment to the value of the seawall caused by current state of the Water Garden has created a change in circumstances requiring the Board to reevaluate the boundary of the seawall for purposes of the Seawall Improvement Fund. The Board states 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.

SECTION 4. The Board authorizes the City’s Engineering Department, as an agent of the Corporation, to proceed with the Project, after City Council approval, but does not authorize the City to expend any funds or enter into any agreements related to the Project without prior action by the Board, following the standard practices and procedures of the Board.

ATTEST:

CORPUS CHRISTI BUSINESS AND
JOB DEVELOPMENT CORPORATION

By: _____
Rebecca Huerta
Assistant Secretary

By: _____
Bart Braselton
President

Corpus Christi, Texas

_____ of _____, _____

The above resolution was passed by the following vote:

Bart Braselton _____

Gabe Guerra _____

Scott Harris _____

Randy Maldonado _____

Lee Trujillo _____