

RESOLUTION NO. 20-R-109

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE REMODEL OF THE KITCHEN AND WARMING AREA FOR THE SCHERTZ CIVIC CENTER IN AN AMOUNT NOT TO EXCEED \$154,295.00 WITH IM GENERAL CONTRACTORS

WHEREAS, the Schertz Civic Center was built in 2006 as a part of a CO bond from 2004 and is currently being used for rental space and office space for City staff; and

WHEREAS, the rental space includes two rooms with kitchen and/or warming areas which are the Bluebonnet Hall and the Grand Ballroom; and

WHEREAS, both rooms host events throughout the year and attract out-of-town conferences and conventions from across the state; and

WHEREAS, since the facility was built, there has not been any major upgrades to the Kitchen or Warming Areas and as such, a need has been identified to do so in an effort to provide enhanced functionality for conferences and conventions; and

WHEREAS, City staff has recommended IM General Contractors for the completion of the project based on a Request for Proposals (“RFP”); and

WHEREAS, funding for this project will come from the City’s Hotel Occupancy Tax (“HOT”) fund; and

WHEREAS, in Section 351.101 (a)(1) Use of Tax Revenue in Texas Local Government Code states that revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following: the acquisition of site for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities; and

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with IM General Contractors for the repairs and upgrades for the Schertz Civic Center as an eligible expenditure of HOT funds that will directly enhance and promote tourism and the convention and hotel industry, pursuant to the recommendation made by City staff.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes purchases with IM General Contractors in the amount of One hundred forty thousand two hundred ninety-five dollars and no cents (\$140,295.00) plus a City controlled contingency in the amount of Fourteen Thousand Dollars and no cents (\$14,000.00) for a total not-to-exceed the amount of **ONE HUNDRED FIFTY-FOUR THOUSAND TWO HUNDRED NINETY-FIVE DOLLARS AND NO**

CENTS (\$154,295.00) during the FY 2019-2020 in substantially the form set forth on Attachment A.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 22nd day of September, 2020.

CITY OF SCHERTZ, TEXAS

Mayor, Ralph Gutierrez

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

ATTACHMENT A