

Ordinance to change required membership categories to preferred categories for various City boards, commission and committees; to establish new Construction Trade Advisory & Appeals Board in place of the Building Code Board of Appeals, Electrical Advisory Board and Mechanical/Plumbing Advisory Board; to delete City Code sections regarding inactive City boards namely the Citizens Committee for Community Improvement and the Coastal Bend Manpower Planning Council; to delete duplicative City Code sections regarding general provisions for City boards that are addressed in City Council Policies; and declaring an emergency.

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

SECTION 1. To revise membership of the Animal Care Advisory Committee. Section 2-115 of the City Code of Ordinances is amended to read as follows:

Sec. 2-115. - Created; composition; appointment, terms of members; organization.

An animal care advisory committee is hereby created consisting of seven (7) members. Initially, two (2) members shall be appointed for one-year terms, two (2) for two (2) years and three (3) for three (3) years; thereafter, such terms will be three (3) years. Membership in one or more of the following categories is preferred but not required: At least one (1) member shall be a veterinarian, Two (2) members shall be members of local animal welfare organizations (preferably at least one (1) of the organizations must operate an animal shelter). The remaining ~~four (4)~~ members shall represent the community at large. All members shall serve until their successors are appointed and qualified. Each member shall be a resident of the city.

(1) *Ex officio members.* The city manager, or representative animal care services manager shall serve as an ex officio member of the committee without vote.

(2) *Officers.* Following the annual appointment of new members, the committee shall meet at its earliest convenience and shall, by majority vote, elect a chair who shall preside at all meetings of the committee and a vice-chair who shall preside in the absence of the chair. The animal care services manager or designated representative shall serve as the secretary of the committee and shall send all notices for meetings, keep and preserve the minutes, have custody of all documents filed with the committee, advise and consult with city officials as to the committee's work and recommendations, assist the committee and its subcommittees in planning and coordinating its programs, and perform such other duties as may be of assistance to the committee. A copy of the minutes shall be sent to all members.

(3) *Subcommittees.* The chair of the committee, with the approval of the committee, may establish such subcommittees as may be necessary or appropriate to assist the committee in its studies and in the performance of its duties. Members of such subcommittees shall be appointed only from among members of the committee.

(4) *Meetings.* The committee shall meet at least once each month and shall meet on the call of the chairperson of a majority of its members. The committee shall adopt its own rules of procedure of notice of meetings and the conduct thereof.

(5) *Quorum.* Four (4) members shall constitute a quorum.

(Ord. No. 14214, § 1, 3-8-1978; Ord. No. 17573, § 1, 4-20-1983; Ord. No. 17748, § 5(h), 7-27-1983; Ord. No. 24461, § 1, 5-22-2001; Ord. No. 030405, § 30, 1-20-2015)

SECTION 2. To revise membership of the Arts & Cultural Commission. Section 2-100 of the City Code of Ordinances is amended to read as follows:

Sec. 2-100. - Established; function; membership.

There is hereby established an arts and cultural commission to act in an advisory capacity to the city government in connection with the beautification and cultural development of the city. Such commission shall consist of nine (9) members appointed by the mayor, subject to confirmation by a majority of the city council. Membership in one or more of the following categories is preferred but not required: representing the following categories:

- ~~(1) Marketing—one (1) representative;~~
- ~~(2) Economic development/tourism—one (1) representative;~~
- ~~(3) Public space/public art—one (1) representative;~~
- ~~(4) Youth/education—one (1) representative;~~
- ~~(5) Performing arts—one (1) representative;~~
- ~~(6) Visual arts —one (1) representative;~~
- ~~(7) Architecture —one (1) representative;~~
- ~~(8) Higher education —one (1) representative;~~ and
- ~~(9) Business development groups/corporate —one (1) representative.~~

(Ord. No. 8288, § 1, 12-21-1966; Ord. No. 17748, § 5(f), 7-27-1983; Ord. No. 20837, § 1, 11-28-1989; Ord. No. 23432, § 2, 9-8-1998; Ord. No. 028819, § 1, 10-26-2010)

SECTION 3. To revise membership of the Building Standards Board. Section 13-21 of the City Code of Ordinances, subsections (a)(1) a. is amended to read as follows:

Sec. 13-21. - Establishment of organization to enforce the property maintenance code; code official and building standards board.

(a) There is hereby established in the city an organization for the enforcement of the property maintenance code or of any rule or regulation concerning the health, safety, or general welfare adopted by the city as it relates to structures or premises, consisting of: (1) a building standards board; and (2) the office of the code enforcement division.

(1) *Building standards board.*

- a. There is hereby created a building standards board hereinafter referred to as "the board" to be composed of seven (7) members, each of whom shall be a resident of the city. Membership in one or more of the following categories is preferred but not required: Such board shall be composed of one (1) lawyer, and three (3) members chosen from the following: A realtor, an architect, an engineer, a general contractor, a home builder, or a building materials dealer; and three (3) remaining members at large from the residents of the city who are homeowners. This board shall be appointed by the city council.
- b. Of the members first appointed, three (3) shall be appointed for a term of one (1) year, two (2) for a term of two (2) years, two (2) for a term of three (3) years, and thereafter they shall be appointed for terms of three (3) years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. The unexcused absence of any member from three (3) consecutive official meetings of the board shall automatically terminate his membership on the board.
- c. Four (4) members of the board shall constitute a quorum. In varying the application of any provisions of this code or in making any decision, affirmative votes of the majority present, but not less than four (4) affirmative votes, shall be required. No board member shall act in a case in which he has a personal interest.

SECTION 4. To revise membership of the Corpus Christi Commission on Children & Youth.

Section 2-217 of the City Code of Ordinances is revised to read as follows:

Sec. 2-217. - Membership.

The commission shall consist of fifteen (15) members appointed by the city council. Each appointee shall have demonstrated interest in the welfare of children or youth through occupation or through association with community-based organizations. The commission shall be composed with 89 Adult Members and 7-6 Youth Members as follows:

89 Adult members; membership in one or more of the following categories is preferred but not required ~~representing the following categories:~~

- 1 Health & Human Services;
- 1 Law Enforcement;
- 1 Education;
- 1 Youth & Family Services;
- 23 At-large;
- 1 District Attorney's Office; and
- 1 Faith-based organization;

76 Youth members as follows:

- 1 Youth at-large;
- 1 high school student from Corpus Christi Independent School District;
- 1 high school student from Calallen Independent School District;
- 1 high school student from Tuloso-Midway Independent School District;
- 1 high school student from West Oso Independent School District;
- 1 high school student from Flour Bluff Independent School District; and

1 high school student from a charter school.

The youth members shall be high school juniors or seniors at time of appointment.

SECTION 5. To revise membership of the Human Relations Commission. Section 24-2 of the City Code of Ordinances is revised to read as follows:

Sec. 24-2. - Human relations commission; established; composition; appointment, term and compensation of members; filling vacancies.

(a) There is hereby established the "Corpus Christi Human Relations Commission." Said commission shall consist of sixteen (16) voting members. Fourteen (14) members will be appointed by the mayor with the approval of the city council. Membership in one or more of the following categories is preferred but not required:

~~(1) One (1) member shall be in the~~ business of selling dwellings. ~~;~~

~~(2) One (1) member shall be in the~~ business of renting dwellings. ~~;~~

~~(3) Three (3) members will each serve a term of one (1) year, unstaggered, and shall not be more than under age of~~ twenty (20) years ~~of age~~ at time of appointment. ~~;~~

~~(4) The members shall be broadly representative of the total community, drawn from various racial, religious, ethnic, or other groups.~~

~~(5) The fifteenth member will be the director of the~~ affiliate or employee of the Coastal Bend Legal Services ~~or a designated member of the director's staff, and~~

~~(6) The sixteenth member will be the~~ Chairperson of the Committee for Persons with Disabilities.

(b) The members of the commission shall serve without compensation. Members of such commission, exclusive of the members appointed under subsection (a)(3) of this section; the chairperson of the Committee for Persons with Disabilities, and the member of the staff of the Coastal Bend Legal Services, shall serve staggered terms of (3) three years. Initial appointment of three (3) of the members shall be for one (1) year, three (3) of the members for two (2) years, and three (3) of the members for three (3) years. Terms shall extend through June 14 each year. The initial terms of the members in the business of selling and renting dwellings shall end in 2000 and 2001, respectively.

~~(c) The representative from the Coastal Bend Legal Services and the chairperson of the Committee for People with Disabilities shall serve continuously and shall not be subject to the appointment required under this section.~~

(c) The members shall be broadly representative of the total community, drawn from various racial, religious, ethnic, or other groups.

(Ord. No. 23411, § 1, 8-18-1998; Ord. No. 25650, § 2, 2-10-2004)

SECTION 6. To revise membership of the Island Strategic Action Committee

Sections 2-293 through 2-294 of the City Code of Ordinances is revised to read as follows:

Sec. 2-293. - Membership; terms; filling vacancies; ex-officio members.

(a) The island strategic action committee shall consist of fourteen (14) members appointed by city council. The membership in one or more of the following categories is preferred but not required; must include:

- ~~(1) A member of the Padre Isles Property Owners Association, who has been nominated by the association.~~
- ~~(2) A residential property owner who owns property and resides on Mustang or Padre Island.~~
- ~~(3) A commercial property owner who owns property and operates a business on Mustang or Padre Island.~~
- ~~(4) A developer of property on Mustang or Padre Island.~~
- ~~(5) A member of the Padre Island Business Association, who has been nominated by the association.~~
- ~~(6) An architect or professional engineer, who does work on projects on Mustang or Padre Islands.~~
- ~~(7) A realtor, who primarily represents buyers or seller of property on Mustang or Padre Islands.~~
- ~~(8) A construction contractor, who primarily works on projects on Mustang or Padre Islands.~~
- ~~(9) A representative of an environmental group.~~
- ~~(10) A person who resides on Mustang Island or who is an employee of a Mustang Island property owner.~~
- ~~(11) Four (4) at large representatives who are residents of the city.~~

(b) Not less than twelve (12) members of the action committee must reside or own property on Mustang or Padre Island. One (1) of the at large representatives may, but is not required to, reside on Mustang or Padre Island.

(c) Notwithstanding the requirement in [section 2-65](#), the city council may appoint not more than five (5) members of the action committee who do not reside within the city if they own or represent the owner of property on Mustang or Padre Islands.

(d) Of the initial members, seven (7) members shall serve a three-year term and six (6) members shall serve a two-year term, as determined by a drawing to be conducted by the city secretary's office. Thereafter, all terms shall be three (3) years.

(e) In the event a vacancy occurs during any term, the appointment of a new member shall be to fill the unexpired term.

(f) The assistant city manager, development services and director, economic development serve as ex-officio members of the action committee without vote.

(g) The following organizations may appoint a representative to serve as an ex-officio advisory member of the action committee without vote:

- (1) Planning commission.
- (2) Watershore and beach advisory committee.
- (3) Park and recreation advisory committee.
- (4) Nueces County.
- (5) Nueces County Water Control and Improvement District No. 4.
- (6) Corpus Christi Convention and Visitors Bureau.

(Ord. No. 028488, § 1, 2-16-2010; Ord. No. 030830, § 1, 4-29-2016)

Sec. 2-294. - Quorum; procedures; officers; staff liaison, meetings; subcommittees.

(a) The majority of members constitute a quorum, provided that the majority vote of the quorum is necessary for the adoption or approval of any matters before the action committee.

(b) The action committee may adopt its own rules of procedure for the conduct of its business and may amend the rules from time to time. A copy of the adopted rules of procedure must be placed on file in the city secretary's office.

(c) At the first meeting after creation of the action committee, a majority of the whole action committee shall elect a chair and vice-chair to serve during the initial two-year term. Thereafter, the chair and vice-chair shall be elected by a majority of the whole action committee to serve one-year terms. Following the initial election, subsequent elections for chair and vice-chair shall be held in accordance with the adopted rules of procedure.

(d) The ~~director, economic development, or designated representative, serves as~~ City Manager shall name the staff liaison ~~and to~~ assist with the action committee with its duties.

(e) The action committee shall meet at least once a quarter and may meet on the call of the chair or of a majority of its members.

(f) The chair of the action committee, with the approval of the action committee, may establish such subcommittees as may be necessary or appropriate to assist the action committee in its studies and in the performance of its duties. Members of subcommittees may be appointed from among members of the action committee; ex-officio advisory members; Mustang or Padre Island residents, who reside in Corpus Christi; Mustang or Padre Island property owners, who reside in Corpus Christi; and Mustang or Padre Island business owners, who reside in Corpus Christi.

(Ord. No. 028488, § 1, 2-16-2010; Ord. No. 030530, § 1, 6-16-2015)

SECTION 7. To revise membership of the Landmark Commission. Section 2-204 is revised to read as follows:

Sec. 2-204. - Establishment; composition; appointment and terms of members.

The city council shall be responsible for the appointment of members to the landmark commission from resumes on file in the city secretary's office. Such persons shall be nominated by individual city council members and appointed by a majority vote of the council. In so far as possible, the numerical composition of the commission shall correspond to the ethnic, gender, and economic distribution of the city according to the last federal census report.

All members shall have knowledge and experience in either the architectural, archaeological, cultural, social, economic, ethnic or political history of Corpus Christi. No one occupation or professional interest shall constitute a majority membership of the commission. Such membership shall be composed of eleven (11) members. Of that total, membership in one or more of the following categories is preferred but not required:

~~(1) Two (2) historians, one (1) licensed real estate salespersons, one (1) registered architect, one (1) structural or civil engineer, one (1) person knowledgeable in title search business, and/or property surveyor, and five (5) regular members at large, totaling eleven (11) members.~~
~~(1) Two (2) historians, one (1) licensed real estate salespersons, one (1) registered architect, one (1) structural or civil engineer, one (1) person knowledgeable in title search business, and/or property surveyor, and five (5) regular members at large, totaling eleven (11) members.~~
 (1) Two (2) historians, one (1) licensed real estate salespersons, one (1) registered architect, one (1) structural or civil engineer, one (1) person knowledgeable in title search business, and/or property surveyor, and five (5) regular members at large, totaling eleven (11) members.

Members shall serve a three-year term and a maximum of two (2) consecutive terms. Vacancies of an unexpired term shall be filled by an appointment received from the city council for the remainder of the term. In addition to the eleven (11) members, the director of planning or his/her appointee shall serve as a non-voting, ex-officio member and provide staff services to the commission.

The chairperson, vice-chairperson and other offices as may be prescribed shall be elected by a majority vote of the commission members.

(Ord. No. 19908, § 1, 8-11-1987; Ord. No. 030228, § 1, 7-15-2014)

SECTION 8. To revise membership of the Library Board. Section 2-75 of the City Code of Ordinances is revised to read as follows:

Sec. 2-75. - Membership; terms and filling vacancies.

(a) There shall be a library board consisting of nine (9) voting members. ~~Seven (7)~~Nine (9) members shall be appointed by the city council with terms of two (2) years or until a successor is appointed. A member in each of the following categories is preferred but not required:

~~(1) The eighth member will be a La Retama Club member nominated by the La Retama Club, and
(2) The ninth member will be a Friends of Corpus Christi Public Libraries Board member nominated by the Friends of the Corpus Christi Public Libraries Board.~~

~~(b) Each nominee in subsection (a)(1) and (a)(2) of this section, must be confirmed by a majority of city council members with terms of two (2) years or until a successor is appointed.~~

~~(c) The representatives from the La Retama Club and the Friends of Corpus Christi Public Libraries are subject to all city rules applying to boards, commissions and committees.~~

~~(d) If the La Retama Club and/or the Friends of Corpus Christi Public Libraries choose not to nominate a representative from their respective organizations to the library board, the library board may recommend a candidate to the city council, who shall make the appointment, designating a term of two (2) years.~~

~~(e)-(b)~~ Terms of members appointed and confirmed by the city council shall expire November 5, five (5) in odd years and four (4) in even years. ~~The library board may make recommendations to the city council for new board members.~~ A vacancy shall be filled for the unexpired term by the same means as the original appointment.

(Ord. No. 20115, § 1, 12-17-1987; Ord. No. 20674, § 1, 5-16-1989; Ord. No. 22900, § 1, 4-15-1997; Ord. No. 027945, § 1, 11-18-2008)

SECTION 9. To revise membership of the Marina Advisory Committee. Section 2-260, of the City Code of Ordinances, is revised to read as follows:

Sec. 2-260. - Created; membership; terms; filling vacancies.

(a) There is hereby created the Marina Advisory Committee. The committee shall be composed of nine (9) members-appointed by the city council. Membership in one or more of the following categories is preferred but not required:

~~(b) Notwithstanding subsection (a), the current members of the Water/Shore Advisory Committee shall be appointed to the initial two-year term of the Marina Advisory Committee or appointed to the initial two-year term of the Watershore and Beach Advisory Committee, as requested by the member by notification to city secretary, subject to city council approval, along with such other persons appointed by city council as necessary to total nine (9) members for each committee. Upon said appointments, the Water/Shore Advisory Committee is hereby abolished. Of the nine (9) members, one (1) shall be a scientist, i.e., marine biologist; one (1) shall be an engineer; and one (1) shall be an environmentalist, and one (1) shall be a representative of a employee or affiliate of restaurant located within the boundaries of the Corpus Christi Downtown Management District.~~

(c) In the succeeding term, five (5) members shall serve a two-year term and four (4) members a one-year term, as determined by drawing. Thereafter, all terms shall be two (2) years.

(d) Whenever a vacancy occurs during a term, appointments to fill a vacancy shall be to fill the unexpired term.

(e) The chairperson of the Marina Advisory Committee shall act as an advisor to the Parks and Recreation Advisory Committee and vice versa.

(Ord. No. 027408, § 2, 9-11-2007; Ord. No. 030604, § 1, 9-8-2015)

SECTION 10. To revise membership of the Watershore and Beach Advisory Committee. Section 2-80 of the City Code of Ordinances is revised to read as follows:

Sec. 2-80. - Created; membership; terms; filling vacancies.

(a) There is hereby created the Watershore and Beach Advisory Committee. The committee shall be composed of nine (9) members appointed by the city council.

(b) Notwithstanding subsection (a), the current members of the Watershore Committee shall be appointed to the initial two-year term of the Marina Advisory Committee or appointed to the initial two-year term of the Watershore and Beach Advisory Committee, as requested by the member by written notification to city secretary, along with such other persons appointed by city council as necessary to total nine (9) members for each committee. Membership in one or more of the following categories is preferred but not required: ~~Of the nine (9) members, one (1) shall be~~ a scientist, i.e., marine biologist; ~~one (1) shall be~~ an engineer; ~~one (1) shall be~~ an environmentalist; ~~one (1) shall be a~~ owner or representative of a hotel or condominium located on North Padre Island or Mustang Island; and ~~one (1) shall be~~ a board member or employee of the Corpus Christi Convention and Visitors Bureau.

(c) In the succeeding term, five (5) members shall serve a two-year term and four (4) members a one-year term, as determined by drawing. Thereafter, all terms shall be two (2) years.

(d) Whenever a vacancy occurs during a term, appointments to fill a vacancy shall be to fill the unexpired term.

(e) The chairperson of the Watershore and Beach Advisory Committee shall act as an advisor to the Parks and Recreation Advisory Committee and vice versa.

(Ord. No. 027408, § 1, 9-11-2007; Ord. No. 027523, 12-11-2007; Ord. No. 029985, § 1, 10-22-2013)

(Ord. No. 027408, § 1, 9-11-2007; Ord. No. 029985, § 1, 10-22-2013)

SECTION 11. To delete general provisions regarding City boards. Sections 2-60 through 2-68 of the City Code of Ordinances are deleted.

~~DIVISION 1.—GENERALLY~~

~~Sec. 2-60.—Declaration of policy.~~

~~It is hereby declared to be the policy of the city council that the appointment to membership on boards, commissions and committees is a distinct honor and trust imposed in the appointee and involves the corresponding obligation of the appointee to serve his community in the capacity of member of such board, commission or committee by regular attendance and participation in the proceedings of the respective bodies.~~

~~{1969 Supp., § 2-38.2; Ord. No. 9687, § 1, 3-25-1970; Ord. No. 14172, § 1, 2-8-1978; Ord. No. 17748, § 5(a), 7-27-1983; Ord. No. 026124, § 1, 1-25-2005}~~

~~Sec. 2-61.—Meetings—Absences.~~

~~Unexcused absences from more than twenty-five (25) per cent of regularly scheduled meetings during a term year on the part of the board, committee or commission member shall result in an automatic vacancy, which vacancy shall be promptly reported to the city council. An absence shall be deemed unexcused unless excused by the board, committee, or commission for good cause no later than its next meeting after the absence. Any member otherwise eligible shall not be precluded from reappointment by reason of such automatic vacancy.~~

~~{Ord. No. 18281, § 1, 6-12-1984; Ord. No. 20993, § 1, 9-25-1990}~~

Editor's note—Ord. No. 18281, § 1, adopted June 12, 1984, repealed § 2-61, as well as Ord. No. 18012, § 1, dated Jan. 12, 1984, which had amended it, and enacted a new § 2-61. The former § 2-61 was concerned with requirement of regular meetings and attendance as well as absences. Said section derived from 1966 Supp., § 2-38.2 and Ord. No. 17748, § 5(a), adopted July 27, 1983.

~~Sec. 2-62.—Same—Time and place.~~

~~Where no official time or place is provided at the time of creation or subsequently for the regular meeting place of any board, commission or committee, such body shall establish the time and place of the regular meetings of such body and upon such establishment shall inform the city council and the city manager of such time and place of regular meetings, and in event of the holding of any special meeting shall prior to such meeting notify the city manager of the time and place for the holding thereof.~~

~~{1966 Supp., § 2-38.3; Ord. No. 17748, § 5(a), 7-27-1983}~~

~~Sec. 2-63.—Same—Minutes of proceedings.~~

All boards, commissions and committees shall keep minutes of all meetings thereof. The presiding officer at such meeting shall designate an acting secretary in the absence of the regular secretary of any of such bodies to discharge such duty. A copy of the minutes of the proceedings of every such meeting shall be promptly forwarded to the city manager for his information and the information of the city council.

(1966 Supp., § 2-38.4; Ord. No. 17748, § 5(a), 7-27-1983)

Sec. 2-64. — Reports to city council.

All boards, commissions and committees now in existence or hereafter created by charter, ordinance or council action shall make reports of their respective activities promptly on request of the city council and at least once every calendar year, with reports for the period of each calendar year being transmitted to the city manager on or before January 15 next following such respective calendar year period.

(1966 Supp., § 2-38.5; Ord. No. 17748, § 5(a), 7-27-1983)

Sec. 2-65. — Members of boards, commissions to be city residents; move outside city to constitute automatic resignation.

All members of city boards and commissions, including ad hoc committees, appointed by the city, must be residents of the city. A move outside the city limits of the city by any member shall constitute automatic resignation from the particular board or commission on which such member served.

(Ord. No. 13761, § 1, 6-1-1977; Ord. No. 17748, § 5(a), 7-27-1983)

Sec. 2-66. — Filling of vacancies on boards, commissions.

Notwithstanding any other provisions for appointment of qualified citizens to boards and commissions in the conduct of business or furtherance of the interest of the city, in the event that any vacancy, resulting from any cause, including expiration of the term of office, has not been filled by appointment and confirmation for a period of thirty (30) days, unless such period be extended in thirty-day increments by motion approved by the city council, any member of the city council may make an appointment or nomination to fill such vacancy and the appointment or nomination may be confirmed by a majority vote of the members of the city council.

(Ord. No. 12824, § 1, 9-24-1975; Ord. No. 17748, § 5(a), 7-27-1983)

Sec. 2-67. — Limitations on appointments.

(a) No person may serve as a voting member of a board, commission, or committee of the city for a period longer than six (6) years consecutively unless such service is required by virtue of the person's position or title as the result of employment or to complete an unexpired term. No person may be reappointed to the same board, commission, or committee after having been appointed to terms that

would provide for six (6) consecutive years of service as a voting member unless the person has not served on that board, commission, or committee for a period of twelve (12) months. No person shall be appointed by the mayor or city council to serve on more than one (1) board, commission or committee of the city at the same time unless required by Charter, statute or other ordinance, said committee is an ad hoc committee, or when such service is required by virtue of the individual's position or title as the result of employment. No person may serve on more than one ad hoc committee. ⁺(See footnote at end of this section.)

The foregoing limitations do not apply to the appointment of advisory, nonvoting members to a board, commission or committee of the city. Any such advisory, nonvoting member appointed to a board, commission or committee of the city is prohibited from serving as an elected or appointed officer of the board, commission or committee to which such person has been appointed.

(b) All board, commission, and committee appointments will be presented to the city council by the city secretary no earlier than thirty (30) days before a term expires unless required by law.

(c) No board, commission, or committee appointment will be made during the period thirty (30) days prior to a city council election and extending to the taking of office for the newly elected council.

(d) Provisions (b) and (c) apply to all appointments made by city council and are not inclusive of only city board, commission, or committee appointments.

~~Sec. 2-68. — Advisors, subcommittees, ad hoc committees prohibited without approval.~~

No city board, commission or committee shall appoint persons outside its membership as advisors or to subcommittees, ad hoc committees or other accessory entities without prior approval of the city council.

(Ord. No. 19634, § 1, 2-17-1987)

~~Sec. 2-69. — Reserved.~~

SECTION 12. The Coastal Bend Manpower Planning Council as established by City Ordinance is hereby abolished and Section 2-125 of the City Code of Ordinances is deleted.

~~DIVISION 10. — COASTAL BEND MANPOWER PLANNING COUNCIL~~

~~Sec. 2-125. — Established; duties, etc.~~

(a) There is hereby established in compliance with the Comprehensive Employment and Training Act of 1973 (42 USCA § 2809 et seq.), the Coastal Bend Manpower Planning Council to serve as an advisory body to the prime sponsor or administrative unit of manpower programs in State Planning Region Number 20.

(b) The planning council shall advise the prime sponsor in the setting of basic goals, policies and procedures for its program under the Act. It shall make recommendations regarding program plans, and provide for continuing analyses of needs for employment, training and related services in such areas. The planning council shall monitor all manpower programs under the Act and provide for

objective evaluations of manpower and related programs operating in the prime sponsor's area, for the purpose of improving the utilization and coordination of the delivery of such services. The procedures for evaluating programs relating to the Act will be developed in cooperation with the agencies affected. The planning council shall make recommendations based upon its analyses to the prime sponsor, which will consider them in the context of its overall decision-making responsibility.

(c) Each prime sponsor shall, to the extent practical, include as appointments to its planning council members who are representative of the client community, community-based organizations, the employment service, education and training agencies and institutions, business, labor, and, where appropriate, agriculture. Persons representative of other interested groups may also be appointed. The prime sponsor shall appoint a chairman of the planning council and provide professional, clerical and technical staff to serve it. Funds for supportive services and related staff costs for the planning council may be made available from a prime sponsor's basic allocation.

(d)

Final decisions with respect to recommendations of the planning council shall be made by the prime sponsor or administrative unit, whichever is applicable.

(e) The membership of the manpower planning council shall consist of twenty-four (24) members, including the chairman, who shall be designated and appointed by the city council of the City of Corpus Christi. Twelve (12) members shall be appointed from within the city limits of Corpus Christi by the city council to represent the city. The remaining twelve (12) members shall be selected from, and representative of, the twelve (12) counties participating in the program. Each county commissioners court shall nominate to the city council, subject to its approval, its representative on the council. If any participating county(s) declines representation that county's representation on the council will be given to other counties according to population in descending order. If a county declines representation, its representation shall go to the largest population county and if a second county declines, its representation shall go to the second highest population county. No one (1) county shall exceed one (1) additional representative until all remaining counties have been offered the opportunity to accept unclaimed representation from the declining county and so forth. The population of Nueces County will not include the population of the City of Corpus Christi. Each representative shall be appointed to represent the appointing agency. The manpower planning council shall have the chairman as designated above and such other officers and committees, including a vice-chairman and secretary and that the committee deems necessary to achieve its purposes and duties and as selected by the membership of the council.

(Ord. No. 11966, § 1, 3-27-1974; Ord. No. 17748, § 5(j), 7-27-1983)

SECTION 13. The Citizens Committee for Community Improvement as established by City Ordinance is hereby abolished and Sections 2-160 and 2-161 of the City Code of Ordinances are deleted.

~~DIVISION 14.—CITIZENS COMMITTEE FOR COMMUNITY IMPROVEMENT~~

~~Sec. 2-160.—Established; function.~~

~~There is hereby established a citizens committee for community improvement, as required by the department of housing and urban development, consisting of members who represent a cross-section of business, labor, social, neighborhood, religious and ethnic groups, to assist the city in the implementation of a workable program.~~

~~(Res. No. 10487, § 1, 9-29-1971; Ord. No. 17748, § 5(n), 7-27-1983)~~

~~Sec. 2-161. Membership.~~

~~The members of said committee shall be appointed initially as follows: Four (4) members of said commission shall be appointed for one (1) term of three (3) years; four (4) members of said commission shall be appointed for one (1) term of two (2) years; and four (4) members of said commission shall be appointed for one (1) term of one (1) year. Upon the expiration of each of the aforesaid terms of office, the succeeding term of office for each of the said twelve (12) members shall be for a period of three (3) years.~~

~~(Res. No. 10487, § 2, 9-29-1971; Ord. No. 17748, § 5(n), 7-27-1983)~~

SECTION 14. To establish new Construction Trade Advisory & Appeals Board in place of the Building Code Board of Appeals, Electrical Advisory Board and Mechanical/Plumbing Advisory Board.

That the new Construction Trade Advisory and Appeals Board is established in place of the Building Code Board of Appeals, Electrical Advisory Board and Mechanical/Plumbing Advisory Board. All references in the City Codes to the Building Code Board of Appeals, Electrical Advisory Board and the Mechanical/Plumbing Advisory Board are repealed and replaced with reference to the Construction Trade Advisory & Appeals Board. Section 14-206 of the City Code of Ordinances is repealed and replaced with the following:

14-206. - Construction Trade Advisory & Appeals Board.

(1) Construction Trade Advisory & Appeals Board.

1.1 Appointment. There is hereby established the Construction Trade Advisory & Appeals Board which shall consist of nine members. The board shall be appointed by the city council in accordance with City Council Policy Number 10. This board shall have the guidance and assistance of the building official.

1.2 Membership and terms.

1.2.1 Membership. The Construction Trade Advisory & Appeals Board shall be composed of one general contractor, one engineer or architect, one master electrician, one electrical contractor, one master plumber, one plumber contractor, one heating, ventilation, air conditioning, and refrigeration contracting (HVAC) technician, one HVAC contractor, and one Texas professional land surveyor.

1.2.2 Terms. Terms shall be roughly two years and coterminous with the term of the appointing City Council in accordance with City Council Policy Number 10 Each successor to a member completing a two-year term as above provided shall be appointed to a regular three-year term. Each member after the initial committee shall be appointed for term of three years. Whenever a vacancy occurs during a term, appointment filling the vacancy shall be to fill the unexpired term. Any board member may be removed by the city council for cause. Absence of any member from regular

board meetings shall be cause for removal from office in accordance with the City Code of Ordinances

1.2.3 Quorum and voting. Five members of the board shall constitute a quorum. In varying the application of any provision of this code or in modifying an order of the building official, affirmative votes of the majority present, but not less than five affirmative votes, are required. No board member shall act in a case in which he or she has a personal or substantial interest in violation of the City Code of Ethics.

1.2.4 Secretary of the board. The building official or authorized representative shall act as secretary of the board. The secretary shall make a detailed record of all board proceedings which shall set forth the board's reasons for a decision, each member's vote, any member's absence, and any failure of a member to vote. A record of all business conducted by the board shall be maintained in the offices of the inspection division.

1.3 Powers and Purpose.

Advice and recommendations. The Construction Trade Advisory & Appeals Board shall advise the city manager regarding any matter related to Construction that it considers should be brought to the attention of the city council. The Construction Trade Advisory & Appeals Board shall obtain public comment on the proposed adoption of or amendment to a national model code.

The Construction Trade Advisory & Appeals Board shall have the power to hear individual appeals of decisions and interpretations of the building official on rulings and alternate materials and methods of construction and consider individual variances of any adopted national model code including the City Building Code, Existing Building Code, Residential Construction Code, Flood Hazard Prevention Code, and Energy Conservation Code.

The Construction Trade Advisory & Appeals Board may overturn the building official's decision on a proposed alternative material, alternate method of construction, or technical ruling.

1.4 Appeals of decision of the building official.

1.4.1 Right to appeal. The owner of a building or structure or his duly authorized agent may appeal the decision of the building official to the Construction Trade Advisory & Appeals Board whenever one (1) of the following conditions are claimed to exist:

1.4.1.1 The building official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the erection or alteration of a building or structure.

1.4.1.2 The provisions of the code do not apply to the specific case.

1.4.1.3 That an equally good or more desirable form of construction can be employed in the specific case.

1.4.1.4 The true intent and meaning of this code or any regulation thereunder have been misconstrued or incorrectly interpreted.

1.4.2 Notice of appeal. Notice of appeal shall be in writing and filed within ninety (90) days after the decision is rendered by the building official. Appeals shall be on a form provided by the building official. An application fee shall accompany the notice of appeal.

1.4.3 Unsafe or dangerous buildings or service systems. In the case of a building or structure which, in the opinion of the building official, is unsafe, unsanitary, or dangerous, the building official may in his/her order limit the time for an appeal to a shorter period.

1.4.4 Authority to grant variance. The Construction Trade Advisory & Appeals Board, when so appealed to and after a hearing, may vary the application of any provision of the City's Technical Construction Codes to any particular case when, in the board's opinion, enforcement thereof would do manifest injustice and be contrary to the spirit and purpose of these codes or the public interest or when, in the board's opinion, the interpretation of the provision's application by the building official should be modified or reversed. In varying such application, the board must find all of the following:

1.4.4.1 That special conditions and circumstances exist which are peculiar to the building, structure, or service system involved and not applicable to others.

1.4.4.2 That such special conditions and circumstances do not result from the action or inaction of the applicant.

1.4.4.2 That granting the variance request will not confer upon the applicant any special privilege that is denied by the Technical Construction Codes to others.

1.4.4.3 That the variance granted is the minimum variance that will make possible reasonable use of the building, structure, or service system.

1.4.4.4 That the granting of the variance request will be in harmony with the general intent and purpose of the City's Technical Construction Codes and not detrimental to the public health, safety, and general welfare.

1.4.5 Conditions of the variance. In granting the variance request, the board may prescribe a reasonable time limit within which the action for which the variance is granted shall be commenced or completed or both. The board may also prescribe appropriate conditions and safeguards in conformity with the City's Technical Construction Codes. A violation of any such condition constitutes a violation of this code.

1.5 Procedures of the board.

1.5.1 Rules and regulations. The board shall establish rules and regulations for its own procedure that are not inconsistent with the provisions of this code.

1.5.2 Organization. The board shall elect a chairman and vice chairman during the first meeting of each calendar year. Members elected chairman and vice chairman shall serve during the calendar year in which elected. If a vacancy occurs in the office of chairman or vice chairman, the board shall elect a replacement to serve out the unfilled term.

1.5.3 Frequency of meetings. The board shall hold a regular meeting at least once each calendar quarter on the third Thursday of the month in which called. The board shall meet on the call of the chairman or on the call of a majority of members for such special or called meetings as deemed necessary for the board's proper performance of duties.

1.5.4 Decisions.

1.5.4.1 The Construction Trade Advisory & Appeals Board shall in every case reach a decision without unreasonable or unnecessary delay.

1.5.4.2 A decision of the Construction Trade Advisory & Appeals Board to vary the application of any provision of the City's Technical Construction Codes or modify an order of the building official shall specify in what manner such variation or modification is made, any conditions upon which it is made, and the reasons therefor.

1.5.5 Appeal to city council. The building official and the person requesting a decision from the board may appeal a decision of the Construction Trade Advisory & Appeals Board to the city council; provided, however, that if the decision is not appealed, the decision of the board shall become final in thirty-one (31) days.

1.6 Suspension or revocation of registrations.

1.6.1 Authority of the Building Official.

The building official is authorized to suspend or revoke the registration of any Contractor, who:

1.6.1.1 uses fraud or deceit to obtain a Contractor's registration or building permit; or

1.6.1.2 is grossly negligent, incompetent, or engages in misconduct in the performance of contracted work within the jurisdiction of the city.

1.6.2 Filing complaints.

1.6.2.1 Any person who has been aggrieved by the action of a Contractor in the performance of work for which a permit is required by this article or the Corpus Christi Code may file a complaint with the Building Official.

1.6.2.2 Any officer or employee of the city, who is aware of any facts that would indicate that a Contractor, who holds a registration issued by the city, has knowingly and intentionally violated any provisions of this article or the Corpus Christi Code must file a complaint with the Building Official.

1.6.2.3 The complaint must be in writing and sworn to by an official authorized to administer an oath and notarized..

1.6.2.4 The complaint must state the facts that could support a finding that a Contractor has knowingly and intentionally violated any provisions of this article or the Corpus Christi Code, or that a Contractor has performed work in an incompetent or negligent manner.

1.6.3 Review of grievances.

1.6.3.1 It is the responsibility of the Building Official to review and investigate complaints and grievances.

1.6.5 Suspension of a registration.

1.6.5.1 In the event of a decision to suspend the Contractor's registration, the Building Official must specify:

1.6.5.2 The length of the suspension, for a period not to exceed one (1) year.

1.6.5.3 The Building Official will reissue the Contractors' registration at the end of the suspension period upon payment of any required fees.

1.6.5.4 The notice of the suspension and reinstatement of the Contractors' registration will be filed in the Contractors' record. A copy will be provided to the Contractor.

1.6.6 Revocation of registration.

1.6.6.1 In the event a decision to revoke the Contractors' registration, the Building Official must specify:

1.6.6.2 The length of time before the Contractor may apply for a new registration or when the applicant will be allowed to reapply for the revoked registration. The period must be at least one (1) year, but not more than three (3) years.

1.6.6.3 The notice of the revocation of the Contractors' registration will be filed in the Contractors' record. A copy will be provided to the Contractor.

1.6.6.4 After the minimum length of time, the Contractor may reapply for the registration that was revoked.

1.6.7 Appeal to Construction Trade Advisory & Appeals Board.

1.6.7.1 A Contractor, whose registration has been revoked or suspended by the Building Official, may appeal the revocation or suspension to the Construction Trade Advisory & Appeals Board within thirty (30) days of the Building Official's findings.

1.6.7.2 The appeal must be filed with the Director of Development Services, and state the reasons the Building Official's decision should be modified or reversed.

1.6.7.3 The Director of Development Services will:

1.6.7.3.1 Schedule the hearing before the Construction Trade Advisory & Appeals Board.

1.6.7.3.2 Notify the Contractor of the time and date of the hearing. The notice must be given to the Contractor by certified mail at least five (5) days prior to the date the hearing.

1.6.7.3.3 The registered Contractor may appear in person or by counsel at the hearing.

1.6.7.3.4 The city attorney or designee, as directed by the city manager, will provide counsel for the board.

1.6.7.3.5 If the Contractor fails or refuses to appear, the board may proceed to hear and determine the appeal in the Contractors' absence.

1.6.7.3.5 After the hearing on the appeal, the Construction Trade Advisory & Appeals Board may uphold, amend, or set aside the suspension or revocation issued by the Building Official.

1.6.7.3.6 *Violation of order.* It is unlawful for any person, firm or corporation whose rights under a registration have been suspended or revoked to engage in or do contracted work within the jurisdiction of the City of Corpus Christi.

SECTION 15. This Ordinance takes effect on final passage. However, Section 14 regarding Construction Trade Advisory & Appeals Board takes effect on April 1, 2020.

SECTION 16. Upon written request of the Mayor or five City Council members, copy attached, the City Council: (1) finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs and (2) suspends the Charter rule that requires consideration of and voting upon ordinances at two regular meetings so that this ordinance is passed and takes effect upon first reading as an emergency measure on this _____ day of March, 2020.

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Joe McComb
Mayor

_____ day of _____, 2020

Corpus Christi, Texas

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

TO THE MEMBERS OF THE CITY COUNCIL

Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance, an emergency exists requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings: I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced or at the present meeting of the City Council.

Respectfully,

Respectfully,

Joe McComb
Mayor

Council Members

The above ordinance was passed by the following vote:

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

Greg Smith
