



AGENDA MEMORANDUM
Action Item for the City Council Meeting on May 10, 2022

DATE: May 10, 2022

TO: Peter Zanoni, City Manager

FROM: Maria G. Molina, Consultant Interim-Director of Public Works
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<p>Resolution authorizing the Coastal Bend Bays & Estuaries Program Interlocal Agreement</p>

CAPTION:

Resolution authorizing one year of a 20-year Coastal Bend Bays & Estuaries Program Interlocal Agreement regarding adoption and implementation of the Coastal Bend Bays Plan with City contribution of \$75,000 annually.

SUMMARY:

The Coastal Bend Bays & Estuaries Program (CBBEP) Interlocal Agreement updates the original Interlocal Agreement that was adopted on June 21, 1999. Governance of the CBBEP includes local governments, based on their voluntary financial participation, state and federal resource agencies, and other diverse stakeholders. CBBEP is also authorized to accept funding from Federal, State, local, and private sources to carry out its activities. The CBBEP will have no powers of taxation, regulation, or a formal permit review role.

CBBEP conducts activities within a territorial jurisdiction of a local government party and will only do with the consent of that government.

BACKGROUND AND FINDINGS:

The Corpus Christi Bay National Estuary Program ("CCBNEP") was established in 1993 to develop a comprehensive plan to restore and protect the bays and estuaries in the program area. The Bays Plan defines the program area as lands and waters within Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces, Refugio and San Patricio Counties, but focuses primarily upon the coastal counties of Aransas, Kenedy, Kleberg, Nueces, Refugio, and San Patricio Counties.

The CCBNEP is governed by a management conference comprised of representatives from state and federal agencies, local government entities, other local groups, and individuals interested in the program area. The CCBNEP, now *Coastal Bend Bays and Estuaries Program* (CBBEP), is part of a national network of 28 estuary programs established under the Federal Clean Water Act and administered nationally by the EPA.

The CBBEP is dedicated to protecting and restoring the health and productivity of the bays and estuaries in the Texas Coastal Bend and supports continued economic growth and public use of the bays. CBBEP works with local governments, conservation groups, and the public to raise awareness of the natural surroundings. The Coastal Bend Bays Plan seeks to ensure that the Coastal Bend bays and estuaries remain a vibrant part of the region's environmental and economic landscape through research, restoration and recreation projects, and environmental education. A copy of the Bays Plan is available at <https://www.cbbep.org>.

The plans produced by the CBBEP have been responsible for the execution of multiple Bay protection projects to include the installation of educational signage at Dimmit Pier, the Up2U Anti0litter campaign, and the Coastal Ben Fertilizers and Pesticides Monitoring Program.

Through the CBBEP Interlocal Agreement, the participating local governments and implementation partners will continue a consensus-based organization that seeks mutually agreeable solutions to shared, regional challenges. Currently, the CBBEP's eight-member Board of Directors includes Mayor Guajardo, as a representative from the City of Corpus Christi, and representatives of Nueces County, San Patricio County, Port of Corpus Christi Authority, Port Industries of Corpus Christi, Coastal Bend Bays Council, Coastal Bend Bays Foundation, and the Coastal Bend Bays and Estuaries Program.

ALTERNATIVES:

The alternative is not to approve the agreement which would result in forfeiture of the City of Corpus Christi Mayor's voting seat on the Board of Directors, policymaking influence, and project selection and funding benefitting the City of Corpus Christi.

FISCAL IMPACT:

The annual cost to participate in the CBBEP and retain a voting seat on the CBBEP's Board of Directors totals \$75,000.00, billed bi-annually. The first FY 2022 payment was paid through Water Utilities, leaving the second payment remaining in the amount of \$37,500. This item will have an additional FY 2022 fiscal impact in the remaining amount of \$37,500.00, which is available and included in the FY 2022 Storm Water Fund's Adopted Budget. Subsequent annual membership and corresponding contributions are contingent upon future fiscal year budget appropriations and will be funded by City Council's sole discretion.

FUNDING DETAIL:

Fund: 4300 – Storm Water Fund
Organization/Activity: 32006 – SWO Environmental Services
Mission Element: 293 – Local Govts&Orgs Community Rt
Project # (CIP Only): N/A
Account: 530250 – Memberships, Licenses, Dues
Amount: \$37,500.00

RECOMMENDATION:

Staff recommends approval of the CEEBP Interlocal agreement as presented.

LIST OF SUPPORTING DOCUMENTS:

Resolution
Interlocal Agreement
Bays Plan available at <https://www.cbbep.org>
Presentation