

Ordinance

Amending Chapter 2, ARTICLE IV, Division 9. TRANSPORTATION ADVISORY BOARD of the Corpus Christi Code in its entirety; providing for severance; and providing an effective date

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

SECTION 1. Chapter 2, Article IV, Division 9. TRANSPORTATION ADVISORY BOARD of the Corpus Christi Code is hereby amended in its entirety to read as follows:

~~“DIVISION 9. -- TRANSPORTATION ADVISORY BOARD~~

~~Sec. 2-120. -- Composition, organization, terms and compensation; chairman.~~

~~The transportation advisory board shall consist of nine (9) members appointed by the city council for three-year terms. The terms of three (3) members shall regularly expire on May 1 of each year; all said appointed members shall serve until their successors are appointed and qualified unless removed from the board as hereinafter provided in subsection (2) of this section. Each board member shall be a resident of the city at the time of appointment and continuously during the term of service on the board.~~

(1)

~~*Ex officio members.* The city manager, and, at his option, his designated representative, and the director of transportation, shall serve as ex officio members without vote. The board is hereby authorized to appoint as ex officio members without voting privileges any additional members. The presence of any ex officio members shall never be considered in determining a quorum for the transaction of board business.~~

(2)

~~*Removal of board members.* Any council-appointed member who fails to attend three (3) consecutive meetings of the board, except for illness, injury or absence from the city, or who shall fail to attend at least fifty (50) per cent of the meetings in any one (1) year, shall be automatically disqualified as of the adjournment of the regular meeting immediately following the year in which such member attended less than fifty (50) per cent of the regular meetings of such year, as the case may be, from serving on the board, and upon certification of such consecutive absence, or fifty (50) per cent nonattendance, as the case may be, in forfeiture of the chairman of the board to the city secretary, the city secretary shall advise the disqualified board member and the city council that the position is vacant.~~

(3)

~~*Officers.* Following the annual appointment of three (3) new members, the board shall meet at its earliest convenience and shall, by majority vote, elect a chairman who shall preside at all meetings of the board and a vice-chairman who shall preside in the absence of the chairman. The director of transportation or his designated representative shall act as the secretary of the board and shall send all notices for the meetings of the board, keep and preserve the minutes, have custody and keep all documents and papers filed with the board, advise and consult with city officials as to the board's work and recommendations, assist the board and its committees in planning and coordinating its programs, maintain liaison with organized community groups and others effectively situated to carry forward all plans and policies of the board and all transportation-related action which may be approved by the board, and perform such other duties as may be of assistance to said board, consistent with the primary obligations of the director of transportation to city management.~~

(4)

~~*Committees.* The chairman of the board, with the approval of the board, may establish such committees as may be necessary or appropriate to assist the board in its studies and in the performance of its duties. Members of such committees may be appointed from among members of the board or from among the general public, but the board chairman shall designate voting board members to serve as chairman of each committee. Any committee appointed by the board to study, investigate, advise or consult with them on any matter shall never be authorized or be deemed cloaked with authority to divulge progress results or findings of such study, investigation, advice or consultation to the press or to the public, and any statement so made by such committee shall not constitute official statements or position of the board or the city.~~

(5)

~~*Meetings.* The board shall meet at least once each month and shall meet on the call of the chairman or on call by a majority of its members. The board shall adopt its own rules of procedure for notice of meetings and the conduct thereof.~~

(6)

~~*Quorum.* Five (5) council-appointed members shall constitute a quorum.~~

~~Sec. 2-121. -- Purpose and duties of the board.~~

~~The purpose of the board is to be responsible for public advisory jurisdiction on public concerns related to traffic safety, mass transportation, taxicab and other surface transportation services in the city. Duties of the board shall include:~~

- (1) ~~Researching, developing and implementing coordinated traffic safety programs which meet local needs.~~
- (2) ~~Acting in an advisory capacity to the city council and the city manager in the coordination of traffic safety and public transportation activities of the official agencies and departments of the city.~~
- (3) ~~Providing a public forum for the discussion of proposed ordinances or actions relating to surface transportation services.~~
- (4) ~~Promoting public acceptance of surface transportation programs proposed or initiated by the city.~~
- (5) ~~Fostering public knowledge and support of traffic law enforcement and understanding of city transportation problems.~~
- (6) ~~Fostering public knowledge and support of public transportation use and developing understanding of transit operating problems.~~
- (7) ~~Promoting the education of the public in traffic safety, and city surface transportation services. The board shall have authority to submit recommendations in long-range planning for better traffic safety and improved transit service.~~
- (8) ~~The board shall have authority to formulate rules and policies for solicitation, promotion and advertising the activities of the transportation advisory board and to this end the board may receive and expend funds or grants from any individual, firm or corporation or any other source, provided, however, that this delegation of authority shall never be construed as authorizing the board to enter into any contract or create any obligation on the part of the city. Such designated resources shall be received and accounted for in accord with the City Charter and shall be expended in city traffic safety programs, programs to improve transit utilization and accident education and prevention programs, only after approval of the transportation advisory board. It is hereby declared to be the intent and policy of the city council that any funds granted by any person, firm or corporation to be used for and on behalf of the transportation advisory board to advertise and otherwise promote the programs and services of the transportation advisory board and to acquaint the public with such programs and services shall, when granted by instrument of trust to the city~~

~~transportation advisory board, be maintained in a separate trust account of the city.~~

~~(9)~~

~~The board may independently review the decisions, orders, and warrants of the director of transportation concerning installations of traffic control devices and regulations, transit route modification, bus fares, taxi rates and applications for governmental grants, and may hear citizen comments concerning these matters; however, the board shall have no power to promulgate official city rules and regulations, orders, warrants, or to effect any change in transit service levels or routes.~~

~~(10)~~

~~The transportation board is designated as the appropriate body to conduct any required public hearing for the purposes of obtaining federal financial assistance or meeting other agency requirements. The substance of any comments and review by the board will be~~

~~**Secs. 2-122—2-124. - Reserved.**~~

DIVISION 9. - TRANSPORTATION ADVISORY COMMISSION

Sec. 2-120. – Purpose and Intent

The purpose of the Transportation Advisory Commission is to be responsible for public advisory jurisdiction on issues related to mobility, access management, and traffic safety in the City of Corpus Christi; promote a multi-modal transportation system, advise on the most appropriate use of transportation resources consistent with the public interest, and act in an advisory manner to the City Council and City Manager, or designee, in the coordination of transportation activities of the official agencies and departments of the city.

Sec. 2-121. Organization of Transportation Advisory Commission

A Transportation Advisory Commission is hereby established which shall consist of nine (9) residents of the City. At least one (1) member shall be a representative of the bicycling community. The members of the Transportation Advisory Commission shall be appointed by the City Council for three-year terms. The terms of three (3) members shall expire on May 1st of each year; all said appointed members shall serve until their successors are appointed and qualified unless removed from the Transportation Advisory Commission.

- (1) Officers. The Transportation Advisory Commission shall elect, by majority vote, a chair and vice-chair from among its membership each year at the first regular meeting following the annual appointment of three new members in May. The City Traffic Engineer or his/her designated representative shall act as the secretary of the Transportation Advisory Commission.
- (2) Quorum. Five (5) council-appointed members shall constitute a quorum.
- (3) Staff Responsibilities. The City Traffic Engineer or designee shall send all notices for meetings of the Transportation Advisory Commission, keep and preserve minutes, have custody and keep all documents and papers filed with the Transportation Advisory Commission, and advise and consult with the City officials as to the Transportation Advisory Commission's work and recommendations, assist the Transportation Advisory Commission in planning and coordinating its programs, maintain liaison with organized community groups and others effectively situated to carry forward all plans and policies of the Transportation Advisory Commission and all transportation-related action which may be approved by the Transportation Advisory Commission, and perform such other duties as may be of assistance to said Transportation Advisory Commission, consistent with the primary obligations of the City Traffic Engineer to the City management.
- (4) Ex-officio members. The City Manager or designee may recommend for appointment ex-officio members. The Transportation Advisory Commission is hereby authorized to appoint as ex-officio members without voting privileges, any additional members. The presence of ex-officio members shall never be considered in determining a quorum for the transaction of Transportation Advisory Commission business.
- (5) Committees. The chair, with the approval of the Transportation Advisory Commission, may establish such committees as may be necessary or appropriate to assist the Transportation Advisory Commission in its studies and in the performance of its duties. Members of such committees may be appointed from among members of the Transportation Advisory Commission or from among the general public, but the chair shall designate voting members of the Transportation Advisory Commission to serve as chair of each committee. Any committee appointed by the Transportation Advisory Commission to study, investigate, advise or consult with them on any issue shall never be authorized or deemed cloaked with authority to divulge progress results or findings of such study, investigation, advice or

consultation to the press or to the public and any statement so made by such committee shall not constitute official statements or positions of the Transportation Advisory Commission. There are two standing committees:

- a. Bicycle and Pedestrian Committee
- b. Mobility Planning Committee

Sec. 2-122. Powers and duties of Transportation Advisory Commission

The Transportation Advisory Commission shall:

- (1) Provide a public forum for the discussion of proposed ordinances or actions relating to traffic operations and transportation planning matters. Advise the City Council and City Manager or designee on traffic regulations and Chapter 53 - TRAFFIC of the Corpus Christi Municipal Code.
- (2) Conduct any required public hearing for the purposes of obtaining federal and state financial assistance for proposed transportation improvement projects. The substance of any comments and review by the Transportation Advisory Commission will be summarized for City Council.
- (3) Independently review grant applications for transportation improvement projects.
- (4) Promote public knowledge of traffic enforcement and understanding of City transportation issues.
- (5) Promote public acceptance of transportation programs that are proposed or initiated by the City and provide advice on regional transportation issues.
- (6) Provide recommendations on mobility, access management, and traffic safety issues for the City's multi-modal transportation system.
- (7) Provide recommendations on transportation aspects of the City's Capital Improvements Program.
- (8) Monitor the implementation and evaluate the City's mobility related master plans. Submit annual reports to the Planning Commission and City Council.

- (9) Independently review traffic safety reports for City streets and provide recommendations for traffic safety related improvements. Research, develop, analyze, evaluate, and implement coordinated traffic safety and transportation programs which meet local needs.
- (10) Independently review the decisions, orders, and warrants of the City Traffic Engineer concerning installation of traffic control devices, establishment of traffic regulations and hear citizen comments concerning these matters.
- (11) Act on access management issues in the City's Unified Development Code and make recommendations on traffic impact analysis as per Unified Development Code to Planning Commission and City Council.

Secs. 2-123—2-124. - Reserved.”

SECTION 2. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

SECTION 3. This ordinance takes effect immediately.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2015, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2015, by the following vote:

Nelda Martinez _____

Brian Rosas _____

Rudy Garza _____

Lucy Rubio _____

Chad Magill _____

Mark Scott _____

Colleen McIntyre _____

Carolyn Vaughn _____

Lillian Riojas _____

PASSED AND APPROVED this the _____ day of _____, 2015.

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor