



AGENDA MEMORANDUM
City Council Meeting July 30, 2024

DATE: July 24, 2024
TO: Mayor and Council
FROM: Rebecca Huerta, City Secretary
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(361) 826-3105

Written presentment of citizen initiative for future Council Action upon request.

CAPTION:

Written presentment of citizen initiative for future Council Action if requested by City Council.

SUMMARY:

A statement of intent to circulate a citizen initiative petition was filed with the City Secretary's Office. The statement of intent contained the required number of signatures. The City Charter states in Article I, Section 4(d) that in the case of an initiative, the City Attorney shall draft an ordinance in legal form, consistent with the laws of the State and the United States, incorporating in substance the text submitted. This is a **written** presentment. This agenda does not permit City Council consideration on this date. Instead, a majority of the City Council can vote to place this item on a future City Council agenda.

CITY CHARTER REQUIREMENTS FOR INITIATIVE PETITION:

The City Charter allows citizens to propose ordinances to the City Council through initiative proceedings. Article I Section 4 of the City Charter provides the following procedures when a statement of intent to circulate a citizen initiative petition for a proposed ordinance is filed with the City Secretary with more than 50 signatures of registered voters.

1. The City Attorney drafts an ordinance:
 - a. in legal form containing the substance of the ordinance,
 - b. consistent with the laws of the State and the United States,
2. The City Secretary presents the initiative for the Council's consideration.
3. The City Council has 45 days from the date of presentment to consider the adoption of an ordinance.
4. If the Council fails to take action within the allotted time, then the City Secretary must provide petition pages to the petitioner for circulation among the City's registered voters.
5. The petitioner will have 90 days to gather signatures of at least five percent of the registered voters to force an election on this issue.
6. If a petition is submitted within 20 days, the City Secretary will determine if enough signatures were obtained.
7. If the petition does not contain the required number of signatures, then the petitioner has an

additional ten days to supplement signatures, with such supplemental signatures to be verified within ten days by the City Secretary.

8. If a valid petition is submitted, the Council would include a proposition to adopt or reject the proposed initiative on the ballot at the next regular city council election, which is scheduled for November 5, 2024.

Background:

On June 24, 2024, the City Secretary was presented with an attached statement of intent to circulate a petition calling for the initiative for a proposed ordinance regarding information to be provided regarding mRNA injections. On July 2, 2024, the City Secretary received a clarification statement and the names of the signers to the statement of intent. On July 5, 2024, the City Secretary's Office verified that the statement contained the required number of signatures for the presentation of the initiative to the City Council for consideration.

STAFF RESPONSE:

On July 22, 2024, the Corpus Christi Nueces County Public Health District Director met with the petitioner to provide information on the health district's vaccination process.

Federal law mandates that a patient receive the Centers for Disease Control and Prevention-approved Vaccine Information Statement (VIS) and sign an immunization consent form acknowledging that the patient received the information and understands the potential side effects of the vaccination. Federal law prohibits any vaccine provider from creating or altering the approved VIS document.

ALTERNATIVES:

Council may:

1. do nothing – The City Secretary will give the Proponent petition pages after 45 days
2. vote to place the item on a future agenda.

LIST OF SUPPORTING DOCUMENTS:

- Statement of Intent to Circulate petition
- Ordinance

CCNCPHD SUPPORTING DOCUMENTS

- Immunization Patient Process Flow Chart
- Vaccine Information Statement Federal Guidelines
- Vaccine Information Statement
- Consent Form