



## AGENDA MEMORANDUM

Future Item for the City Council Meeting of December 10, 2013

Action Item for the City Council Meeting of December 17, 2013

**DATE:** November 25, 2013

**TO:** Ronald L. Olson, City Manager

**FROM:** Tom Tagliabue, Director, Intergovernmental Relations  
tomtag@cctexas.com  
361.826.3850

Resolution adopting federal legislative policy priorities for 113<sup>th</sup> United States Congress.

### **CAPTION:**

Resolution Adopting the City of Corpus Christi's Federal Legislative Priorities for the 113<sup>th</sup> U.S. Congress

### **PURPOSE:**

The City is being asked to develop a list of general guidelines and specific legislative proposals to advocate for and against during the 113<sup>th</sup> U.S. Congress, which convened on January 3, 2013, and will adjourn on January 3, 2015, following the completion of two annual sessions.

### **BACKGROUND AND FINDINGS:**

The City's Intergovernmental Relations Department, Tom Tagliabue, and the City's federal lobbyist, Larry Meyers, presented policy topics to the City Council at the workshop on October 15, 2013. Council members made several suggestions for revisions to the proposed policy topics:

1. Provide additional information about the Marketplace Fairness Act to articulate the City's support and the potential financial impact it could have on City tax revenue.

*Detail: According to a May 2013 report on the Impact of Marketplace Fairness on Select Jurisdictions prepared by Global Insight for the National Association of Counties, the National League of Cities and the United States Conference of Mayors, the City of Corpus Christi missed out on more than \$5.9 million in tax revenues from on-line sales from 2011 through 2013. A September 3, 2013, article in the Fort Worth Star-Telegram citing the same report, indicated Texas could have brought in \$870 million more in sales taxes by taxing out-of-state online purchases.*

2. Determine what federal agencies have permits pending from state and local governments and local businesses and industry and identify ways the City can assist in expediting permit review and approval.

*Detail: Intergovernmental Relations was unable to identify a centralized database or*

clearinghouse to identify pending federal permits from Corpus Christi agencies, businesses, and industries. According to the Corpus Christi Regional Economic Development Corporation, M&G Plastics, voestalpine, Cheniere, and OxyChem all have permit applications pending before various federal agencies. At the request of Council member Mark Scott, Intergovernmental Relations staff reached out to Mauro Finoglio of M&G Plastics as well as Frank Brogan, Managing Director of the Port of Corpus Christi Authority. Mr. Finoglio expressed appreciation for the City's support, but M&G has hired consultants working on its permitting issues. Mr. Brogan indicated the Port has several pending permits with the U.S. Army Corps of Engineers. Although there is no role for the City to play at this time, Mr. Brogan encouraged the City to communicate with the Port if it encountered similar problems with the Corps. According to City Engineer Dan Biles, City staff meets routinely with Corps staff in Corpus Christi to discuss any of the City's active permits. Mr. Biles believes City staff has a pretty good understanding of the Corps' review timelines and the Corpus Christi Corps office has been pretty responsive.

3. Add a provision to the Clean Water Act that allows for flexibility to evaluate replacement costs versus on-going maintenance and repair costs and allow the City to choose the most cost-effective, long-term solution.

*Detail: A provision has been added to the resolution:*

*Support changes to the CWA that gives cities flexibility to evaluate replacement costs to repair and maintenance costs and determine the most cost-effective, long-term solution.*

4. Revise the recommendation regarding the Harbor Maintenance Trust Fund (HMTF) to address strategic utilization rather than just full utilization. This will allow HMTF revenues to be prioritized for important projects.

*Detail: Specific provision the resolution has been revised:*

*Support continued funding for the U.S. Army Corps of Engineers (USACE) and ensure strategic utilization of the Harbor Maintenance Trust Fund for maintenance and dredging projects.*

5. Gather additional information about the Biggert-Waters Flood Insurance Reform Act to determine impact to upland riverine areas as well as coastal areas. Seek assistance from entities like the U.S. Conference of Mayors and the National League of Cities.

*Detail: Confirmed that the Biggert-Waters Act involves both upland riverine areas and coastal areas. The City's Intergovernmental Relations office is communicating with the U.S. Conference of Mayors, the National League of Cities, Meyers and Associates and recently began working with The Coalition for Sustainable Flood Insurance. The Coalition, which includes the Cities of Galveston, Simonton, Bridge City, Dickinson, and Morgan's Point, recently requested the Obama Administration delay implementation of certain portions of the Act dealing with rate increases until FEMA submits its congressionally-mandated affordability report. The National League of Cities will be discussing the Biggert-Waters Act at the national convention November 13-16 in Seattle.*

6. As mentioned during the October 15 briefing, staff removed an item related to a land transaction proposal after discussing the item with Navy officials.
7. Add language to the federal Transportation Reauthorization bill to designate State Highway 44 from the city limits of Freer east to State Highway 358 in Corpus Christi as a "Future Segment of Interstate 69".

*Detail: At the Alliance for Interstate 69 Texas Annual Meeting in Houston, officials from the Texas Department of Transportation (TxDOT) discussed the statutory requirement for Congress to officially designate SH 44 as a Future Segment of I-69 in order for future interstate signs to be erected by TxDOT. Making SH 44 part of the I-69 system would link the Texas-Mexico*

*border in Laredo with three interstate highways (I-35, I-37 and I-69) and several ports (Port of Laredo, Port San Antonio, the Port of Houston and the Port of Corpus Christi). Rather than a stand-alone bill, TxDOT, the Metropolitan Planning Organization, the City of Corpus Christi, and the Alliance for I-69 Texas will craft an amendment to the federal Transportation Reauthorization bill. Designation means the segment has been identified as a highway in need of upgrade to meet interstate standards. Designation does not come with any additional funding.*

**ALTERNATIVES:**

The Council has several options:

1. Approve the resolution with no changes.
2. Approve the resolution, but revise it.
3. Remove some policy topics from the resolution.

**OTHER CONSIDERATIONS:**

None

**CONFORMITY TO CITY POLICY:**

N/A

**EMERGENCY / NON-EMERGENCY:**

This is a non-emergency item.

**DEPARTMENTAL CLEARANCES:**

Legal Services, Assistance City Manager for Business Support Services,

**FINANCIAL IMPACT:**

- Operating       Revenue       Capital       Not applicable

<b>Fiscal Year: 2014-2015</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Year FY 14</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

**Comments:** None

**RECOMMENDATION:**

Staff recommends Council adopt the general and specific legislative priorities for the 113<sup>th</sup> Congress as revised.

**LIST OF SUPPORTING DOCUMENTS:**

1. City Council Resolution
2. National League of Cities federal priorities
3. U.S. Conference of Mayors resolution for Marketplace Fairness Act
4. Coalition for Sustainable Flood Insurance letter to President Obama
5. Coalition for Sustainable Flood Insurance webpages