

Ordinance to establish a 15-member Capital Improvements Advisory Committee to advise on Infrastructure Master Plan and impact fees; and adding section 2-60 to the Corpus Christi Code.

WHEREAS, on or before the date on which the ordinance or resolution is adopted under Texas Local Government Code Section 395.042, the City is required to appoint a capital improvements advisory committee; and

WHEREAS, this ordinance establishes a capital improvements advisory committee and adopts procedural rules for the advisory committee to follow in carrying out its duties pursuant to Chapter 395 of the Texas Local Government Code; therefore,

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

SECTION 1. The City Council finds the foregoing preamble language stated in this ordinance to be true and correct and adopts such findings for all intents and purposes related to the enactment of this ordinance.

SECTION 2. The Corpus Christi Code, Chapter 2, Article IV, MISCELLANEOUS BOARDS, COMMISSIONS AND COMMITTEES, Division 1, Reserved, is replaced to read as follows:

Division 1 – Capital Improvements Advisory Committee

Sec. 2-60. - Capital Improvements Advisory Committee.

- (a) Establishment. The Capital Improvements Advisory Committee is established pursuant to Chapter 395 of the Texas Local Government Code, as amended.
- (b) Membership. The Capital Improvements Advisory Committee shall consist of 15 members appointed by majority vote of the City Council, with each City Council Member and the Mayor nominating a member and the City Manager nominating the remaining six members. Of the 15 appointed members, at least six must be representatives of the real estate, development, or building industry who are not employees or officials of a political subdivision or governmental entity, and one member must be a representative from the City's extraterritorial jurisdiction if an impact fee is to be applied in that area.
- (c) Terms. The initial nine Council-nominated committee members shall each be appointed to a term that is coterminous with the term of the elected City Council members and shall serve until the committee member's successor is appointed. Each successor to a Council-nominated committee member shall then be appointed to a regular two-year term. The remaining six members shall each be appointed to a two-year term and shall serve until their successor is appointed. Whenever a vacancy occurs during a term, an appointment to fill the vacancy shall be to fill the unexpired term.
- (d) Duties and Responsibilities. The Capital Improvements Advisory Committee shall:
 - 1. Serve in an advisory capacity;

2. Advise and assist the City Council in adopting land use assumptions;
 3. Review the capital improvements plan, land use assumptions and impact fees, and file written comments in accordance with Chapter 395 of the Texas Local Government Code and the following:
 - a. Written comments on the proposed impact fees shall be filed with the City Secretary before the fifth business day before the date of the public hearing on the imposition of impact fees pursuant to Texas Local Government Code §395.050, as amended;
 - b. Written comments on amendments to the land use assumptions, capital improvements plan, and impact fee shall be filed with the City Secretary before the fifth business day before the date of the public hearing on the amendments pursuant to Texas Local Government Code §395.056, as amended; and
 - c. Written comments on the need for updating the land use assumptions, capital improvements plans, and impact fee shall be filed with the City Secretary before the fifth business day before the earliest notice of the City Council's decision that no update is necessary is mailed or published pursuant to Texas Local Government Code 395.0575;
 4. Monitor and evaluate the implementation of the capital improvements plan;
 5. File semiannual reports with respect to the progress of the capital improvements plan and report to City Council any perceived inequities in implementing the plan or imposing the impact fee;
 6. Advise the City Council of the need to update or revise the land use assumptions, capital improvements plan, and impact fee; and
 7. Other duties as assigned by City Council that relate to impact fees.
- (e) Professional Reports. The City shall make available to the advisory committee any professional reports with respect to developing and implementing the capital improvements plan.
- (f) Procedural Rules. The most current edition of Robert's Rules of Order shall govern Capital Improvements Advisory Committee proceedings, unless in conflict with this chapter or State law; provided, however, that the Capital Improvements Advisory Committee's failure to comply with Robert's Rules of Order shall not invalidate any Capital Improvements Advisory Committee action.
- (g) Quorum.
1. A quorum shall consist of eight members.
 2. No final action shall be taken on any matter except pursuant to a simple majority vote of the members present.

Secs. 2-61—2-69. - Reserved.

SECTION 3. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 4. This ordinance is effective immediately upon passage.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2021, by the following vote:

Paulette M. Guajardo _____

John Martinez _____

Roland Barrera _____

Ben Molina _____

Gil Hernandez _____

Mike Pusley _____

Michael Hunter _____

Greg Smith _____

Billy Lerma _____

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2021, by the following vote:

Paulette M. Guajardo _____

John Martinez _____

Roland Barrera _____

Ben Molina _____

Gil Hernandez _____

Mike Pusley _____

Michael Hunter _____

Greg Smith _____

Billy Lerma _____

PASSED AND APPROVED on this the _____ day of _____, 2021.

ATTEST:

Rebecca Huerta
City Secretary

Paulette M. Guajardo
Mayor