

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Department of Public Health

AGENDA DATE: Introduction – December 18, 2007
Public Hearing – January 2, 2008

CONTACT PERSON/PHONE: Elaine S. Hengen (915) 541-4550—for the department

DISTRICT(S) AFFECTED: ALL

SUBJECT:

An Ordinance amending Title 15 (Public Services) of the El Paso City Code; to change the references to the City County Health and Environmental District; to assign the duties of the District to the Department of Environmental Services; to correct Titles and Code References; and to correct references made in the Code to a State Agency.

BACKGROUND / DISCUSSION:

On December 31, 2007, the El Paso City-County Health and Environmental District ceased to exist. The City has transferred code enforcement functions to the Department of Environmental Services. This provision in Title 15 of the Code, references those functions and regulations, and thus, it is necessary to revise this provision and revise the language from the Health District to the Department of Environmental Services. In addition, references to a state agency that changed its name are being corrected.

PRIOR COUNCIL ACTION:

None

AMOUNT AND SOURCE OF FUNDING:

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES) OF THE EL PASO CITY CODE; TO CHANGE THE REFERENCES TO THE CITY COUNTY HEALTH AND ENVIRONMENTAL DISTRICT; TO ASSIGN THE DUTIES OF THE DISTRICT TO THE DEPARTMENT OF ENVIRONMENTAL SERVICES; TO CORRECT TITLES AND CODE REFERENCES; AND TO CORRECT REFERENCES MADE IN THE CODE TO A STATE AGENCY.

WHEREAS, the El Paso City-County Health and Environmental District ("Health District") will cease to exist after December 31, 2007; and

WHEREAS, the City Council has created a City Department of Public Health to provide for public health and other services following the dissolution of the Health District; and

WHEREAS, some of the environmental services and code compliance functions of the Health District are being moved to the existing City Department of Environmental Services; and

WHEREAS, a state agency referenced in Title 15 has changed its name, so it is now necessary to change and correct that names; and

WHEREAS, it is appropriate to revise the permitting and appeal processes contained in various chapters of the title to achieve uniformity in the processes; and

WHEREAS, the El Paso City Code contains many references to the Health District and to individuals or positions at the Health District by their job or other official title, so it is now necessary to change and correct those names and titles so that the responsibilities and references are properly directed to the Department of Public Health and/or the Department of Environmental Services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That all references in Title 15 (Public Services) of El Paso City Code to the term "Texas Water Commission" and "Texas Natural Resource Conservation Commission" shall be substituted with the term "Texas Commission on Environmental Quality".

Section 2. That all references in Title 15 (Public Services) of the El Paso City Code to the term “environmental health services section of the city-county health district” and “city-county health district” shall be substituted with the term “director of the department of environmental services”.

Section 3. It is the intent of the City of El Paso that the changes directed by this ordinance in Sections 1 and 2 shall not apply to any ordinance passed on or after the date this ordinance is passed and any changes in terms that are necessary for any ordinance passed on or after the date this ordinance is passed shall be included within such other ordinance. Therefore, these changes directed to be made by the publisher of the City Code by this ordinance shall not apply to any section of the El Paso City Code enacted or amended by the El Paso City Council on and after January 2, 2008.

Section 4. Except as herein amended, Title 15 (Public Services) shall remain in full force and effect.

ADOPTED this ___ day of _____, 200_.

CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen
City Clerk

CITY CLERK DEPT.
07DEC 10 AM 11:04

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Josette Flores
Assistant City Attorney



Ellen A. Smyth, Director
Department of Environmental Services