

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

DEPARTMENT: City Manager

AGENDA DATE: February 22, 2011

CONTACT PERSON NAME AND PHONE NUMBER: David Almonte, Deputy City Manager, (915)541-4853

DISTRICT(S) AFFECTED: All

SUBJECT:

Summary report on the Health, Safety and Community Services Legislative Review Committee meeting held on January 20, 2011. Submitted by Committee Chair, Eddie Holguin, District 6.

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

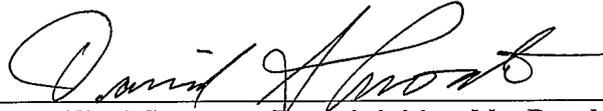
N/A

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager



LEGISLATIVE REVIEW COMMITTEE
Meeting Action Report

Committee: Health, Safety and Community Services

Members: City Representative Eddie Holguin (Chair)
City Representative Carl Robinson
City Representative Beto O'Rourke
City Representative Emma Acosta

Date of Meeting: January 20, 2011

1. Discussion and Action on developing an optimal municipal pool use policy that fairly balances the interest of citizens, school districts and competitive club teams, as requested by City Representative Eddie Holguin.

Summary:

City staff provided a summary outlining the process of scheduling public pool use. Members of the public requested a change in policy and a better understanding of the interlocal agreement to better serve all user groups.

Action Taken:

No action required. City Representative O'Rourke will meet with City staff, school districts, and club team representatives to address the concerns raised and negotiate a solution without having to change city policy.

Disposition:

Parks & Recreation staff will work together with the swimming community on a more effective schedule.

2. Discussion and action regarding amendments to the El Paso Municipal Code to permit construction and operation of electric security fences, as requested by City Representative Carl L. Robinson.

Summary:

Staff presented an overview of the current Code requirements for electrified fences and identified its restricted use only for agriculture zone districts areas. A security company representative discussed the benefits of having electric fencing, and requested that the LRC consider amending the City's current code. The LRC raised concerns over the safety of using electric fences. Positive feed back was received from the Police department. No public input was received.

Action Taken:

The LRC voted unanimously 3-0 to send the item back to City staff and research the feasibility of amending the language to the ordinance.

Disposition:

City Staff will develop the Code changes and bring back for further action.

3. Discussion and action on establishing term limits for Animal Advisory boards, as requested by City Representative Susie Byrd.

Summary:

Staff brought forth a concern raised by the public over the current term limits for the Animal Advisory boards. The board had no term limitation therefore not giving someone else the opportunity to serve on the board. The LRC recommended that staff standardize the Animal Advisory Board with the same term limit requirements as all other boards in the City. No public input was received.

Action Taken:

The LRC voted unanimously 3-0 to recommend that City staff bring forward a proposal redefining the requirements on board term limits.

Disposition:

A formal report will be given at a City Council meeting.

4. Discussion and Action on staff presentation: Confiscated Funds – legal use of funds, by Eric Shelton, EP Police Department.

Summary:

Staff gave a report on confiscated funds, permissible and impermissible uses of all expenditures. The LRC inquired about the City's limitations on the use of funds and who determines the authorization of all expenditures. A specific request was made by City Representative Byrd through the LRC Chairman to hold off on any funding for the training academy repairs. No public input was received.

Action Taken:

No action required. The LRC made a recommendation that staff meet with City Representative Bryd and address the concerns brought forth regarding the funding for the training facility.

Disposition:

City Representative Byrd can request that an update report from staff be given at City Council.

5. Discussion on presentation of staff's review on calls for service – Police Department given by David Almonte, DCM.

Summary:

An overview of the El Paso Police Department's response times, recent enhancements and assessment plan was presented. The LRC raised concerns over the handling of priority calls, staff communication and the excess number of police units at the scene of an accident. Additional questions were raised regarding on-site patrolling. No public input was received.

Action Taken:

No action required. The LRC requested information regarding the policy for on-site police patrolling for large company industries.

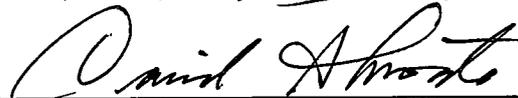
Disposition:

Staff will bring back a report on the policy for on-site police patrolling after research of policies from other cities is evaluated at the next LRC meeting.

SUBMITTED BY:



City Representative Eddie Holguin, District 6
Chair, Health, Safety and Community Services LRC



David R. Almonte, Deputy City Manager
Health, Safety and Community Services LRC



HEALTH, SAFETY AND COMMUNITY SERVICES LEGISLATIVE REVIEW COMMITTEE
City Hall, Two Civic Center Plaza, 2nd Floor, City Council Chambers
Thursday, January 20, 2011
1:00 p.m.

MINUTES

AGENDA

1. **Call to order & establish quorum.**

Meeting called to order at 1:13 p.m., Committee Chair Eddie Holguin present and presiding and the following Committee Members and City Staff were present:

- City Representative Carl Robinson, Member
- City Representative Beto O'Rourke, Member
- City Representative Emma Acosta, Member – Not Present
- City Representative Susie Byrd
- Mr. David Almonte, Deputy City Manager, Health & Public Safety
- Ms. Josette Flores, City Attorney
- Mr. John Batoon, City Attorney

2. **Discussion and action on developing an optimal municipal pool use policy that fairly balances the interest of citizens, school districts and competitive club teams.**
[City Representative Eddie Holguin, (915) 541-4182]

Opening remarks were made by Nanette Smejkal, Director of Parks & Recreation; Judy Weiss, Assistant Director, Parks & Recreation provided a presentation outlining the process of scheduling public pool use. [Presentation on file]

Ms. Alisa Jorgensen, President, El Paso Aqua Posse and LeAnn Carr, Head Age Coach, gave a presentation requesting fairness in schedule, priority, and a change in policy to better serve all stakeholders. Other public comments were acknowledged from the El Paso Aqua Posse and Swim Club Team members. [Sign-In sheet on file]

School District members, Mr. Kenneth Owen, Athletic Director, EPISD and Mike Williams, Athletic Director, YISD commented on their participation with the swimming community; and addressed their school activities pursuant to the inter-local agreement with the City.

Discussion points were made by the committee. City Representative O'Rourke proposed scheduling a meeting with the Athletic Directors of the two school districts, a member of each club team and City Parks & Recreation staff to address the concerns raised and negotiate a solution without having to change city policy.

City Representative Susie Byrd – Early Departure @ 2:12 p.m.

NO ACTION TAKEN.

3. **Discussion and action regarding amendments to the El Paso Municipal Code to permit construction and operation of electric security fences.** [City Representative Carl L. Robinson, (915) 541-4400]

Mr. Victor Morrison-Vega, Engineering and Construction Management, presented an overview of the current Code requirements for electrified fences identifying its restricted use only for agriculture area zone districts. [Ordinance on file]

Public speaker Mr. Michael Pate, Sentry Security Systems/Columbia South Carolina, discussed the benefits of having electric security fences and requested that staff consider amending the language of the current code to allow the use of electric security fences.

The committee made inquires about the safety of using electric fences. Chief Gregg Allen, Police Department and Chief Calvin Shanks, Fire Department responded to the committee's concerns supporting of the use of electric fences. No public comments were received.

MOTION WAS MADE by City Representative Carl Robinson, seconded by City Representative Beto O'Rourke and unanimously carried to send this item back to City staff and research the feasibility of amending the language to the ordinance. [Approved 3-0]

4. Discussion and action on establishing term limits for Animal Advisory Boards. [Health, Mike Hill, (915) 771-5702]

Mr. Mike Hill, Director, Health Department, gave a brief summary and concept of the current term limits for the Animal Advisory Board.

Discussion was made by the committee in reference to limiting term requirements for all boards. Ms. Josette Flores, City Attorney, noted that the standard language used now for all boards is their initial appointment term period plus two extensions and if the language were to be changed it would be similar to that. No public comments were received.

MOTION WAS MADE by City Representative Beto O'Rourke, seconded by City Representative Eddie Holguin and unanimously carried that Mr. Mike Hill, Health Department bring forward a proposal to the full council redefining the requirements on board term limits. [Approved 3-0]

5. Discussion and action on a staff presentation: Confiscated Funds – legal use of funds. [Police, Eric Shelton, (915) 564-7357]

At the recommendation of City Council, a report was given by Eric Shelton, Assistant Chief and Chief Gregg Allen, El Paso Police Department on the use of confiscate funds, and permissible and impermissible uses of all expenditures. [Presentation on file]

The committee inquired about the City's limitations on the use of funds and who determines the authorization of all expenditures. Mr. John Batoon, City Attorney clarified that under federal law the only authority that decides how the funds are used is the Chief of Police and under state law (10%) ten percent of state confiscated funds can be used by the City Council for educational purposes. No public comments were received.

A request was made by Representative Byrd to hold off on any funding for the training academy repairs. Due to her early departure it was recommended by the committee that Assistant Chief Eric Shelton schedule a meeting with Representative Byrd to address her concern and later forward to the full city council if necessary.

NO ACTION TAKEN.

6. Discussion on a presentation of staff's review on calls for service – Police Department. [DCM, City Manager Office, David Almonte, (915) 541-4853]

Mr. David Almonte, DCM presented an overview of the El Paso Police Department's response times, recent enhancements and assessment plan. [Presentation on file]

The committee expressed concerns over the handling of priority calls, staff communication, and the increase number of police units at the scene of an accident.

City Representative Eddie Holguin had a specific question regarding the policy for on-site police patrolling for large business industries and requested that staff research policies from other cities and bring back a report at the next LRC meeting. No public comments were received.

NO ACTION TAKEN.

7. Adjournment. Meeting adjourned at 3:22 p.m.

Approved as to form:

Deputy City Manager

Date