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

DEPARTMENT: Engineering

AGENDA DATE: For Introduction on February 24, 2009, with the Public Hearing to be on March 3, 2009.

CONTACT PERSON/PHONE: William Bennett – 541-4243

DISTRICT(S) AFFECTED: All

SUBJECT: An Ordinance amending Ordinance No. 8961, an Ordinance creating a City Accessibility Advisory Committee, to revise the criteria for membership and the definition of a quorum; and repealing Ordinance Nos. 11194 and 11525, relating to the name and number of members of the Committee.

BACKGROUND / DISCUSSION: At the August 28, 2008, Accessibility Advisory Committee meeting, the committee made a recommendation that the definition of a quorum for the conduct of its business be revised to provide that a quorum consist of four of the members of the Committee. It was also discovered that some of the provisions of Ordinance 8961 were not in accord with the current City Charter and Code provisions regarding the manner in City board and commission appointments are made. The requirement of having ex officio members from City Departments including Development Services, Engineering, and the Mass Transit Department is being eliminated and a new provision is being added to allow the City Manager to assign other City Departments to provide additional support services to the Committee, which may include Development Services, Engineering , and the Mass Transit Department.

PRIOR COUNCIL ACTION:
Has the Council previously considered this item or a closely related one?
No.

AMOUNT AND SOURCE OF FUNDING: Not Applicable.

BOARD / COMMISSION ACTION:
Enter appropriate comments or N/A

On August 28, 2008, the City's Accessibility Advisory Committee unanimously approved a recommendation to amend the number of persons needed to constitute a quorum of the Committee for the purpose of conducting business.

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

LEGAL: (if required) Mark Shoemaker **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 ORDINANCE NO. 8961, AN ORDINANCE CREATING A CITY ACCESSIBILITY ADVISORY COMMITTEE, TO REVISE THE CRITERIA FOR MEMBERSHIP AND THE DEFINITION OF A QUORUM; AND REPEALING ORDINANCE NOS. 11194 AND 11525, RELATING TO THE NAME AND NUMBER OF MEMBERS OF THE COMMITTEE.

WHEREAS, on August 28, 2008 the Accessibility Advisory Committee made a recommendation that the definition of quorum for the conduct of its business be revised to provide that a quorum consist of four of the members; and

WHEREAS, it is necessary to amend the provisions regarding the appointment process for the membership of the Committee, to ensure continued compliance with current City Charter and Code provisions regarding the manner in City board and commission appointments are made.

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

Section 1. That the title of Ordinance no. 8961, as amended by Ordinance No. 11194, will continue to read:

An Ordinance Creating the City of El Paso Accessibility Advisory Committee

Section 2. That Paragraph I of Ordinance No. 8961, as amended by Ordinance No. 11525, is amended to read as follows:

There is hereby created a City Accessibility Advisory Committee, which shall consist of nine (9) members who shall be residents of the City. They shall be appointed in the manner provided by the City Charter.

Section 3. That Paragraph IV of Ordinance No. 8961 is amended to read as follows:

A quorum of the Accessibility Advisory Committee shall consist of four of the members.

Section 4. That Paragraph V of Ordinance No. 8961 is amended to read as follows:

The Accessibility Coordinator of the City or other appropriate designee of the City Manager shall be the secretary of the Committee and shall act without pay other than

the salary received by him or her as Accessibility Coordinator of the City. He or she shall keep a record of the transactions of the Committee and shall provide the Committee with data and information relating to barriers faced by disabled and elderly people in the City. The City Manager shall assign other city department(s) responsible for providing additional support services to the Committee, which may include the Development Services Department, Engineering Department, and the Mass Transit Department.

Section 5. That Ordinance no. 11194 is repealed in its entirety.

Section 6. That Ordinance no. 11525 is repealed in its entirety.

Section 7. That except as amended herein, the provisions of Ordinance No. 8961 shall remain in full force and effect.

ADOPTED this _____ day of _____, 2009.

CITY OF EL PASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Mark Shoesmith
Assistant City Attorney

APPROVED AS TO CONTENT:

Alan Shubert, P.E.
City Engineer