

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

**DEPARTMENT:** Development Services

**AGENDA DATE:** Introduction: March 3, 2009  
Public Hearing: March 10, 2009

**CONTACT PERSON/PHONE:** John Neal, (915) 541-4285

**DISTRICT(S) AFFECTED:** All

**SUBJECT:**

An Ordinance amending Title 2 (Administration and Personnel) Chapter 2.80 (Capital Improvements Advisory Committee) of the El Paso City Code to require that meetings be video streamed or cablecast and that certain disclosures be made concerning certain financial interests. (All Districts)

**BACKGROUND / DISCUSSION:**

Recommended by the Planning Legislative Review Committee at their February 25, 2009 meeting.

**PRIOR COUNCIL ACTION:**

No.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) N/A \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_

**APPROVED FOR AGENDA:** \_\_\_\_\_

**CITY MANAGER:** Patricia D. Adatao, Deputy City Manager \_\_\_\_\_ **DATE:** February 26, 2009

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL),  
CHAPTER 2.80 (CAPITAL IMPROVEMENTS ADVISORY COMMITTEE) OF THE EL  
PASO CITY CODE TO REQUIRE THAT MEETINGS BE VIDEO STREAMED OR CABLE  
CAST AND THAT CERTAIN DISCLOSURES BE MADE CONCERNING FINANCIAL  
INTERESTS**

**WHEREAS**, the City of El Paso is contemplating whether to adopt, assess and collect impact fees for development which occurs within the City and its extraterritorial jurisdiction; and,

**WHEREAS**, Chapter 395 of the Texas Local Government Code (Impact Fee Statute) sets forth the process and procedures the City is required to follow prior to the adoption, assessment and collection of impact fees; and,

**WHEREAS**, the Impact Fee Statute requires the City Council to appoint a Capital Improvements Advisory Committee prior to the adoption, assessment and collection of impact fees; and,

**WHEREAS** on October 28, 2008, such Committee was established under Chapter 2.80 of the City Code which set for the membership, duties, terms of office rules and administration of the Committee; and,

**WHEREAS**, the City Council recognizes the importance and benefit of open government and the City Council meetings are cablecast through the city's government access channel; and,

**WHEREAS**, City Council recognizes that the citizens of El Paso may have an interest in the viewing the Capital Improvements Advisory Committee meetings; and,

**WHEREAS**, it is the desire of City Council to amend the duties and rules to require meetings to be video streamed or cablecast on the city's government access channel and that members make certain disclosures when discussing matters,

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

1. That Title 2, Administration and Personnel, Chapter 2.80, Capital Improvements Advisory Committee, of the El Paso City Code is amended as follows:

D. Meeting rules and procedures generally

1. The Deputy Director, Planning Development Service Department shall ensure that the meetings of the Committee are either video streamed or cablecast on the city's government access channel; provided however, that the inability to video stream or cablecast the meeting due to technical difficulties or other difficulties beyond the control of the Deputy Director, Planning Development Service Department shall not prevent a scheduled meeting from occurring. No action of the Committee, which is otherwise legal,

shall be invalidated merely by reason of the failure to video stream or cablecast the meeting.

2. Any member having a financial interest in property, which is uniquely effected by an item on the Committee agenda, shall disclose such interest prior to participating in the discussion of the item involving the property.

3. Any motion by a member at a duly called meeting shall require a second. After a motion has been made and seconded, discussion of the motion may be had for a reasonable period of time at the direction of the chair. Discussion shall terminate at the direction of the chair or upon a call for a vote on the question by a member of the committee.

4. Whenever any question of procedure may be raised at a committee meeting, the chair shall rule thereon. A member may move to overrule the chair's decision, which may be done only by a majority vote of the members present.

5. Voting on matters may be by voice vote; provided that a roll-call vote shall be taken upon the request of any committee member present. Effected

2. Except as expressly amended herein, all other provisions of Title 2, Administration and Personnel, Chapter 2.80, Capital Improvements Advisory Committee, of the El Paso City Code shall remain in full force and effect.

**PASSED AND APPROVED** this \_\_\_\_\_ day of March 2009.

THE CITY OF EL PASO

\_\_\_\_\_  
John F. Cook, Mayor

ATTEST:

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Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

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Patricia D. Adauto, Deputy City Manager  
Development and Infrastructure Services