

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

**DEPARTMENT:** Municipal Clerk

**AGENDA DATE:** April 1, 2008, for introduction. Public hearing on April 8, 2008.

**CONTACT PERSON/PHONE:** Richarda Duffy Momsen, 541-4127

**DISTRICT(S) AFFECTED:** All Districts

**SUBJECT:** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.85 (Parking Violations Bureau), Section 12.85.020 (Hearing Officers) El Paso City Code to amend the process for the appointment of the Hearing Officer.

**BACKGROUND / DISCUSSION:** Chapter 12.85 of the City Code relates to the civil enforcement of parking violations and provides for the appointment of a Hearing Officer to conduct hearings pertaining to parking citations. This chapter was added to the City Code in 1992, at a time when the City operated under the strong Mayor form of government. Accordingly, the Code reflected that the appointment of the Hearing Officer was under the control of the Mayor and City Council. Under the current Council-Manager form of government, the supervision of all employees falls under the City Manager. The proposed ordinance will remove the language reflecting the control of the Mayor and Council, so that the ordinance reflects the appointment process contained in the current City Charter.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

Section 12.85.020 was adopted by the Council in 1992.

**AMOUNT AND SOURCE OF FUNDING:** N/A

**BOARD / COMMISSION ACTION:** N/A

Enter appropriate comments or N/A

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

**LEGAL:** (if required) *[Signature]* **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** *[Signature]* \_\_\_\_\_

(Example: if BCA 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 12 (VEHICLES AND TRAFFIC), CHAPTER 12.85 (PARKING VIOLATIONS BUREAU), SECTION 12.85.020 (HEARING OFFICERS) EL PASO CITY CODE, TO AMEND THE PROCESS FOR THE APPOINTMENT OF THE HEARING OFFICER**

WHEREAS, it is proper to amend the process for the appointment of the hearing officer so that the process is appropriate for the present Council-Manager form of government.

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

**Section 1.** That Title 12 (Vehicles and Traffic), Chapter 12.85 (Parking Violations Bureau), Section 12.85.020(Hearing Officer) is amended as follows:

A. The parking violations bureau shall have one or more hearing officers who are employed in the position of municipal court hearing officer or are otherwise assigned the duties and responsibilities of such position.

**Section 2.** Except as expressly amended herein, all other provisions of Title 12 (Vehicles and Traffic), Chapter 12.85 (Parking Violations Bureau), Section 12.85.020(Hearing Officer) of the El Paso City Code shall remain in full force and effect.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

CITY OF EL PASO

\_\_\_\_\_  
JOHN F. COOK  
Mayor

ATTEST:

\_\_\_\_\_  
RICHARDA DUFFY MOMSEN  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JENNIFER F. CALLAN  
Assistant City Attorney

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