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

DEPARTMENT: Engineering Department, Traffic Division

AGENDA DATE: Consent Agenda 07/20/2010

CONTACT PERSON NAME AND PHONE NUMBER: Ted Marquez, 541-4035

DISTRICT(S) AFFECTED: District -All

SUBJECT: RESOLUTION

That all private requests for street light installation shall be made pursuant to the procedures established in this Resolution, and all accompanying Exhibits. That the cost of any street light and its installation as approved under this Resolution shall be subject to payment by the applicant(s) of the request. Subject to availability, discretionary funds by the City Representative in whose district the street light is requested may be used or such other appropriate funding to fund all or a portion of the cost of the street light and its installation.

BACKGROUND / DISCUSSION:

City staff, in conjunction with Planning and Development Legislative Review Committee, has reviewed the procedures for requesting street lights, and recommends approval of the procedures outlined in Exhibit A of this Resolution.

PRIOR COUNCIL ACTION:

City Council Resolution September 20, 1994.

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

RESOLUTION

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code provides the minimum improvements that are required as part of new subdivision development within the City Limits and the Extraterritorial Jurisdiction Area; and

WHEREAS, street lighting is required to be furnished and installed along all public and private streets within these subdivisions to serve each lot with essential public facilities and services; and

WHEREAS, the requirement for street lighting installation and spacing has changed over time and subdivisions are subject to the Code provisions in place at the time of development; and

WHEREAS, El Paso citizens, after the subdivision development has occurred, will often request residential street lighting where there is none or where they believe that there is an inadequate number to provide sufficient safety to an area; and

WHEREAS, a Resolution of the El Paso City Council was passed on September 30, 1994 that outlines the administrative process followed when such private requests for street lighting are received; and

WHEREAS, City staff recommends changes to the administrative process to add clarity to the handling of such private requests for residential street lighting; and

WHEREAS, the Planning and Development Legislative Review Committee has met to review the street lighting process and has recommended favorably on the proposed changes and has requested that an item be presented for City Council finalization;

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

1. **THAT** all private requests for residential street light installation or removal shall be made pursuant to the procedures established in this Resolution and as specified in Exhibit "A" attached hereto.

2. **THAT** the resolution of September 20, 1994 shall otherwise remain in full force and effect.

ADOPTED this _____day of _____ 2010.

THE CITY OF ELPASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Mark Shoesmith
Assistant City Attorney

APPROVED AS TO CONTENT

Ted Marquez, P.E.
Assistant City Engineer

RESIDENTIAL STREET LIGHTING
EXHIBIT "A"

The following is the procedure for the requesting and installing a residential streetlight within the City of El Paso:

1. **APPLYING FOR A STREETLIGHT.** Any person (the "applicant") requesting that the City install a streetlight shall contact the Traffic Engineer by telephone or in writing providing his name and contact information and the proposed location of the streetlight.

2. **EVALUATION OF REQUEST.**

A. **Streetlights for traffic safety purposes:** The Traffic Engineer shall determine if the requested streetlight is needed for traffic safety purposes. If the streetlight is needed for traffic safety purposes and the requested location is feasible, then the location of the streetlight shall be placed on a priority list of streetlights to be installed by the city. If the location requested is not feasible, the Traffic Engineer shall determine if a feasible location exists and place that location on a priority list of streetlights to be installed by the city

B. **Streetlights not required for traffic safety purposes:** If the requested streetlight is not required for traffic safety purposes, then the Traffic Engineer will determine the feasibility of the proposed streetlight location. When a requested location is not feasible the Traffic Engineer shall determine if a feasible location exists.

C. **Notification of evaluation:** The Traffic Engineer shall notify the City Representative for the district in which the streetlight is proposed (the "Representative") and the applicant of the results of his evaluation stating whether or not the streetlight is required for traffic safety purposes, the feasibility of the proposed location and alternative locations when the proposed location is not feasible.

3. **STREETLIGHTS NOT REQUIRED FOR TRAFFIC SAFETY PURPOSES.** When a requested residential streetlight is not required for traffic safety purposes the following procedures shall apply:

A. **Installation Costs:** When the proposed location is feasible or when the Traffic Engineer has determined that it is not feasible and the applicant agrees to an alternate location approved by the Traffic Engineer, the applicant shall complete an application form provided by the Traffic Engineer wherein the applicant agrees to pay for

the costs of installing the streetlight not paid out of the Representative's discretionary funds or when funding is not available out of the City's capital residential street light fund.

B. Upon completion of the application form, the Traffic Engineer shall provide the applicant with a petition to be completed and returned to the Traffic Engineer. The application shall be denied if the petition does not contain the required signatures.

4. PETITION REQUIREMENTS. Once the applicant has agreed upon the location the Traffic Engineer shall provide the Applicant with a petition. The petition shall be in the form attached to this Exhibit "A" and identify the proposed location of the streetlight. Petitions may be for streetlights located at an intersection, mid-block or a T-intersection but may not be for a street light inside a cul-de-sac or the heal radius of a cul-de-sac. Streetlights must be at least 250 feet apart and, depending on the power source, may be required by traffic engineering to be further apart than 250 feet. The petition shall contain the following signatures:

A. Four or fewer living units in a building. At least one resident, over 18 years of age, from each occupied dwelling unit must sign the petition for (1) each corner property for an intersection street light; or (2) the two properties next to the proposed streetlight and the two properties across the street from the proposed light for a mid-block street light; or (3) the property next to the proposed streetlight, the nearest two properties across the street from the proposed streetlight and the corner property across the street from the proposed streetlight for T-intersections; all as shown on the diagrams on the Street Light Petition attached to this Exhibit. This signature requirement applies to single, duplex, triplex and quadruplex residential units, regardless of the number of such residential units on each property.

B. More than four living units in a building. The owner or owner's representative of each occupied building on the properties described in the previous paragraph, as shown in the diagrams on the Street Light Petition attached to this Exhibit. "Property" means a parcel of land containing at least one residential dwelling unit and has a property or parcel identification number issued by the Central Appraisal District.

C. More than four dwelling units. The signature of a least one owner or owner's representative of structures containing more than four dwelling units that are located on the properties described in the previous paragraph.

D. **Mixed use areas.** If a request for a streetlight is at a location that is next to or across the street from at least one residential unit, the rules of this Exhibit "A" for residential streetlights, shall apply even though the remaining property is non-residential. The petition signatures for residential units shall be as required above and the signatures required for non-residential properties shall be that of the property owner or his agent.

5. VERIFYING THE PETITION. Upon receipt of the petition, the traffic engineer's office will verify that petition requirements were met, including that the required signatures were obtained.

6. FUNDING APPROVAL. When the Traffic Engineer verifies that a petition has been properly submitted and verifies that funding is not available out of the City's capital residential street light fund, the Traffic Engineer shall prepare and submit a cost estimate for the proposed location to the Representative in order that the Representative may determine if he wishes to use discretionary funding for all or part of the installation costs. After the Representative makes his or her determination, the Traffic Engineer will provide the applicant with a statement of the installation costs, if any, that the applicant shall pay. Upon full payment of the installation costs that are assessed to the applicant, the Traffic Engineer shall issue an installation order. If the Applicant does not pay his portion of the installation costs within thirty days of the date of the statement of costs sent by the Traffic Engineer to Applicant, the application shall be deemed void and the Traffic Engineer will take no further action.

7. REMOVAL OF STREET LIGHTS. An applicant may request removal of a streetlight by completing an application form provided by the Traffic Engineer, wherein the applicant agrees to pay for the costs of removing the streetlight. The Traffic Engineer shall then determine if the streetlight is part of a continuous illumination system or is required for traffic safety. If either condition exists, the request shall be denied and no petition shall be provided to the applicant.

A. **Petition requirements**. When streetlight removal is not denied, as provided above, the Traffic Engineer shall provide the applicant with a petition for streetlight removal. The petition must be signed by all of the people who would be required to sign a petition to install a streetlight as described in paragraph 4, above.

B. Return of petition. Upon receipt of the petition, the traffic engineer's office will verify that petition requirements were met, including that the required signatures were obtained.

7. Payment of removal costs. If removal of the streetlight, traffic engineering shall determine the removal costs and send an invoice to the applicant. The Applicant shall make payment to the City in full within thirty calendar days of the date of the invoice, and if he fails to do so, the application shall be deemed void and the Traffic Engineer will take no further action.

C. The Traffic Engineer shall provide the Representative with notice that payment was made and that the removal will proceed.