

**CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)**

DEPARTMENT: Environmental Services

AGENDA DATE: July 25, 2006 – Introduction;
Public Hearing: August 8, 2006

CONTACT PERSON/PHONE: Ellen A. Smyth, P.E., (915) 621-6719

DISTRICT(S) AFFECTED: N/A

SUBJECT:

CCA072506 Introduction; CCA080806 Public Hearing; An Ordinance Amending Ordinance No. 15703, An Ordinance creating the Brownfields Redevelopment Board, to amend paragraph number one: membership and terms, to allow for the appointment of alternate members to the Board, to redefine the staggered terms, to modify the start dates of such terms; and, paragraph number three: administration, to reassign the administrative staff support to the Environmental Services Department of the City of El Paso.

BACKGROUND / DISCUSSION:

The ordinance change is to allow Mayor and Council to appoint nine (9) alternate members in order to have a quorum at the monthly meetings. The Ordinance will also allow for the Environmental Services Department to provide administrative support.

PRIOR COUNCIL ACTION:

The Board was created in March 2004 from its original form as a Task Force.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) Josette Flores

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: _____



**OFFICE OF THE CITY ATTORNEY
M E M O R A N D U M**

**CONFIDENTIAL ATTORNEY-CLIENT AND/OR ATTORNEY WORK PRODUCT COMMUNICATION
NOT INTENDED FOR PUBLIC DISSEMINATION**

TO: Ellen A. Smyth, P.E., Director
Environmental Services Department

FROM: Josette Flores 
Assistant City Attorney

SUBJECT: Brownfields Redevelopment Board – Ordinance Amendment

DATE: July 13, 2006

Please find attached the amendment of the Brownfields Redevelopment Board Ordinance, for your review and signature. If you are unable to process the paperwork to place this on for the last City Council in July, let me know because our term's start date will change.

Thank you.

ORDINANCE NO. _____
AN ORDINANCE AMENDING ORDINANCE NO. 15703, AN ORDINANCE CREATING THE BROWNFIELDS REDEVELOPMENT BOARD, TO AMEND PARAGRAPH NUMBER ONE: MEMBERSHIP AND TERMS, TO ALLOW FOR THE APPOINTMENT OF ALTERNATE MEMBERS TO THE BOARD, TO REDEFINE THE STAGGERED TERMS, TO MODIFY THE START DATES OF SUCH TERMS; AND, PARAGRAPH NUMBER THREE: ADMINISTRATION, TO REASSIGN THE ADMINISTRATIVE STAFF SUPPORT TO THE ENVIRONMENTAL SERVICES DEPARTMENT OF THE CITY OF EL PASO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Ordinance No. 15703, an Ordinance creating the Brownfields Redevelopment Board, shall be and hereby is amended by revising Paragraph One (1) to read as follows:

1. Membership and Terms.

The Board shall be comprised of nine (9) members and nine alternate members who shall be residents of the County of El Paso with knowledge in matters involving environmental regulation, real property law or finance, engineering or construction, or a combination of any of these. The Mayor and City Council Representatives shall each nominate one member of the Board, and one alternate member of the Board, all of whom shall be appointed by city council. The alternate members shall sit in the absence of regular members when requested to do so by the chairman of the Board. The first alternate selected to replace an absent regular member shall be the alternate nominated by the same city council representative, or the mayor, that nominated the absent regular member. If both the regular member and alternate nominated by that city council representative or the mayor are absent, any other alternate may be selected. When sitting in the absence of a regular member, an alternate member shall have all the rights and authority of the regular member.

The members and alternates of the Brownfields Redevelopment Board shall be appointed for a three-year period, except for the initial term, which shall begin on August 15, 2006 and shall be staggered in the following manner:

Terms Expire on:

Mayor's regular appointee.....	August 14, 2009
Regular Board appointees from Districts 1, 3, 4 & 7.....	August 14, 2007
Alternate appointees from Districts 2, 5, 6 & 8, and Mayor.....	August 14, 2007
Regular Board appointees from Districts 2, 5, 6 and 8.....	August 14, 2009
Alternate appointees from Districts 1, 3, 4 & 7.....	August 14, 2009

ORDINANCE NO. _____

Document Name: SWM/1/ORDINANCE AMD. ORDINANCE 15703 (BROWNFIELDS REDEVELOPMENT BOARD)

Document #: 18678v3

Author_Id: JFLO

The term of office for each appointee shall commence on August 15, 2006, and shall terminate on August 14th at the conclusion of the respective term. Current members of the Board shall continue to serve until the expiration of their term as set forth herein, and such service during this time period shall constitute a term as described in Chapter 2.04 of the City Code.

2. That Ordinance No. 15703, an Ordinance creating the Brownfields Redevelopment Board, shall be and hereby is amended by revising Paragraph Three (3) to read as follows:

3. Administration

The Environmental Services Department ("Department") shall provide staff support for the Board and shall act without pay other than the compensation already received from the City. The Department shall keep a record of the activities of the Board and shall provide the Board with necessary data, information and cooperation. The Department will coordinate with other appropriate City departments any actions recommended by the Board.

3. Except as expressly amended herein, Ordinance No. 15703, An Ordinance Creating the Brownfields Redevelopment Board shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2006.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Josette Flores
Assistant City Attorney

APPROVED AS TO CONTENT:



Ellen A. Smyth, P.E., Director
Environmental Services

ORDINANCE NO. _____