CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: **DEVELOPMENT SERVICES**

AGENDA DATE: **INTRODUCTION – AUGUST 15, 2006**

PUBLIC HEARING – AUGUST 29, 2006

CONTACT PERSON/PHONE: **MR. R. ALAN SHUBERT (915) 541-4557**

DISTRICT(S) AFFECTED: **ALL**

SUBJECT:
APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include $ amount if applicable.

An ordinance amending title 19 (subdivisions), chapter 19.16 (improvement standards and design principles), section 19.16.050 (stormwater design), subsection 19.16.050.h, preservation of natural arroyos, of the el paso city code, to designate the floodplain administrator as the individual who will forward a determination to the city plan commission on a request for modification to allow improvements, the penalty being as provided in sections 19.04.190.

BACKGROUND / DISCUSSION:
Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action?

The purpose of this ordinance is to combine this subsection on the code with the other duties of the flood plain administrator. The creation of the Development Services Department has necessitated this change in order to keep like function and responsibilities within Development Services Department.

PRIOR COUNCIL ACTION:
Has the Council previously considered this item or a closely related one? If so, when?

N/A

AMOUNT AND SOURCE OF FUNDING:
How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

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

N/A

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

OTHER: _____
(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 TITLE 19 (SUBDIVISIONS), CHAPTER 19.16 (IMPROVEMENT STANDARDS AND DESIGN PRINCIPLES), SECTION 19.16.050 (STORMWATER DESIGN), SUBSECTION 19.16.050.H, PRESERVATION OF NATURAL ARROYOS, OF THE EL PASO CITY CODE, TO DESIGNATE THE FLOODPLAIN ADMINISTRATOR AS THE INDIVIDUAL WHO WILL FORWARD A DETERMINATION TO THE CITY PLAN COMMISSION ON A REQUEST FOR MODIFICATION TO ALLOW IMPROVEMENTS, THE PENALTY BEING AS PROVIDED IN SECTIONS 19.04.190.

WHEREAS, under Section 19.16.050 (Stormwater Design), Subsection 19.16.050.H, Preservation of Natural Arroyos, of the El Paso City Code, the City Engineer, as part of the initial review of a subdivision application prior to acceptance as complete, determines the area within which improvements will require a modification and reviews the design of improvements authorized by a modification in subdivision improvement plans, and

WHEREAS, the City's Flood Plain Administrator will now perform this function,

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

1. That Title 19 (Subdivisions), Chapter 19.16 (Improvement Standards and Design Principles), Section 19.16.050 (Stormwater Design), Subsection 19.16.050 H (Preservation of Arroyos) of the El Paso City Code shall be and hereby is revised to read as follows:

19.16.050 H Preservation of Natural Arroyos.

Arroyos shall be preserved in their natural state, except that a modification of such requirement may be granted by the city plan commission provided such modification both meets the requirements of Section 19.04.170 and is necessary to protect the public health, safety, or welfare. If a modification is authorized to allow improvements, the design for such improvements shall be incorporated into the subdivision improvement plans and approved by the floodplain administrator. As part of initial review of a subdivision application prior to acceptance as complete, the floodplain administrator shall determine the area within which improvements will require modification. The floodplain administrator's determination shall be forwarded to the applicant and city plan commission, which shall decide on any modification requested by the applicant.

2. Except as expressly amended herein, Title 19 (Subdivisions) of the El Paso City Code shall remain in full force and effect.

APPROVED this _____ day of _____, 2006.

THE CITY OF EL PASO, TEXAS

_____
John F. Cook

ATTEST:

_____
Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

_____
Hillary S. McGinnes
Assistant City Attorney

APPROVED AS TO CONTENT:

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