

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

**DEPARTMENT:** Engineering Department

**AGENDA DATE:** Introduction – August 17, 2010  
Public Hearing – August 24, 2010

**CONTACT PERSON NAME AND PHONE NUMBER:** R. Alan Shubert,  
Engineering, (915) 541-4428

**DISTRICT(S) AFFECTED:** All

**SUBJECT:**

An ordinance to amend the City code to reflect departmental reorganization by amending Title 2 (Administration and Personnel) to amend various chapter pertaining to the duties which had been assigned to the Development Services Department and the staff; the penalty being as provided in sections 1.08.010 - 1.08.030 of the El Paso City code.

**BACKGROUND / DISCUSSION:**

The City Manager proposed through the Budget for FY 2011 and the City Council has decided to re-organize the Engineering Department, the Street Department, the Environmental Services Department and to delete the Development Services Department. This action necessitates this ordinance and others to make changes to the City Code to reflect the organizational changes. No substantive changes are being made to the code in this ordinance--only the changes necessary to achieve reorganization and to make appropriate cross references to other code provisions.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

N/A

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\*\*\*\*\*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*

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

**AN ORDINANCE TO AMEND THE CITY CODE TO REFLECT DEPARTMENTAL REORGANIZATION BY AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) TO AMEND VARIOUS CHAPTER PERTAINING TO THE DUTIES WHICH HAD BEEN ASSIGNED TO THE DEVELOPMENT SERVICES DEPARTMENT AND THE STAFF; THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010 – 1.08.030 OF THE EL PASO CITY CODE.**

**WHEREAS**, the Building Permits and Inspections division (building official) is being moved to be a division of the Engineering and Construction Management Department, which is being reorganized and renamed; and the planning division is being moved to the Planning and Economic Development Department, which is being reorganized and renames; and

**WHEREAS**, various provisions in the City Code need to be amended to reflect this change and the creation of permit officials, as will be designated by the City Manager.

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

Section 1. That Chapter 2.16, (Zoning Board of Adjustment), Section 2.16.050, (Special Exceptions), of the El Paso City Code, is amended to change the phrase “building permits and inspection division of the development services department” to “building official” as used within this section.

Section 2. That Chapter 2.16, (Zoning Board of Adjustment), Section 2.16.060, (Administration), of the El Paso City Code, is amended to change the phrase “development services department” to “planning official” as used within this section.

Section 3. That Chapter 2.30 (Construction Board of Appeals), Section 2.30.050, (Secretary of the board), be amended to read as follows:

**2.30.050 Secretary of the board.**

The building official or his designee shall act as secretary of the construction board of appeals and shall serve without the right to vote and shall not be counted for purposes of

constituting a quorum. The secretary of the board shall make a record of its proceedings and procedures, and shall set forth the reasons for the decisions, the vote of each member participating therein, the absence of a member, and any failure of a member to vote. Such record of meeting minutes shall be filed with the city clerk as required in Section 2.04.020.

Section 4. That Chapter 2.30 (Construction Board of Appeals), Section 2.30.060, Subsection C, (Powers), be amended to read as follows:

**2.30.060, Subsection C, Powers**

C. The construction board of appeals may:

1. Make recommendations to the city engineer, the building official, the floodplain administrator, the stormwater administrator, and the fire official with respect to changes in the code;
2. Make recommendations to the city engineer, the building official, the floodplain administrator, the stormwater administrator, and the fire official regarding the appropriateness of materials, methods, or equipment for use in the city; and
3. Recommend standards for safety of life and property, and workmanship for grading, stormwater management, flood prevention, fire prevention and residential and commercial construction in the city.

Section 5. That Chapter 2.38, (Building and Standards Commission), Section 2.38.020, Subsection D, (Appointment), be amended to read as follows:

**2.38.020, Subsection D, Appointment.**

D. The director of the department of environmental services (hereinafter referred to as director), the building official, the fire official, and the chief of police or their designees shall serve in an advisory capacity to the members of the commission.

Section 6. That Chapter 2.80, (Capital Improvements Advisory Committee), Section 2.80 (Capital Improvements Advisory Committee), be renumbered as Section 2.80.010, and be amended to change the phrase “Deputy Director, Planning Development Service Department” to “planning official” as used within this section.

Section 7. That Chapter 2.102 (Neighborhood Association Recognition), Section 2.30.060, Subsection A, (Responsibilities of the City of El Paso), be amended to read as follows:

**2.102.050, Subsection A, Responsibilities of the City of El Paso.**

A. Provide notice to one or more designated recognized neighborhood association contact persons regarding applications received by the planning official that covers an area within the recognized neighborhood association's boundary. Notification to a recognized neighborhood association shall be sent at the time a date for the first public hearing is set. Additional notification shall be sent via telephone, mail, electronic mail, or facsimile concerning all subsequent public hearings concerning such applications except public hearings that have been postponed to a specific time announced at the prior hearing.

Section 8. That Chapter 2.102 (Neighborhood Association Recognition), Section 2.30.060 (Responsibilities of the planning official), be re-titled and amended to read as follows:

**2.102.060 Responsibilities of the planning official.**

The planning official, or his designee shall:

A. Provide prospective applicants with the last known contact information for all recognized neighborhood associations that are wholly or partially within the location of the application request.

B. Provide the director of the community and human development department or his designee with a copy of any new applications, including verification of applicant notice to the required recognized neighborhood associations, at the time of distribution at the development coordinating committee, as well as any other pertinent information the director of the community and human development department may request.

C. Update the director of the community and human development department as necessary regarding each step of any application in process including, but not limited to, public hearings, etc. New steps include review before the development coordinating committee, city plan commission, and city council, to the extent practical.

Section 9. This ordinance shall take effect on September 1, 2010.

Section 10. Except as herein amended, Title 2 of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS 24<sup>th</sup> day of August 2010.

(signatures appear on the following page)

CITY OF EL PASO

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

ATTEST:

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Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
Elaine S. Hengen  
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

  
Patricia D. Adauto  
Deputy City Manager