

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

DEPARTMENT: DEVELOPMENT SERVICES

AGENDA DATE: INTRODUCTION: AUGUST 19, 2008
 PUBLIC HEARING: AUGUST 26, 2008

CONTACT PERSON/PHONE: VICTOR Q. TORRES, DEVELOPMENT SERVICES, (915) 541-4975

DISTRICT(S) AFFECTED: ALL

SUBJECT:

An Ordinance to amend Title 2 (Administration and Personnel), Chapter 2.08 (City Plan Commission), Section 2.08.010 (Creation-Membership), to restate the appointment process for the membership to be in conformity with the charter.

BACKGROUND / DISCUSSION:

This ordinance would amend Section 2.08.010 of the City Code by eliminating the provision that names the Mayor and several staff members as ex officio members of the City Plan Commission, and more simply state that the members of the Plan Commission are appointed by the process established in the City Charter. Under the current Council-Manager form of government, it is no longer appropriate to have the Mayor and specifically named employees be designated as ex officio members of the Plan Commission. Staff discovered this provision during the process of reviewing the entire code in conjunction with the re-organization of Development Services, Planning and Building Permits and Inspections departments, as the director of planning was one of the specifically named employees in this ordinance.

The ordinance also contained specific provisions regarding how the members are appointed. All board and commission appointments must be appointed in conformity with the appointment process contained in the Charter. Thus, the most appropriate way to word an ordinance regarding board appointments is to simply refer back to the appointment process in the Charter, and that is what this ordinance amendment states. Essentially, this ordinance is proposed for housekeeping purposes to ensure that provisions in this ordinance, which date back to the pre-1984 City Code, are in line with the current Charter and the Council-Manager form of government

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

CITY CLERK DEPT.
08 AUG 11 PM 2:32

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

DEPARTMENT HEAD: Victor Q. Torres
Victor Q. Torres, Development Services Director

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:** _____

AN ORDINANCE TO AMEND TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.08 (CITY PLAN COMMISSION), SECTION 2.08.010 (CREATION-MEMBERSHIP), TO RESTATE THE APPOINTMENT PROCESS FOR THE MEMBERSHIP TO BE IN CONFORMITY WITH THE CHARTER.

WHEREAS, the provisions in the City Code for the appointment of the membership of the City Plan Commission date back to old prior city codes; and

WHEREAS, it is necessary to amend the provision regarding the appointment process for the membership of the City Plan Commission, to ensure continued compliance with current City Charter provisions regarding the manner in City board and commission appointments are made.

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

Section 1. That Section 2.08.010 (Creation-Membership) of the El Paso City Code is amended as follows:

2.08.010 Creation--Membership.

The city plan commission shall consist of nine members who shall be resident citizens of El Paso and owners of real property situated in the city. They shall be appointed in the manner provided by the City Charter.

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

ADOPTED THIS 26th day of August 2008.

(signatures continue on the following page)

CITY CLERK DEPT.

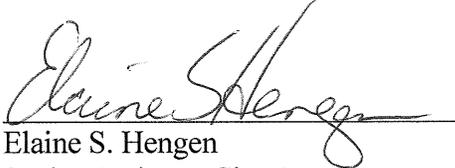
08 AUG 11 PM 2:33 CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

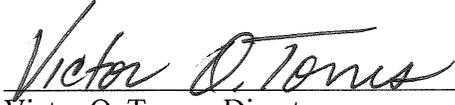
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Elaine S. Hengen
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Victor Q. Torres, Director
Development Services Department