REVISED

Dedicated to Outstanding Customer Service for a Better Community

SERVICE SOLUTIONS SUCCESS

DEPARTMENT HEAD'S SUMMARY REQUESTION FOR COUNCIL ACTION (RCA)

DEPARTMENT: City Manager's Office

AGENDA DATE: Introduction – September 15, 2009
Public Hearing – September 22, 2009

CONTACT PERSON/PHONE: Leila Melendez, (915) 541-4859

DISTRICT(S) AFFECTED: All

SUBJECT:
An Ordinance to abolish the City Tree Board and to assign additional duties to the Board of Parks and Recreation that are pertinent to tree advocacy in the City of El Paso; by deleting Chapter 2.77 (El Paso Tree Board) of the El Paso City Code; by amending Chapter 2.20 (Board of Parks and Recreation) Section 2.20.050 of the El Paso City Code to reassign the duties of the Tree Board to the Board of Parks and Recreation; and by Amending Chapter 9.11 (Tree Care), Section 9.11.010 E (General Provisions) and Chapter 18 (Landscape), Section 18.46.050 (Definitions) of the El Paso City Code, to amend the references to the Tree Ordinance and Tree Board as contained herein.

BACKGROUND/DISCUSSION:
As part of the FY 2010 budget process for the City of El Paso, the Mayor and Council undertook an extensive review of all city boards and commissions and made a series of decisions to sunset and/or merge existing boards with other similar likeness. This board is one approved by Council to be sunset completely and its duties transferred to a subcommittee of the Parks and Recreation Board in order to maintain the City's requirement for the Tree City USA designation. Board members were notified of this impending action by the City Manager and they were encouraged to contact their District Representative or this office if they had interest in serving on another active board.

REVISION: Sentence removed from original document, Section 2. C: "~~Such subcommittee shall include members who are not tree-related professionals, so as to encompass broad-based community involvement.~~" The subcommittee that is formed from the Parks and Recreation Board to advise on developing a comprehensive tree management program should be made up of members with background and experience in forestry, nursery and plant world.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SCOPE OF FUNDING:
N/A

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

BOARD/COMMISSION ACTION:
N/A

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

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

DEPARTMENT HEAD: VMelendez

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: _____

THE CITY OF EL PASO TEXAS

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

ORDINANCE NO._____

AN ORDINANCE TO ABOLISH THE CITY TREE BOARD AND TO ASSIGN ADDITIONAL DUTIES TO THE BOARD OF PARKS AND RECREATION THAT ARE PERTINENT TO TREE ADVOCACY IN THE CITY OF EL PASO; BY DELETING CHAPTER 2.77 (EL PASO TREE BOARD) OF THE EL PASO CITY CODE; BY AMENDING CHAPTER 2.20 (BOARD OF PARKS AND RECREATION) SECTION 2.20.050 (BOARD DUTIES) OF THE EL PASO CITY CODE TO REASSIGN THE DUTIES OF THE TREE BOARD TO THE BOARD OF PARKS AND RECREATION; AND BY AMENDING CHAPTER 9.11 (TREE CARE), SECTION 9.11.010 E (GENERAL PROVISIONS) AND CHAPTER 18 (LANDSCAPE), SECTION 18.46.050 (DEFINITIONS), OF THE EL PASO CITY CODE, TO AMEND THE REFERENCES TO THE TREE ORDINANCE AND TREE BOARD AS CONTAINED THEREIN.

WHEREAS, the City Tree Board ("Board") was created to promote the preservation, education, protection and replacement of trees located on City property for the benefit to the public health, safety and welfare; and

WHEREAS, the City Council of the City of El Paso determines that the duties assigned to the City Tree Board should be carried out by the Board of Parks and Recreation and that sunsetting the City Tree Board and assigning these duties to the Board of Parks and Recreation is in the best interest of the citizens of the City of El Paso.

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

Section 1. That Chapter 2.77 of the El Paso City Code regarding the creation, duties and membership of the city tree board is hereby deleted in its entirety and shall be removed from the El Paso City Code.

Section 2. That Section 2.20.050 of the El Paso City Code is amended as follows:

2.20.050 Board Duties

Except for those powers granted in Section 2.20.060, the board of parks and recreation shall act as an advisory committee to the mayor and city council in efforts to promote close cooperation between the City and all private citizens, institutions and agencies interested in the establishment and development of parks and recreation activities and the establishment, development, and sustainability of the urban forest.

A. The board of parks and recreation shall advise on the improvement and development of parks and recreation facilities, services and programs.

B. The board of parks and recreation shall advise on park naming and shall review and provide input to the mayor and city council on other legislative matters submitted to the board by the director of the department of parks and recreation.
C. The board of parks and recreation shall create a subcommittee that will advise on developing a comprehensive tree management program for the care of trees, to include proposed changes to the tree care ordinance, landscape ordinance, the city's approved list of plants to be planted on public property and within public rights-of-way, and guidelines for the planting, maintenance and removal of trees.

Section 3. That Section 9.11.010, Subsection E of the El Paso City Code is amended as follows:

9.11.010, Subsection E General Provisions

E. Arborist. The city arborist shall:

1. Administer the provisions of this chapter;
2. Administer the community forestry action plan;
3. Assist the board of parks and recreation in carrying out the duties and responsibilities as specified in section 2.20.050 C of this code; and
4. Administer and, in consultation with the tree board, periodically review and revise as necessary the provisions of the Arboricultural Specifications Manual.

Section 4. That Section 18.46.050 of the El Paso City Code is amended for the purpose of amending only the definition of "Approved plant list", as follows:

18.46.050 (Definition of "Approved plant list)

"Approved plat list" means the list of plants and shrubs prepared by the tree board or its successor the board of parks and recreation, and the development services department, and on file with the development services department, and as may be amended from time to time.

Section 5. Except as herein amended, Title 2 (Administration and Personnel) and Chapters 9.11 (Tree Care) and 18.46 (Landscape) shall remain in full force and effect.

ADOPTED this 22nd day of September 2009.

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