

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

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: October 30, 2012
Public Hearing: November 6, 2012

CONTACT PERSON/NUMBER: Mathew McElroy, (915) 541-4193
McelroyMX@elpasotexas.gov

DISTRICT(S) AFFECTED: ALL

SUBJECT:

An ordinance amending Title 2 (Administration and Personnel) Chapter 2.22 (Open Space Advisory Board), of the El Paso City Code, to establish a procedure for allowing outside agencies to appear before the Open Space Advisory Board.

BACKGROUND/DISCUSSION:

On occasion the Open Space Advisory Board (the Board), in accomplishing its duties and responsibilities as delineated in the El Paso City Code (Code), may find it necessary to request that outside agencies provide and/or present information on matters the Board has purview over. To facilitate this process, the El Paso City Council at its August 21, 2012 meeting gave the City Development Department (CDD) direction to adjust the mechanism through which the Board may formally request such solicitation. Consistent with Council direction, any request for such outside information would be subject to review and determination by the Director of the CDD. The Board's request for information from an outside agency would only come before Council on the occasion of a declined request by the Director of the CDD and an appeal from the Board.

PRIOR COUNCIL ACTION:

Council gave staff direction to revise the process to which the Open Space Advisory Board must adhere to obtain information from outside agencies at its August 21, 2012 Regular Meeting.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD/COMMISSION ACTION:

The Open Space Advisory Board heard and unanimously recommended approval of the ordinance at its September 26th, 2012 meeting.

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:



Mathew S. McElroy
City Development Director

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL)
CHAPTER 2.22 (OPEN SPACE ADVISORY BOARD), OF THE EL PASO CITY
CODE, TO ESTABLISH A PROCEDURE FOR ALLOWING OUTSIDE AGENCIES
TO APPEAR BEFORE THE OPEN SPACE ADVISORY BOARD**

WHEREAS, the Open Space Advisory Board was established by Ordinance 017123, and the duties of the Open Space Advisory Board were amended by Ordinance 017205 and Ordinance 017770; and,

WHEREAS, the City Council of the City of El Paso has determined that the ordinance should be amended to allow the Board to request information from outside agencies; and,

WHEREAS, the City Council of the City of El Paso has determined that these amendments are 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 Title 2, Administration and Personnel, Chapter 2.22, Open Space Advisory Board, Section 2.22.050, Board Duties, of the El Paso City Code is amended to add the following paragraph:

2.22.050 - Board duties.

C. To accomplish the duties and responsibilities contained in this Chapter, the Open Space Advisory Board may request that outside agencies provide and/or present information on matters the Board has purview over. In such instances, the request will be presented to the Director of the City Development Department for processing. If the Director determines that the matter in which the Board seeks information is a matter the Board has purview over, then the Director shall inform the Chairman of the Board and coordinate with the outside agency. If the Director determines that the matter does not fall within the Board's purview, then the Director shall place an item on the next Board meeting to report his determination and the reason for the determination. The Board may appeal the Director's decision to City Council. This provision does not authorize the Board to give direction, suggestions, or guidance to the outside agency but will allow the Board to provide recommendations to City Council on the matter presented by the outside agency.

Section 2. Except as herein amended, Title 2, Administration and Personnel, Chapter 2.22, Open Space Advisory Board, of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this ____ of _____ 2012

SIGNATURES ON FOLLOWING PAGE

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew S. McElroy, Director
City Development Department



Title 2 Amendment

- **An ordinance amending Title 2 (Administration and Personnel) Chapter 2.22 (Open Space Advisory Board), of the El Paso City Code, to establish a procedure for allowing outside agencies to appear before the Open Space Advisory Board.**
- **Prior Council Action:** Council gave staff direction to revise the process to which OSAB must adhere to obtain information from outside agencies at its August 21, 2012 Regular Meeting.
- **Prior Board Action:** OSAB unanimously recommended approval of the ordinance at its September 26, 2012 Board Meeting.



Title 2 Amendment - Language

2.22.050 – Board duties.

C. To accomplish the duties and responsibilities contained in this Chapter, the Open Space Advisory Board may request that outside agencies provide and/or present information on matters the Board has purview over. In such instances, the request will be presented to the Director of the City Development Department for processing. If the Director determines that the matter in which the Board seeks information is a matter the Board has purview over, then the Director shall inform the Chairman of the Board and coordinate with the outside agency. If the Director determines that the matter does not fall within the Board's purview, then the Director shall place an item on the next Board meeting to report his determination and the reason for the determination. The Board may appeal the Director's decision to City Council. This provision does not authorize the Board to give direction, suggestions, or guidance to the outside agency but will allow the Board to provide recommendations to City Council on the matter presented by the outside agency.