

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

CITY CLERK DEPT.  
2017 MAY 23 AM 9:19

**DEPARTMENT:** Planning and Inspections Department  
**AGENDA DATE:** First Reading: 5/30/2017  
Second Reading: 6/13/2017  
**CONTACT PERSON:** Morgan Hester ([HesterMT@elpasotexas.gov](mailto:HesterMT@elpasotexas.gov)), 915-212-1518

**DISTRICT(S) AFFECTED:** All

**SUBJECT:**

An ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits), Subsection (H) Exceptions to add Paragraph 19 exempting bicycle racks placed on City right-of-way pursuant to an interlocal agreement. The penalty is as provided for in Section 15.08.125 of the El Paso City Code.

**BACKGROUND / DISCUSSION:**

The proposed amendment establishes an exemption for entities entering into an interlocal agreement with the City to create a program to install and maintain bike racks within the public right-of-way. The purpose of this amendment is to facilitate the installation of bike rack for use by area businesses, residents, and visitors by foregoing the need for a Special Privilege Permit every time a new bike rack is installed on the public right-of-way by the entity.

For example, the City and the Downtown Management District are considering implementing a bicycle rack program whereby the Downtown Management District will manage the application, review, and installation and maintenance of racks within the public right-of-way in the downtown area. Subject to an amendment to their interlocal setting up that program, including rights and responsibilities of the DMD, this proposed code revision would allow the DMD to install and maintain bike racks on the public right-of-way in the downtown area without also requiring a special privilege permit.

**Attachments:**

Ordinance Exempting Bike Racks with Interlocal

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

Larry F. Nichols, Director  
Planning and Inspections Department



2017 MAY 23 AM 9:19

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

**AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 15.08 (STREET RENTALS), SECTION 15.08.120 (SPECIAL PRIVILEGE LICENSES AND PERMITS), SUBSECTION (H) EXCEPTIONS TO ADD PARAGRAPH 19 EXEMPTING BICYCLE RACKS PLACED ON CITY RIGHT OF WAY PURSUANT TO AN INTERLOCAL AGREEMENT. THE PENALTY IS AS PROVIDED FOR IN SECTION 15.08.125 OF THE EL PASO CITY CODE.**

**WHEREAS**, Section 15.08.120 requires a special privilege license or permit to allow the use of public right-of-way for specified uses; and

**WHEREAS**, Section 15.08.120(H) exempts certain activities, improvements, facilities, or uses on public right of way from having to obtain a special privilege license or permit under Section 15.08.120; and

**WHEREAS**, The City frequently enters into interlocal agreements with different entities that involves the use of public right of ways; and

**WHEREAS**, The City wishes to facilitate the placement of bicycle racks on the public right of way by entities who enter into interlocal agreements with the city pursuant to the executed interlocal agreement; and

**WHEREAS**, the facilitation of the placement of bicycle racks on the public right-of-way furthers the City's goal of ensuring that the City of El Paso has a complete network of bicycle friendly infrastructure; and

**WHEREAS**, The City wishes to exempt from the requirements of Section 15.08.120 bicycle racks that are placed by entities that have entered into an interlocal agreement with the City pursuant to the terms of the interlocal agreement.

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

**SECTION 1.** That Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits), Subsection (H) (Exceptions) be amended to add a paragraph 19 as follows:

19. Bicycle racks installed pursuant to the terms of an interlocal agreement provided that the interlocal agreement allow for the installation of bicycle racks on the public right-of-way and the bicycle racks and the installation of the bicycle racks comply with the terms of the interlocal agreement and all other applicable ordinance requirements.

**SECTION 2.** Except as amended herein, Title 15 and Chapter 15.08 remain in full force and effect.

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

17-1036-1343 / 657766

Bike Rack Program DMD Interlocal Agreement Amendment

OAR

ADOPTED THIS \_\_\_\_ day of \_\_\_\_\_, 2017.

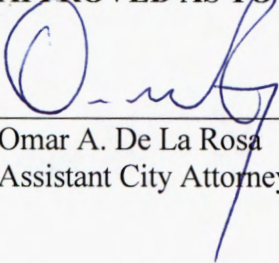
**CITY OF EL PASO**

\_\_\_\_\_  
Oscar Leeser, Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

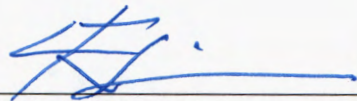
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Omar A. De La Rosa  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Ted Marquez, Director  
Streets & Maintenance Department

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Larry Nichols, Director  
Planning and Inspections



## ITEMS 18.2 and 18.3

# 1st Amendment to the Downtown Management District's Interlocal Agreement

Establishing Bike Rack Program and Expanding  
the Façade Grant Program

6/13/17

**Strategic Goal 1:** Create an Environment Conducive to Strong Sustainable  
Economic Development

**Strategic Goal 3:** Promote the Visual Image of El Paso

*"Delivering Outstanding Services"*



# What we're asking for today...

**That the City Council consider the following:**

**1. Amend the City's Interlocal Agreement with the DMD to:**

- **Expand the existing DMD Grant Program** to add funding options for the establishment and/or restoration of **iconic signage and lighting installations** within the DMD's boundary, and to expand funding within **"Target Area 2"**
- **Establish a Bike Rack Program** wherein the DMD will have the authority to install and maintain bike racks along City ROW within the DMD's boundary; and

**2. Amend Title 15 of the City Code to:**

- Exempt bike racks installed on City ROW pursuant to the terms of an Interlocal Agreement from requiring a special privilege permit



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# **EXPANDING THE DMD FAÇADE GRANT PROGRAM**

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# DMD – Façade Grant Program

## Current State & Scope

### **Downtown Commercial Façade Improvement Grant Program**

Funding to existing businesses and/or property owners to make improvements to the exterior of buildings

#### **Eligible Areas**

Within the boundaries of the DMD and/or the TIRZ#5.

#### **Funding**

The maximum grant available is \$25,000 and each grant dollar must be matched by a private investment dollar (1:1 ratio).

### **Downtown Pedestrian Corridor Improvement Grant Program**

Funding to existing businesses and/or property owners for improvements to the exterior spaces adjacent to or within the public right-of-way.

#### **Eligible Areas**

Within the boundaries of the DMD

#### **Funding**

The maximum grant available is \$10,000 and each grant dollar must be matched by a private investment dollar (1:1 ratio).

### **The Downtown Mural Grant Program**

Funding to existing business and/or property owners to establish or restore murals

#### **Eligible Areas**

Within the boundaries of the DMD

#### **Funding**

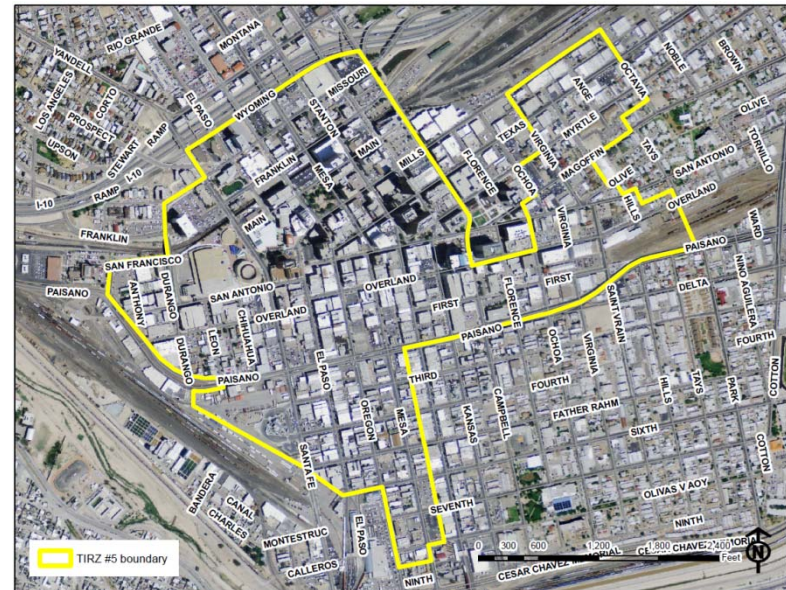
The maximum grant available is \$10,000 and each grant dollar must be matched by a private investment dollar (1:1 ratio).

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# DMD – Façade Grant Program

## Current State & Scope



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# DMD – Façade Grant Program

## Expanded Grant Program: Proposed

### **Downtown Iconic Signage & Lighting Grant Program**

Funding to existing businesses and/or property owners for the establishment and/or restoration of iconic signage and/or lighting installations.

### **Eligible Areas**

Within the boundaries of the DMD

### **Funding**

The maximum grant available is \$25,000 and each grant dollar must be matched by a private investment dollar (2:1 ratio).



# DMD – Façade Grant Program

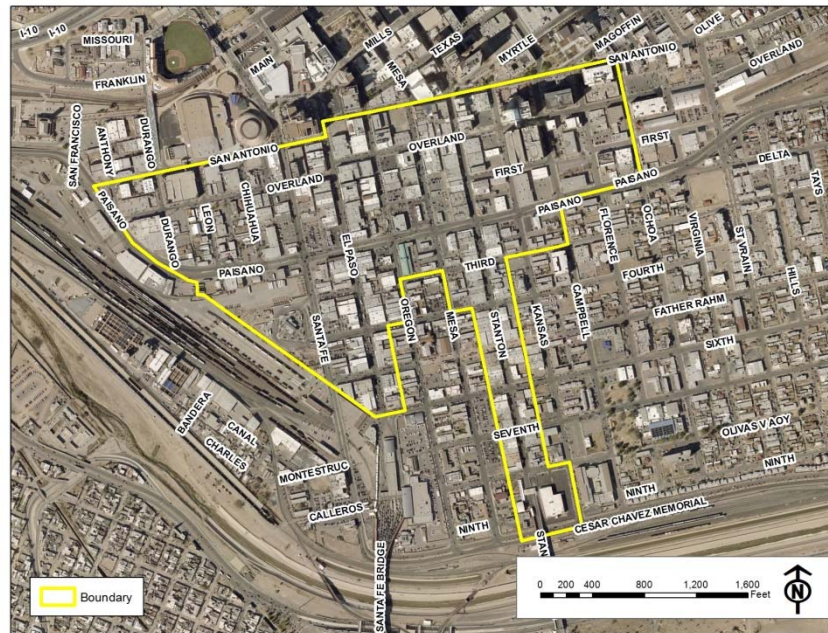
## Expanded Grant Program: Proposed

### Purpose

Expand *all* DMD Grant funding to extend (2) “DMD dollars” for every (1) private dollar.  
(2:1 ratio)

### Eligible Areas

City-defined TOD area, within the DMD, in Downtown El Paso, only in the areas south of San Antonio St.



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# **ESTABLISHING A BIKE RACK PROGRAM**

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# Establishing a Bike Rack Program

## ❖ Purpose of the Program

- The City and the DMD wish to work closely in order to ensure that the City of El Paso is one of the **most bicycle-friendly cities** in the country and to ensure that the City of El Paso has a **complete network of bicycle friendly infrastructure.**

## ❖ Goal of the Amendment to the Interlocal

- To authorize the DMD to install bicycle racks on the City's public right-of-way **without additional permitting requirements.**



# Establishing a Bike Rack Program

## ❖ Fees, Maintenance and Costs

- The DMD will not charge applicants a fee for participation in the Bike Rack Program;
- The DMD will purchase the bike racks at its own expense.
- The DMD will install the bike racks at its own expense.
- The DMD will maintain all bike racks under the Bike Rack Program clean, presentable, and free from vandalism at all times.
- The DMD anticipates an annual budget of \$1,000 to \$2,000.

## ❖ Proposed Design of Bike Racks

- Inverted U-Shape offers two points of contact.





# Establishing a Bike Rack Program

## Application

- The DMD will develop and manage the application process.
- The DMD will work with applicants to ensure appropriate siting and placement.

## Site Approval

- The City will review the proposed site for compliance with existing regulations.

## Installation

- The DMD will install the Bike Racks at its own expense.

## Maintenance

- The DMD will retain ownership of the Bike Racks.
- The DMD will be responsible for maintenance of installed Bike Racks.

## Removal

- The City will retain exclusive control over the public ROW.
- The DMD will remove or relocate Bike Racks upon written request from the City's Permit Official.

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# Amending Section 15.08.120

(Special privilege licenses and permits)

❖ **Add an Exemption to Special Privilege Permitting Requirements for:**

*Bicycle racks installed pursuant to the terms of an interlocal agreement provided that the interlocal agreement allow for the installation of bicycle racks on the public right-of-way and the bicycle racks and the installation of the bicycle racks comply with the terms of the interlocal agreement and all other applicable ordinance requirements.*



# THANK YOU

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