

**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 12 (Vehicles and Traffic) to amend sections there under pertaining to the duties which had been assigned to the Development Services Department and Staff, and the definition of the Traffic Engineer; the penalty being as provided in Section 12.84.010 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

*****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 12 (VEHICLES AND TRAFFIC) TO AMEND SECTIONS THEREUNDER PERTAINING TO THE DUTIES WHICH HAD BEEN ASSIGNED TO THE DEVELOPMENT SERVICES DEPARTMENT AND STAFF, AND THE DEFINITION OF THE TRAFFIC ENGINEER; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.

WHEREAS, the Building Permits and Inspections Division is being moved to be a division of the Engineering and Construction Management Department and the function of the Traffic Engineer is being moved to be under the Department of Transportation; and

WHEREAS, various provisions in the City Code relating need to be amended to reflect these changes.

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

Section 1. That Chapter 12.04 (General Provisions and Definitions), Section 12.04.190 (Traffic engineer), of the El Paso City Code, is amended to read as follows:

12.04.190 Traffic engineer.

"Traffic engineer" means the employee designated by the city manager who is trained and qualified to perform the duties of the traffic engineer as set forth within this code.

Section 2. That Chapter 12.20 (Traffic Control Devices), Section 12.20.180 (Definitions), of the El Paso City Code, is amended to change the phrase "deputy director for engineering" to "traffic engineer", as used within the section.

Section 3. That Chapter 12.20 (Traffic Control Devices), Section 12.20.190 (School flasher signal installation), of the El Paso City Code, is amended to read as follows:

12.20.190 School flasher signal installation.

All requests for the installation of a school flasher signal shall be handled in accordance with this section.

- A. The applicant requesting the installation of a school flasher signal shall submit a written request to the traffic engineer. The request shall come from the school board of the school requesting the school flasher signal and shall contain the location of the requested signal and a statement that the applicant will comply with all provisions of this section, including but not limited to, the payment responsibilities set forth in section.
- B. The applicant shall be responsible for payment of sixty percent of the total equipment and installation cost of the school flasher signal.
- C. Upon receipt of the written request, the traffic engineer shall direct the conduct of a traffic engineering study to determine the justification for a school flasher signal in the area. The applicant shall be notified of the results of the traffic engineering study.

Section 4. That Chapter 12.20 (Traffic Control Devices), Section 12.20.200 (Pedestrian safety flasher signal installation), of the El Paso City Code, is amended to read as follows:

12.20.200 Pedestrian safety flasher signal installation.

All requests for installation of a pedestrian safety flasher signal shall be handled in accordance with the provisions of this section.

- A. The applicant requesting the installation of a pedestrian safety flasher signal shall submit a written request to the traffic engineer. The request shall contain the location of the requested signal and a statement that the applicant will comply with all provisions of this section, including but not limited to, the payment responsibilities set forth in section.
- B. The applicant shall be responsible for payment of one hundred percent of the total equipment and installation costs of the pedestrian safety flasher signal.
- C. Upon receipt of the written request, the traffic engineer shall direct the conduct of a traffic engineering study to determine the justification for a pedestrian safety flasher signal. The applicant shall be notified of the results of the traffic engineering study.
- D. If the traffic engineering study indicates that a pedestrian safety flasher signal is justified, the traffic engineer shall designate a pedestrian safety zone in the area pursuant to Section 12.20.120 of the El Paso city code. If the applicant requests that a pedestrian safety flasher signal be installed in addition to a pedestrian safety zone or if there is a pedestrian safety zone in the area already, a pedestrian safety flasher signal may be installed; provided, that the applicant agrees to be responsible for the payment of one hundred percent of the costs associated with the installation of such a signal and executes an agreement, in a form acceptable to the city attorney's office, setting forth the applicant responsibilities.
- E. Upon execution of the agreement by the applicant and the city and the city's receipt of the payment, the traffic engineer shall proceed with the design and installation of the pedestrian safety flasher signal.
- F. Any modifications to the pedestrian flasher signal requested by the applicant may be made at the city's sole discretion, at the applicant's sole expense

Section 5. That Chapter 12.20 (Traffic Control Devices), Section 12.20.210 (Traffic engineering study), of the El Paso City Code, is amended to read as follows:

12.20.210 Traffic engineering study.

The traffic engineer shall be responsible for conducting the comprehensive traffic engineering study to analyze and determine the need for a school or pedestrian safety flasher signal. The engineering traffic study shall consist of the following:

1. Traffic volume survey;
2. Gap study;
3. Speed study;
4. A field site survey.

Section 6. That Chapter 12.26 (Cruising), Section 12.26.050 (Demarcation of the no cruising zone), of the El Paso City Code, is amended to read as follows:

12.26.050 Demarcation of the no cruising zone.

The traffic engineer shall mark a no cruising zone by conspicuously posting appropriate signs at each entrance to the zone and at least one additional sign located approximately every three city blocks within the no cruising zone.

Section 7. That Chapter 12.28 (Speed Limits), Section 12.28.020 (School crossing zones) of the El Paso City Code, is amended to change the phrase “street department” to “department of transportation”, as used within this section.

Section 8. That Chapter 12.40 (Size, Weight and Class Restrictions), Section 12.40.020 (Transportation committee—Established—Authority to revise and establish truck routes) of the El Paso City Code, is amended to change the phrase “street department” to “department of transportation”, as used within this section.

Section 9. That Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.170 (Parking on city-owned property) of the El Paso City Code, is amended to change the phrase “deputy director for streets” to “director of the department of transportation”, as used within this section.

Section 10. That Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.190, subsection C, (Off-street parking requirements for foreign consulates and appurtenant exhibition halls), of the El Paso City Code, is amended as follows:

12.44.190, Subsection C, Off-street parking requirements for foreign consulates and appurtenant exhibition halls.

C. When written assurance is provided to the traffic engineer or his designee by the consul of a foreign government that the consulate and any appurtenant exhibition halls will not be in operation at the same time, the required number of off-street parking spaces shall be determined as follows: The traffic engineer or his designee shall compute the number of spaces required for the use of customers, patrons and visitors under subsection (A)(1) of this section, and shall also compute the number of spaces required for the use of employees and occupants under subsection (A)(2) of this section, and whichever of the two numbers is greater shall be the required number of spaces. If, however, the consulate and exhibition halls are ever operated at the same time, the off-street parking requirements for customers, patrons and visitors and for employees and occupants must then be satisfied.

Section 11. That Chapter 12.64 (Traffic Prohibited on Certain Streets), Sections 12.64.010 (Airway Boulevard), 12.64.020 (Findley Avenue), and 12.64.040 (Sahara Lane), of the El Paso City Code, is amended to change the phrase “street department” to “department of transportation”, as used within these sections.

Section 12. This ordinance shall take effect on September 1, 2010.

Section 13. Except as herein amended, Title 12 of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS 24^h day of August 2010.

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:

Patricia D. Adauto
Deputy City Manager