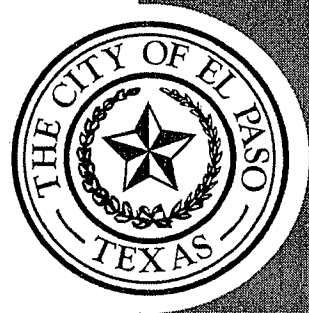


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**SERVICE SOLUTIONS SUCCESS**

**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 amending Section 2.04.040 (Holding Over Prohibited) of the El Paso City Code, to delete the reference to the Public Utility Regulation Board contained therein and to exempt the members of the Photographic Traffic Signal Enforcement System Advisory Board from the Application of this section.

**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. As part of this process, the Public Utility Regulation Board is sunset and this section no longer applies to its members. The PTSES board is also being sunset and this action allows for its members to be exempt from this section since its members will be members of the City Plan Commission.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SCOPE OF FUNDING:**

N/A

**BOARD/COMMISSION ACTION:**

N/A

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

LEGAL: (if required) \_\_\_\_\_ FINANCE: (if required) \_\_\_\_\_

DEPARTMENT HEAD: Leila Melendez

OTHER: \_\_\_\_\_

(Example: if RCA is initiated by Purchasing, client department should sign also)  
Information copy to appropriate Deputy City Manager

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

APPROVED FOR AGENDA:

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_



**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 AMENDING SECTION 2.04.040 (HOLDING OVER PROHIBITED) OF THE EL PASO CITY CODE, TO DELETE THE REFERENCE TO THE PUBLIC UTILITY REGULATION BOARD CONTAINED THEREIN AND TO EXEMPT THE MEMBERS OF THE PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT SYSTEM ADVISORY BOARD FROM THE APPLICATION OF THE SECTION.**

**WHEREAS**, the City Council is sunsetting and streamlining several of the boards and commissions of the City; and

**WHEREAS**, with the sunsetting of the Public Utility Regulation Board and the naming of the members of the City Plan Commission as the members of the Photographic Traffic Signal Enforcement System Advisory Board, it is necessary to amend the provisions of Section 2.04.040, for the proper application of this ordinance.

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

Section 1. That Section 2.04.040 of the El Paso City Code be amended as follows:

Section 2.04.040 Holding over prohibited.

When the term of office of any member of any city board or commission expires, the member shall continue to serve until his successor is appointed and qualified, or until thirty days have passed following the expiration of the term, whichever event occurs first. Any holding over past the thirty-day period is prohibited, and after that time a vacancy in the board shall exist and the former member shall have no power to vote or participate in board proceedings; but such vacancy shall not serve to reduce the number of members required for a quorum. This section shall not apply to boards or commissions created by Charter, joint agreement with other political subdivisions, or pursuant to state statute; or to officers, where state law would prohibit such disqualification; or to the photographic traffic signal enforcement system advisory board or the community development steering committee for citizen participation.

Section 2. Except as herein amended, Title 2 (Administration and Personnel), Chapter 2.04 (Boards, Commissions and Committees Generally) shall remain in full force and effect.

ADOPTED this \_\_\_\_ day of September 2009.

CITY OF EL PASO

ATTEST:

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John F. Cook, Mayor

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Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

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Elaine S. Hengen  
Senior Assistant City Attorney