

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

AGENDA FOR REGULAR COUNCIL MEETING

January 2, 2013
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

NOTICE: At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.

ROLL CALL

INVOCATION BY BORDER PATROL CHAPLAIN LINDA CAMACHO

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATION

CRIME STOPPERS MONTH

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

NOTICE

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved.

Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of December 18, 2012.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Representatives Emma Acosta, Michiel R. Noe, Eddie Holguin, Jr., and Cortney Niland

3. RESOLUTION:

That the City Manager be authorized to sign an Annexation Agreement between the City and County of El Paso, for 0.35 acres of real property located south of the intersection of Vista Del Sol Drive and Cherrington Street which will specify the terms and conditions in which the property will be annexed should the City annex the property. That the Director of Planning prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code. **(East ETJ, Adjacent to District 6)**
[City Development, Justin Bass, (915) 541-4930]

4. BOARD APPOINTMENTS:

- 4A.** Luis A. Salazar to the Community Development Steering Committee by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4996]
- 4B.** Joe Lopez to the El Paso Bond Overview Advisory Committee (BOAC) by Representative Michiel R. Noe, District 5. [Representative Michiel R. Noe, (915) 541-4189]
- 4C.** Rebecca Friesenhahn to the El Paso Bond Overview Advisory Committee (BOAC) by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4996]

REGULAR AGENDA - INTRODUCTIONS

5. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the introduction of ordinances. Public comments are invited at the date of the scheduled public hearing.

- 5A.** An Ordinance amending Title 5 (Business License and Permit Regulations) of the El Paso City Code by adding Chapter 5.17 (Credit Access Businesses) in order to set forth Registration Requirements and Credit Extension Guidelines, the penalty being provided in Section 5.17.030 (Violations; Penalty) of the El Paso City Code. **(All Districts)** [City Attorney's Office, Sol M. Cortez, (915) 541-4119]

PUBLIC HEARING WILL BE HELD ON JANUARY 8, 2013 FOR ITEM 5A

- 5B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.190 (No Stopping or Standing at Any Time), of the El Paso City Code, to delete Paragraph A.3., thereby allowing stopping and standing on the west side of Luna Street, the penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 2)**
 [Department of Transportation, Keith Bennett, (915) 621-6882]

PUBLIC HEARING WILL BE HELD ON JANUARY 15, 2013 FOR ITEM 5B

- 5C.** An Ordinance changing the zoning of Blocks 88, 89, 116, 117, 118, 119, 123, 124, 125, a Portion of Block 154 and vacated Portions of El Paso Street, Los Angeles Street, Randolph Drive, Hague Road, Blacker Avenue, and Blanchard Avenue, Alexander Addition, City of El Paso, El Paso County, Texas from A-O/sc (Apartment-Office/Special contract) to C-2/sc (Commercial/Special contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2001 N. Oregon. Property Owner: Tenet Hospitals Limited dba Providence Memorial Hospital. PZRZ12-00034 **(District 1)**
 [City Development, Michael McElroy, (915) 541-4238]

- 5D.** An Ordinance changing the zoning of the following real property known as: Parcel 1: Portion of Lot 1, Block 11, Lomas Del Rey, Second Replat, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-1 (Commercial); and, Parcel 2: Portion of Lot 1, Block 11, Lomas Del Rey, Second Replat, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-1 (Commercial); and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 109 Argonaut. Property Owner: OSRO Holdings LLC, A Texas Limited Liability Company. PZRZ12-00033 **(District 1)**
 [City Development, Michael McElroy, (915) 541-4238]

PUBLIC HEARING WILL BE HELD ON JANUARY 29, 2013 FOR ITEMS 5C – 5D

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

ITEM 6 - RELATED TO THE BALLPARK

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

6. ENGINEERING AND CONSTRUCTION MANAGEMENT:

Discussion and action on the request that the City Engineer be authorized to issue a Purchase Order in the amount of \$648,841.22 to Basic IDIQ, Inc., a Texas Corporation, for the El Paso Times Building Second Floor Partial Remodel. This request is made pursuant to Texas Government Code Section 2267.403 which requires that individual purchase orders in excess of \$500,000, issued pursuant to a previously approved Job Order Contract, be separately approved.

Department: Engineering and Construction Management
 Individual Purchase Order Amount: \$648,841.22

Individual Purchase Order Project: El Paso Times Building Second Floor Partial Remodel
 Account No: 190-9998-4730-580270-PCP13CTYHALL2
 Funding Sources: City Hall Relocation
 Reference No: Contract 2013-092
Districts: All
 [Engineering and Construction Management, Irene D. Ramirez, (915) 541-4428]

REGULAR AGENDA – PUBLIC HEARINGS

7. CITY DEVELOPMENT:

- 7A.** An Ordinance granting Special Permit No. PZST12-00014, to allow for infill development with reduced rear yard setbacks on the property described as being the East 90 feet of Lots 7 - 12 and the West 45 feet of the South 10 feet of Lot 7, Block 93, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3204 Montana Avenue. Property Owner: Enrique and Norma Garcia, PZST12-00014 **(District 8)** [City Development, Andrew Salloum, (915) 541-4633]
- 7B.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places) Chapter 13.04 (Street and Sidewalk Construction and Maintenance), Section 13.04.070 (Installation of Sidewalk On Property On Which Building Permit Issued) of the El Paso City Code to amend the requirements for installation of sidewalks. The penalty being as provided in Section 13.08.140 of the El Paso City Code. **(All Districts)** [City Development, Kimberly Forsyth, (915) 541-4668]
- 7C.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.21 (Sidewalks), Section 19.21.010 (Purpose and Applicability) of the City of El Paso City Code to amend the requirements for installation of sidewalks. The penalty being as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)** [City Development, Kimberly Forsyth, (915) 541-4668]

REGULAR AGENDA – OTHER BUSINESS

8. CITY ATTORNEY:

Discussion and action on a Resolution of the City Council of the City of El Paso, Texas requesting the members of the 83rd Legislative Session of the State of Texas support legislation that increases funding for the Texas Recreation & Parks Account and Large County and Municipality Recreation and Parks Account Local Park Grant Programs, and the Texas State Park System. **(All Districts)**
 [City Attorney’s Office, Sylvia Borunda Firth, (915) 541-4550]

9. CITY DEVELOPMENT:

Discussion and action on a Resolution to adopt the City of El Paso Guidelines and Criteria for Tax Abatement Assistance. **(All Districts)**
 [City Development, Mathew McElroy, (915) 541-4193]
 POSTPONED FROM 11-27-12 AND 12-11-12

10. MAYOR AND COUNCIL:

- 10A.** Update on the Ports of Entry Task Force.
[Mayor John F. Cook, (915) 541-4145]
- 10B.** Discussion and action on removing No Parking Zone on Luna Street.
[Representative Susie Byrd, (915) 541-4416]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** City of El Paso vs. El Paso Entertainment, Inc., et al., Cause No. EP-07-CV-380-KC, in the United States District Court for the Western District of Texas. (551.071)
[City Attorney's Office, Kenneth Krohn, (915) 541-4550]
- EX2.** Carmen Guevara vs. City of El Paso, et. al.; Cause No. 2007-1845 (551.071)
[City Attorney's Office, Kenneth Krohn, (915) 541-4550]
- EX3.** Discussion and action regarding issues related to matters involving the demolition of City Hall, the construction of the new ballpark stadium, the initiative petitions and related litigation. (551.071) [City Attorney's Office, Laura P. Gordon, (915) 541-4550]
- EX4.** Discussion and action regarding Transportation Financing Issues. (551.071)
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>