

JOHN F. COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **REVISED AGENDA FOR REGULAR CITY COUNCIL MEETING**

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January 6, 2009  
Council Chambers, City Hall  
8:30 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

Roll call and Executive Session\*  
Invocation and Pledge of Allegiance  
Ceremonial items followed by all other items posted on the Agenda

\*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.

Invocation – Reverend Lisle Davis  
Pledge of Allegiance

### **MAYOR'S PROCLAMATIONS**

- 1. CRIME STOPPERS MONTH**
- 2. DR. MARTIN LUTHER KING, JR. FOOD DRIVE WEEK**

### **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](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.

Requests to speak must be received by 9:00 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 23, 2008.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**3. RESOLUTION:**

That the City authorize the Deputy Director of Development Services, Planning Department, to take the necessary steps to terminate Special Permit No. SU-02032 granted to RKBT Enterprises, Ltd on March 5, 2003. Subject Properties: (Parcel I) 1000, 1008 & 1010 Myrtle Avenue, (Parcel II) 1000 Texas Avenue. Applicant: City of El Paso. ZON08-00112 (**District 8**) [Development Services, Tony De La Cruz, (915) 541-4329]

**4. BOARD RE-APPOINTMENT:**

Rene Peña to the City Employees Pension Fund Board of Trustees by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

**5. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:**

Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to amend Contract C55-2678 to Physio-Control, Inc., a division of Medtronic Emergency Response Systems, Inc. to include Police Department, Department of Aviation, and Parks & Recreation defibrillators. Physio-Control, Inc. is the sole source and manufacturer's authorized maintenance provider for LifePak Defibrillators products, parts, accessories, repairs, etc. Contract expires February 28, 2010.

Department:	Fire
Annual Estimated Amount:	\$73,335 (Fire, Police, Aviation and Parks & Recreation)
Account No.:	22010319 – 502229 – 01101
Funding Source:	Fire, SCBA & Logistic, Office Equipment Maintenance
Total Estimated Award:	\$146,670 (2 year total)
Reference No.:	2006-150

**Districts:** **All**  
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**REGULAR AGENDA - INTRODUCTIONS**

**6. 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.**

**6A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 Schedule III (Parking Prohibited at all times on certain streets) of the El Paso City Code, by adding Helen of Troy Drive from Desert Boulevard north to a point five hundred feet east of Resler Drive. The penalty being as provided in Section 12.84.010 (Violation--Penalty) of the El Paso City Code. **(District 1)**  
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

**6B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 Schedule III (Parking Prohibited at all times on certain streets) of the El Paso City Code, by amending Number 331 "Both sides of Belvidere from Tudor Way to White Cliffs Drive" to "Belvidere Street from Tudor Way to De Los Santos Way, Both Sides". The penalty being as provided in Section 12.84.010 (Violation -Penalty) of the El Paso City Code. **(District 1)**  
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

**PUBLIC HEARING WILL BE HELD ON JANUARY 13, 2009, FOR ITEMS 6A – 6B**

**6C.** An Ordinance changing the zoning of the El Paso County Hospital District (Thomason General Hospital) Tracts Lying within Tobin's Fourth Addition to the City of El Paso as Recorded in Volume 4, Page 25, Plat Records of El Paso County, Texas and A Portion of F. Neve Survey No. 8, City of El Paso, El Paso County, Texas Comprising a Portion of Said F. Neve Survey No. 8, Lots 1 through 22, Block 1, Lots 1 through 21, Block 2, Lots 1 through 24, Block 3, Lots 1 through 21, Block 4, Lot 1 through 16, Block 5, Lots 1 through 25, Block 7, Lots 1 through 26, Block 8, Lots 1 through 24, Block 9, Lots 1 through 12, Block 10, Lots 6 through 11, Block 11, All of Lots 4 and 5 and a Portion of Lots 3 and 6, Block 12, of Said Tobin's Fourth Addition to the City of El Paso, El Paso County, Texas, and a Portion of Lots 18, 19, and 20, Block 1, Lots 1 through 4 and 6 through 15 and All of Lot 5, Block 4, Val Verde Addition to the City of El Paso, El Paso County, Texas, from M-1 (Light Manufacturing), M-1/sp (Light Manufacturing/special permit) C-4 (Commercial), C-4/sc (Commercial/special contract), C-4/c (Commercial/condition) to GMU/sp/c/sc (General Mixed Use/special permit/condition/special contract) and approving a Master Zoning Plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Alameda Avenue and West of Reynolds Street. Applicant: El Paso County Hospital District. ZON08-00090 **(District 3)** [Development Services, Ismael B. Segovia, (915) 541-4027]

- 6D.** An Ordinance granting Special Permit No. ZON08-00086, to allow a social club on the property described as Tracts 3-B, and 3-D-2, Ysleta Grant, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 175 Barker Road, Property Owners: Rio Grande Obedience Dog Club, ZON08-00086 **(District 3)**  
[Development Services, Miriam Spencer, (915) 541-4192]
- 6E.** An Ordinance changing the zoning of the following real property described as: Parcel 1: A portion of Tract 4-C-4, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas, from A-2/H/sc (Apartment/Historic/special contract) to A-M/H/sc (Apartment/Mobile Home/Historic/special contract); and Parcel 2: Tract 4-C and a portion of Tract 4-C-4, Block 52, City of El Paso, El Paso County, Texas from A-2/sc (Apartment/special contract) to A-M/sc (Apartment/Mobile Home/special contract), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Socorro Road south of La Morenita Circle and East of Isaiah Drive, Property Owner: Carmen R. Martinez, ZON08-00081 **(District 6) THIS IS AN APPEAL**  
[Development Services, Miriam Spencer, (915) 541-4192]
- 6F.** An Ordinance granting Special Permit No. ZON08-00056, to allow medical offices on the property described as Lot 10, Block 3, Alameda Acres, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 125 Glenwood Street, Applicant: EPR Realty, LTD. ZON08-00056 **(District 3)**  
[Development Services, Miriam Spencer, (915) 541-4192]
- 6G.** An Ordinance annexing the following real property described as: Parcel 1: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas; and, Parcel 2: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, El Paso County, Texas. Subject Property: East of Zaragoza Road near Pebble Hills Boulevard. Applicant: Ranchos Real IV, LTD. AN08010  
**East ETJ: Adjacent to Districts 5 & 6)**  
[Development Services, Christina Ainsworth, (915) 541-4930]
- 6H.** An Ordinance changing the zoning of the following real property described as: Parcel 1: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and Parcel 3: A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and Parcel 4: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and Parcel 5: A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and Parcel 11: A portion of Section 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-F (Ranch and Farm) to C-2 (Commercial) and imposing conditions; and,

Parcel 2: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-F (Ranch and Farm) To R-5 (Residential); and,

Parcel 6: A portion of Sections 47 and 48, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-F (Ranch and Farm) to C-1 (Commercial) and imposing conditions; and,

Parcel 7: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from C-2 (Commercial) to GMU (General Mixed Use) and approving a master zoning plan; and,

Parcel 8: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-5 (Residential) to GMU (General Mixed Use) and approving a master zoning plan; and,

Parcel 9: A portion of Section 38, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-5 (Residential) to PR-II (Planned Residential); and,

Parcel 10: A portion of Sections 38 and 47, Block 79, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from R-5 (Residential) to C-2 (Commercial) and imposing conditions.

The penalty is as provided for in chapter 20.24 of the El Paso City Code. Subject Property: East of Zaragoza Road near Pebble Hills Boulevard.

Applicant: Ranchos Real IV, LTD. ZON08-00085 **(District 5, East ETJ: Adjacent to Districts 5 & 6)**

[Development Services, Christina Ainsworth, (915) 541-4930]

- 6I. An Ordinance changing the zoning of lots 34 and 35, Save and Except that portion of Lot 35, Pendale Industrial Unit B, City of El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Yermoland Drive and East of Pendale Road. Applicant: Jose and Veronica Gallegos, ZON08-00092 **(District 7)**

[Development Services, Andrew Salloum, (915) 541-4027]

- 6J. An Ordinance changing the zoning of the following real property described as:  
Parcel 1: Lots 11 to 20,Block 214, Campbell Addition, City of El Paso, El Paso County, Texas, be changed from C-4 (Commercial) to RMU (Residential Mixed Use); and, Parcel 2: Lots 7 to 10, Block 214, Campbell Addition, City of El Paso, El Paso County, Texas, be changed from C-4/H (Commercial/Historic) to RMU/H (Residential Mixed Use/Historic); and, Parcel 3: Lots 1 to 3 and west 20 feet of 4, Lots 5 and east 5 feet of 4, Lots 6 and west 15 feet of 7, Block 1, Franklin Heights Addition, City of El Paso, El Paso County, Texas, be changed from C-4/H (Commercial/Historic) to RMU/H (Residential Mixed Use/Historic); and,

Parcel 4: Lots 17 to 19, Block 1, Franklin Heights Addition, City of El Paso, El Paso County, Texas, be changed from A-3/H (Apartment/Historic), to RMU/H (Residential Mixed Use/Historic) and approving a Master Zoning Plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Parcel 1: 900 Myrtle Avenue, Parcel 2: 915 and 917 Magoffin Avenue, Parcel 3: 1000, 1008 and 1010 Myrtle Avenue, Parcel 4: 10001 Magoffin Avenue. Applicant: Centro De Salud Familiar La Fe, Inc., ZON08-00089 **(District 8)** [Development Services, Tony De La Cruz, (915) 541-4329]

**PUBLIC HEARING WILL BE HELD ON JANUARY 27, 2009, FOR ITEMS 6C – 6J**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 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 Friday, 8:00 a.m. to 5:00 p.m.

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**7. FINANCIAL SERVICES:**

Discussion and action on the award of Solicitation No. 2009-013 (Duty Uniforms) to Bazaar Uniforms & Men's Store, LLC and Uniforms of Texas for a total estimated award of \$832,905.

Department:		Fire
Award to:	Vendor 1:	Bazaar Uniforms & Men's Store, LLC El Paso, TX
Items:		Group I - 1, 2, 3 Group II - 1, 2, 3, 4, 5, 6, 7, 8, 9a, 9b Group III - 1, 2, 3, 5 Group IV – 1
Annual Estimated Amount:		\$273,405.
Award to:	Vendor 2:	Uniforms Of Texas El Paso, TX
Items:		Group III – 4 Group IV - 3, 4
Annual Estimated Amount:		\$4,230.
Account No.:		22010100 – 503120 – 01101
Funding Source:		Uniforms & Apparel Supplies, General Operating Funds
Total Estimated Award:		\$832,905.
<b>Districts:</b>		<b>All</b>

This is a requirements type contract with an initial term of thirty-six (36) months.

The cost under this requirement contract is only an estimated value. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total at the end of the contract term so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and Fire recommend award as indicated to the lowest responsive, responsible bidders.  
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**REGULAR AGENDA – PUBLIC HEARINGS**

**8. DEVELOPMENT SERVICES:**

- 8A.** An Ordinance changing the zoning of a portion of Tract 11C2, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from C-3 (Commercial) to C-4 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: west of Rich Beem Boulevard and north of Montana Avenue. Applicant: East Montana Joint Venture. ZON08-00058 **(District 5)** [Development Services/Planning, Arturo Rubio, (915) 541-4633]  
POSTPONED FROM 11-11-08
- 8B.** An Ordinance changing the zoning of a portion of Tract 23A (n/k/a 23A1), Tracts 23B1, 24G, and 26D, Section 38, Block 81, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to C-3 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 9660 Dyer. Applicant: Rick L. Paul-Peterson. ZON08-00079 **(District 4)**  
[Development Services/Planning, Arturo Rubio, (915) 541-4633]
- 8C.** An Ordinance granting Special Permit No. ZON07-00161 to allow for a hotel on the property described as a portion of Block 8, Castner Range Subdivision Unit One, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 4631 Cohen Avenue. Applicant: Cohen Hospitality Group. ZON07-00161 **(District 4)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 8D.** An Ordinance changing the zoning of Lots 52 through 56, Block B, Bassett Addition, City of El Paso, El Paso County, Texas, from A-3 (Apartment) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 2101 Central Avenue. Applicant: Martin Beltran. ZON08-00071 **(District 8)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 8E.** An Ordinance changing the zoning of Lot 58 and a portion of Lot 59, Block B, Bassett Addition, City of El Paso, El Paso County, Texas, from A-3 (Apartment) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 2031 Central Avenue. Applicants: Alfredo and Veronica Gutierrez. ZON08-00052 **(District 8)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 8F.** An Ordinance changing the zoning of a portion of Tract 182, Sunrise Acres Unit One, City of El Paso, El Paso County, Texas, from R-4 (Residential) to C-2 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 8633 Gateway South Boulevard. Applicant: Glenn Soll. ZON08-00076 **(District 2)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 8G.** An Ordinance changing the zoning of a portion of Lot 10, replat of Crown Point Addition, City of El Paso, El Paso County, Texas, from R-3 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the

El Paso City Code. Subject property: 100 Crown Point. Applicant: Jaime Portillo. ZON08-00072 **(District 1)**  
[Development Services/Planning, Ismael Segovia, (915) 541-4027] **POSTPONED FROM 12-23-08**

**9. MAYOR AND COUNCIL:**

An Ordinance amending Title 6 (Vehicles for Hire), Chapter 6.12 (Chauffeur's License), of the El Paso City Code to amend sections thereunder to create a qualified Chauffeur License for bicycles, pedicabs, and other similarly-operated vehicles that are operated as non-motorized vehicles for hire. **(All Districts)**  
[Representative Steve Ortega, (915) 541-4108] **POSTPONED FROM 12-23-08**

**REGULAR AGENDA – OTHER BUSINESS**

**10. MAYOR AND COUNCIL:**

Discussion and action on a proposed resolution for our Sister City of Ciudad Juarez by the Committee on Border Relations. [Mayor John F. Cook, (915) 541-4145]

**11. ECONOMIC DEVELOPMENT:**

Discussion and action on an incentive policy for blighted properties. **(All Districts)**  
[Economic Development, Kathryn B. Dodson, (915) 541-4760] **POSTPONED FROM 12-23-08**

**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.) 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.** Claim of Dave Dixon, Our File No. 08-C-234. (551.071)  
[City Attorney's Office, Karla M. Nieman (915) 541-4550]

**EX2.** Discussion and action related to the City's lien against the property located at 10969 Duke Snider Circle, El Paso, Texas. (551.071)  
[City Attorney's Office, Marie Taylor, (915) 541-4550] **POSTPONED FROM 12-09-08 AND 12-23-08**

**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 EVERY FRIDAY AT THE ADDRESS BELOW:**

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