

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL ROBINSON, 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

January 12, 2010
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 – Police Chaplain Lisle Davis
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

1. NATIONAL BLOOD DONOR MONTH
2. NATIONAL MENTORING MONTH
3. DR. MARTIN LUTHER KING, JR. DAY

RECOGNITION

**NATIONAL INSTITUTE FOR AUTOMOTIVE SERVICES –
BLUE SEAL OF EXCELLENCE AWARDED TO
GENERAL SERVICES DEPARTMENT'S FLEET SERVICES DIVISION**

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.

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 January 5, 2010.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. BOARD APPOINTMENTS:

To the Public Utility Regulation Board by Mayor John F. Cook.

| | |
|---------------------------|--------------------|
| Moises Rodriguez, Jr. | Mayor's nominee |
| Les Parker | District 1 nominee |
| William Stafford Thurmond | District 2 nominee |
| Blanca Enriquez | District 3 nominee |
| Joe Melendez | District 4 nominee |
| Tom Brown | District 5 nominee |
| Jimmy Janacek | District 6 nominee |
| Robert C. Schultz | District 7 nominee |
| Lisa Turner | District 8 nominee |

[Mayor John F. Cook, (915) 541-4145]

4. PURCHASING REQUESTS TO ISSUE PURCHASE ORDER, ETC.:

Request to reject all bids for Solicitation No. 2010-041 (Police Motorcycles Parts & Service) as recommended by Financial Services, Purchasing Division, and General Services, Fleet Division, because the sample pricing could not be verified against the price lists submitted by all of the bidders; therefore all bidders were non-responsive.

(All Districts)

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
[General Services, Stuart Ed, (915) 621-6822]

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

5. FINANCIAL SERVICES:

Discussion and action on the award of Solicitation No. 2010-057 (Police Weapons – M-4 Carbine Style Rifles) to GT Distributors, Inc. for a total amount of \$772,646.

Department: Police
 Award to: GT Distributors, Inc.
 Austin, TX
 Items: All
 Option: To purchase 100% of the original purchase at the same unit price if the option is exercised within 90 days from date of award.
 Account No.: 21150010-503300-05441-G211019
 Funding Source: Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG)
 Total Award: \$772,646
Districts: All

This is a fixed-price, single (one-time) purchase type contract

The Departments of Financial Services, Purchasing Division, and Police recommend award as indicated to the lowest responsive, responsible bidder.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
 [Police Department, Peter Pacillas, (915) 564-7304]

REGULAR AGENDA – PUBLIC HEARINGS

6. DEVELOPMENT SERVICES:

6A. An Ordinance vacating a portion of Portland Avenue, City of El Paso, El Paso County, Texas. Applicant: City of El Paso. Subject property: between Elm Street and Grant Avenue. SUB09-00143 **(District 2)**
 [Development Services/Planning, Raul Garcia, (915) 541-4935]

6B. An Ordinance amending Ordinance No. 017176 which imposed a moratorium for a period of ninety days and Ordinance No. 017231 which extended the moratorium period an additional sixty days on the acceptance of applications for permits and issuance of permits for the erection, construction, or modification of off premise signs or billboards, to extend the moratorium period for one hundred and twenty additional days. **(All Districts)**
 [Development Services/Planning, Mathew McElroy, (915) 541-4193]

7. ENGINEERING:

7A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.56 (Schedules), Section 12.56.020 (Installation), of the El Paso City Code by providing that the International Bridges Director may designate areas in which the parking meter fee may be required for particular hours and providing for exceptions. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 8)**
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

- 7B.** 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 34, “Schuster Avenue between Oregon Street and Campbell Street, both sides” to “Schuster Avenue between Campbell Street to its terminus at the west end, both sides” and to delete Number 88 “Schuster Avenue from Sun Bowl Road to Hawthorne Street, both sides”. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 8)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

8. ENVIRONMENTAL SERVICES:

An Ordinance amending Title 9 (Health and Safety), Chapter 9.36 (Air Pollution), of the El Paso City Code by deleting Section 9.36.050 and by adding Section 9.36.100 (Disposal Fire Exception). The penalty as provided in Sections 9.52.030.105.1.1 of the El Paso City Code. **(District 6)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]
POSTPONED FROM 01-05-10

REGULAR AGENDA – OTHER BUSINESS

9. MAYOR AND COUNCIL:

9A. Legislative Review Committee Report:

1. For notation: Formal report of the Fiscal Affairs Legislative Review Committee meeting held on December 10, 2009, as submitted by Representative Rachel Quintana; and
2. Discussion pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
 - A) Proposed revisions to the Competitive Sealed Proposal and Contractor Responsibility procedures.
 - B) Proposed Municipal Vehicle Storage Facility.
 - C) Four Day-Ten Hour Work Week Pilot Results
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

- 9B.** Discussion and action on a Resolution that the Mayor be authorized to send a letter on behalf of the City of El Paso to Senator Max Baucus, Chairman of the Senate Finance Committee, requesting a hearing to begin the confirmation process for Alan Bersin as Customs and Border Patrol Commissioner.
(All Districts) [Mayor John F. Cook, (915) 541-4145]

10. DEVELOPMENT SERVICES:

Discussion and action regarding the results of a multifamily housing study completed by Alvarez and Marsal as part of the grant funding received for the Multifamily Housing Forum II. The study looks specifically at regional costs to construct multifamily housing (land, construction, fees, taxes, etc.) and includes three separate models of construction costs and financing options. The study also reviewed available Federal programs that might be used to incentivize more construction. **(All Districts)**
[Development Services/Planning, Mathew McElroy, (915) 541-4056]

11. ECONOMIC DEVELOPMENT:

Discussion and action that the City Manager be authorized to sign an Amendment to the Agreement (“Agreement”) by and between the City of El Paso (“City”) and the El Paso Regional Economic Development Corporation (“REDCo”) to accept and approve a new Exhibit A, 2010 Scope of Services, and new Exhibit B, 2010 Performance Metrics and to have REDCo continue to provide specific, measurable economic development services to the City. The original term of the Agreement expired on December 31, 2007, and automatically renews for three successive one-year terms, subject to REDCo’s satisfaction of the performance metrics and subject to the City’s appropriation of funds for payment. For this third successive one-year term, the City shall pay to REDCo an amount not to exceed \$200,000 during 2010 in exchange for the specific, measurable economic development services identified in the new Exhibits A and B. Funding Source: Economic Development 72010268-01101-72000-505200. **(All Districts)**
 [Economic Development, Kathryn B. Dodson, (915) 541-4872]

12. MUNICIPAL CLERK:

Discussion and action on analysis of relocating Municipal Court’s arraignments from 9600 Dyer to 810 East Overland. **(All Districts)**
 [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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.** 420 N. Campbell, El Paso, Texas. (551.072)
 [City Attorney's Office, Marie Taylor, (915) 541-4550]
- EX2.** 201-205 Stanton, El Paso, Texas. (551.072)
 [City Attorney's Office, Marie Taylor, (915) 541-4550]
- EX3.** Application of El Paso Electric Company to Implement an Interim Fuel Refund before the Public Utility Commission of Texas, Docket No. 37788. (551.071)
 [City Attorney's Office, Bertha A. Ontiveros, (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 EVERY FRIDAY AT THE ADDRESS BELOW:

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