

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

AGENDA FOR REGULAR CITY COUNCIL MEETING

**January 15, 2008
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.

8:30 a.m.: Roll call and Executive Session*
9:00 a.m.: Invocation and Pledge of Allegiance
9:00 a.m.: 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 Carlos Flores
Pledge of Allegiance**

MAYOR'S PROCLAMATIONS

DR. MARTIN LUTHER KING, JR. DAY

RECOGNITIONS

- 1. EL PASO, TEXAS KABOOM PLAYFUL CITY USA DESIGNATION/RECOGNITION**
- 2. MAYOR'S YOUTH ART SHOWCASE**

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.

REGULAR AGENDA – OTHER BUSINESS

1. MAYOR AND COUNCIL:

Discussion and action on the Election of Mayor Pro Tempore and Alternate Mayor Pro Tempore. [Mayor John F. Cook, (915) 541-4145]

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

2. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of January 8, 2008.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

3. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

4. RESOLUTION:

Resolution authorizing the City Manager to sign a Reaffirmation Agreement between the City of El Paso and Daniel Diaz and Maria del Carmen Diaz which reaffirms the Rehabilitation loan to the City for the property located at 9012 Mt. Olympus, El Paso, Texas. **(District 2)** [Community Development, William Lilly, (915) 541-4643]

5. BOARD APPOINTMENTS:

5A. Emanuel Anthony Martinez to the El Paso Museum of Archaeology Advisory Board by Representative Steve Ortega, District 7.
[Representative Steve Ortega, (915) 541-4124]

5B. Elia Perez to the El Paso Museum of Archaeology Advisory Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

6. BEST VALUE PROCUREMENT:

6A. The award of Solicitation No. 2008-013 (Traffic Priority Control System, Infrared Activated, Data-Encoded) to Tri-State Electric Ltd. for a total amount of \$154,561.83.

Department: Engineering
 Award to: Tri-State Electric Ltd.
 El Paso, Texas
 Items: 1 and 8
 Annual Estimated Amount: \$154,561.83
 Option: Two years
 Account No.: 27263 – 99331117 – 508027 – PCP06ST013
 Funding Source: Signal/Flasher Install CP06
 Total Estimated Award: \$154,561.83
Districts: 1 and 8

This is a 24-month requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum 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 Engineering and Financial Services, Purchasing Division, recommend award to Tri-State Electric Ltd., the vendor offering best value bid. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 6B.** The award of Solicitation No. 2008-006 (Janitorial Services - Nolan Richardson and Gary Del Palacio Recreation Center and San Juan Senior Citizen Center) to Total Cleaning Services for a total amount of \$103,968.40.

Department: Parks and Recreation
 Award to: Total Cleaning Services
 El Paso, Texas
 Items: All
 Annual Estimated Amount: \$32,283.16 (1st Year)
 \$34,706.80 (2nd Year)
 \$36,978.44 (3rd Year)
 Option: Two years
 Account No.: 51010256 – 01101 - 502206
 Funding Source: Operating Funds, Maintenance Svcs. Contract - Janitorial
 Total Estimated Award: \$103,968.40
Districts: 2, 3, and 5

This is a thirty-six month requirements type contract.

The Departments of Financial Services, Purchasing Division, and Parks and Recreation recommend award as indicated to the vendor offering the best value bid. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

7. BID:

- The award of Solicitation No. 2008-020 (Hydraulic Cylinder Repack/Rebuild and Hydraulic System Components Repair) to CIMA Technologies, LLC for a total amount of \$120,000.

Department: General Services
 Award to: CIMA Technologies, LLC
 El Paso, Texas
 Items: All

Annual Estimated Amount: \$40,000
Option: Two years
Account No.: 45202 – 37370510 - 503125
Funding Source: Fleet Services Internal Fund
Total Estimated Award: \$120,000
Districts: All

This is a 36-month requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum 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 General Services and Financial Services, Purchasing Division, recommend award to the lowest responsive, responsible bidder.
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

8. BUDGET TRANSFER:

BT2008-438 Museums and Cultural Affairs Department

This request sets up the appropriations for a \$50,000 award to the El Paso Museum of Art from the Samuel H. Kress Foundation. The support of the Foundation is designated as follows: \$35,000 for the development and publication of a catalog and \$15,000 to be used at the discretion of the Museum of Art. No match required.

Increase	\$50,000	to	Donations
Increase	\$50,000	to	Contractual Services

(All Districts)

[El Paso Museum of Art, Michael Tomor, (915) 532-1707]
[Office of Management and Budget, David Almonte, (915) 541-4011]

REGULAR AGENDA - INTRODUCTIONS

9. 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.**

9A. An Ordinance authorizing the City of El Paso to enter into a license agreement with the University of Texas at El Paso for the development and maintenance of Rio Bosque Park; superseding Ordinances 012982 and 014251; and canceling the license agreement approved by Ordinance 012982. **(District 6)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4283]

PUBLIC HEARING WILL BE HELD ON JANUARY 22, 2008, FOR ITEM 9A

9B. An Ordinance changing the zoning of Tract 2, Block 37, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-4 (Residential) to A-O (Apartment-Office) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 171-175 North Zaragoza Road. Applicant: Elvia C. Mendoza. ZON07-00116 **(District 7)** [Development Services/Planning, Arturo Rubio, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON FEBRUARY 5, 2008, FOR ITEM 9B

Public Hearings will be held as part of the regular City Council meeting which 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 – PUBLIC HEARINGS

10. INTRODUCTION AND PUBLIC HEARING – FINANCIAL SERVICES:

An Ordinance authorizing the issuance of “City of El Paso, Texas, Water And Sewer Revenue Refunding Bonds, Series 2008;” and resolve matters which are necessary to effectuate said issuance. **(All Districts)** [Bond Counsel, Paul A. Braden, (915) 544-9997]

11. PUBLIC HEARINGS – DEVELOPMENT SERVICES

11A. A Resolution approving a detailed site development plan for a portion of Lot 2, Block 4, West Ten Development, City of El Paso, El Paso County, Texas, pursuant to a special contract condition imposed by contract dated February 28, 1984. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: Remcon Circle. Applicant: RJLK, L.P. ZON07-00126 **(District 8)** [Development Services/Planning, Raul Garcia, (915) 541-4935]

11B. A Resolution approving a Detailed Site Development Plan for a portion of Lot 4, Block 3, Sunland Business Center, City of El Paso, El Paso County, Texas, pursuant to a special contract condition imposed by contract dated January 28, 1985. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of Doniphan Park Circle, south of Interstate 10. Applicant: Sunland Business Center Partners, LP. ZON07-00134 **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]
POSTPONED FROM 01-02-08

11C. An Ordinance changing the zoning of a portion of Tract 2A and all of 2J, Block 34, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-3 (Residential) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 210 Smith Road. Applicant: Raul and Jozette E. Nava. ZON07-00117 **(District 7)** [Development Services/Planning, Arturo Rubio, (915) 541-4633] **POSTPONED FROM 01-08-08**

11D. A Resolution approving a detailed site development plan for a portion of Lot 2, Block 3, West Ten Development, City of El Paso, El Paso County, Texas, pursuant to a special contract condition imposed by contract dated February 28, 1984. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7420 Remcon Circle. Applicant: Rio Grande MOB, LTD. ZON07-00123 **(District 8)** [Development Services/Planning, Raul Garcia, (915) 541-4935]

REGULAR AGENDA – OTHER BUSINESS

12. MAYOR AND COUNCIL:

- 12A.** Discussion and action to officially authorize and sponsor a Special Parade on February 27, 2008, recognizing the 4th Brigade, 1st Cavalry Division, and the 3rd Battalion of the 43 ADA of the 11th Air Defense Artillery Brigade, also known as the 4-1Cav and 3-43 ADA, and their contributions to the U.S. Military Effort in Iraq, on behalf of Ft. Bliss and the U.S. Army. [Mayor John F. Cook, (915) 541-4145]
- 12B.** Discussion and action on authorizing the City Manager to rename 8th Avenue to Olivas V. Aoy Avenue. [Representative Beto O'Rourke, (915) 541-4123]

13. COMMUNITY DEVELOPMENT:

- 13A.** Discussion and action on a Resolution that Council approves the Lower Dyer Neighborhood Revitalization Strategy and that the City Manager be authorized to submit the strategy to the U.S. Department of Housing and Urban Development (HUD) for Neighborhood Revitalization Strategy Area (NRSA) designation. **(District 2)** [Community and Human Development, Mark Weber, (915) 541-4932]
- 13B.** Discussion and action on a Resolution that Council approves the Chamizal Neighborhood Revitalization Strategy and that the City Manager be authorized to submit the strategy to the U.S. Department of Housing and Urban Development (HUD) for Neighborhood Revitalization Strategy Area (NRSA) designation. **(Districts 3 and 8)** [Community and Human Development, Mark Weber, (915) 541-4932]
- 13C.** Discussion and action on a Resolution that Council approves the Sunrise Neighborhood Conservation Plan and the Municipal Action Strategy contained therein. **(Districts 2 and 4)** [Community and Human Development, Mark Weber, (915) 541-4932]

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.** 710, Inc. vs. The El Paso Central Appraisal District and The City of El Paso, Cause No. 2003TX350. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** Discussion and action regarding City-County Property transactions. (551.071 & 551.072) [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
- EX3.** Discussion and action regarding City Hall real estate options. (551.071 & 551.072) [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
- EX4.** Elizabeth Hepner vs. City of El Paso; Cause No. 2006-5498. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX5.** Discussion and action regarding Sexually Oriented Business Ordinance No. 016624. (551.071) [City Attorney's Office, Hadley Huchton, (915) 541-4550]
- EX6.** Discussion and action regarding strategies and options related to Asarco litigation, bankruptcy, TCEQ permit process, and other legal matters involving Asarco. (551.071) [City Attorney's Office, Raymond L. Telles, (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/>