

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

AGENDA FOR REGULAR CITY COUNCIL MEETING

January 20, 2009
Council Chambers, City Hall
9:00 a.m.

THE CITY COUNCIL MEETING WILL CONVENE AT 9:00 A.M., RECESS WILL BE REQUESTED AT 10:00 A.M., AND THE MEETING WILL RECONVENE AT 2:00 P.M. IF NECESSARY

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 – Salvation Army Major Elaine Wildman
Pledge of Allegiance

MAYOR'S PROCLAMATION

**EL PASO, TEXAS
AMERICA'S MOST PATRIOTIC CITY**

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 13, 2009.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTION:

A Resolution to adopt the 2009 Public Art Plan. **(All Districts)**
[Museums and Cultural Affairs, Sean McGlynn, (915) 541-4896]

4. BOARD APPOINTMENT:

Marianne Campbell to the Animal Welfare Advisory Committee by Representative Rachel Quintana. [Representative Rachel Quintana, (915) 541-4701]

5. APPLICATIONS FOR TAX REFUND:

That the tax refunds listed on the attachment posted with this agenda be approved.
(See Attachment A) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

6. PURCHASING REQUEST TO ISSUE PURCHASE ORDER, ETC.:

Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to exercise the City's option to extend current contract 2006-071 (Elevator and Escalator Maintenance - Airport) with ThyssenKrupp Elevator for twenty-four additional months, pursuant to the provisions to the award approved by City Council on January 31, 2006. Contract period is February 5, 2009, to February 4, 2011

Department: Aviation
Account No.: 62620003 – 503121 – 40101
Funding Source: Airport Funds
Total Estimated Award: \$119,551.20 (2-year total)
District: 3
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

7. REQUEST FOR PROPOSAL:

The award of Solicitation No. 2009-034R (Fine Arts Museum Insurance) to Huntington T. Block Insurance Agency, Inc. for a total estimated 3-year award of \$81,000 for insurance coverage of \$60,000,000 with a deductible of \$50,000 per occurrence.

Department: OMB/Insurance & Benefits and Museum of Art
Award to: Huntington T. Block Insurance Agency, Inc.
Houston, TX

Items: All
Option: Two 1-year periods
Annual Estimated Amount: \$27,000
Account No.: 54010249 – 504409 – 01101
Funding Source: Museum of Art – Property Insurance Expense
Total Estimated Award: \$81,000 (3-year total)
Districts: All

This is a three-year contract.

The Departments of Financial Services, Purchasing Division, and Office of Management and Budget/Insurance and Benefits recommend award as indicated. The review committee based on evaluation factors established for this procurement, recommend award to the highest ranked proposer as indicated.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA - INTRODUCTIONS

8. 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.**

8A. An Ordinance vacating a portion of Ange Street located between Block 1 Franklin Heights Addition and Block 214 Campbell Addition, City of El Paso, El Paso County Texas. Applicant: Centro De Salud Familiar La Fe. SUB08-00135. **(District 8)** [Development Services/Planning, Raul Garcia, (915) 541-4935]

8B. An Ordinance vacating a portion of a 20 foot wide alley, between Lots 11-14 & 7-10, Block 214 Campbell Addition and a portion of an 18 foot wide alley between Lots 1-3 & 17-19, Block 1 Franklin Heights Addition, City of El Paso, El Paso County Texas. Applicant: Centro De Salud Familiar La Fe. SUB08-00136. **(District 8)** [Development Services/Planning, Raul Garcia, (915) 541-4935]

8C. An Ordinance authorizing the City of El Paso to sell approximately 4.74 acres of land being a portion of Tracts 18B and 19B, Block 54, Ysleta Grant Surveys, El Paso, El Paso County, Texas, to Instituto de Fomento Familiar Inc., d/b/a Centro Familiar Vino Nuevo de El Paso. **(District 7)**
[El Paso Water Utilities, Jim Shelton, (915) 594-5511]

- 8D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.060 (Parking Time Limited on Certain Streets), of the El Paso City Code by changing 12.88.060.A, Number 54, Texas Avenue, to remove limits on the parking time on the south side of the avenue. 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]
- 8E.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone) of the El Paso City Code by adding Fourth Avenue between El Paso Street and Santa Fe Street, north side only; and Father Rahm Avenue between El Paso Street and the first alley to the west of El Paso Street, south side only. 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]
- 8F.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.040 (Parking Prohibited During Certain Hours on Certain Streets), Subsection H (No Parking 7:00 a.m. to 5:00 p.m.), of the El Paso City Code by adding Ascarate from Alameda Avenue to a point 400 feet south of Alameda, east side only. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 3)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 8G.** 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 deleting: 62, Oregon Street from Rim Road to College Avenue, both sides; 230, Oregon Street from Cincinnati Avenue to Baltimore Drive, east side; 327, the east side of Oregon Street, from Schuster Avenue to Rim Road; and 426, Oregon Street from University Avenue to a point 380 feet northwest, west side only; and amending Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), of the El Paso City Code by adding Oregon Street between Schuster Avenue to Glory Road, 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]

PUBLIC HEARING WILL BE HELD ON JANUARY 27, 2009, FOR ITEMS 8A – 8G

- 8H.** An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Article II (Definitions), 20.02.304, of the El Paso City Code to amend the definition for “Domestic Storage”. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON FEBRUARY 10, 2009, FOR ITEM 8H

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 – PUBLIC HEARINGS

9. DEVELOPMENT SERVICES:

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, 01-06-09, AND 01-13-09

10. PARKS AND RECREATION:

An Ordinance authorizing the City Manager to sign a Lease Agreement between the City of El Paso and Teens In Action for the facility commonly known as the Ysleta Park Recreation Building located at 9068 Socorro Road, El Paso, Texas. **(District 6)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4331]

REGULAR AGENDA – OTHER BUSINESS

11. MAYOR AND COUNCIL:

11A. Discussion and action to dissolve the Ethics Ordinance Review Ad Hoc Committee established on an ad hoc advisory basis to make revisions to the City's Ethics Ordinance, as recommended by the City's Ethics Committee. The Ethics Review Commission has tentatively concluded its revisions to the Ethics Ordinance and is ready to present those revisions to the Council at a later date upon dissolution of the ad hoc committee. [Representative Susie Byrd, (915) 541-4416]

11B. Discussion and action on authorizing the City Manager to sign a Professional Services Agreement between the City of El Paso, Housing Finance Corporation (HFC), and Center for Neighborhood Technology (CNT) in the amount of \$5,000 to provide the City and HFC with analysis services and data on housing and transportation affordability in the El Paso, Texas metropolitan area, including the terms that HFC reimburse to the City \$1,667 of the contract cost and the City grant a non-exclusive perpetual license to use the subject data for completing the scope of work and thereafter CNT use of the work product.
[Representative Susie Byrd, (915) 541-4416]

12. DEVELOPMENT SERVICES:

Discussion and action on a Resolution setting a public hearing date of February 24, 2009, at 9:00 a.m. to consider land use assumptions and capital improvements plan under which an impact fee may be imposed. **(All Districts)**
[Development Services, John Neal, (915) 541-4193]

13. PARKS AND RECREATION:

13A. Discussion and action to authorize the Parks and Recreation Department to continue to use the current rules regarding gender eligibility in sports leagues offered by the City of El Paso. **(All Districts)**
[Parks and Recreation, Judy Weiss, (915) 541-4259]

- 13B.** Discussion and action to approve a policy for restrooms in outdoor park areas.
(All Districts) [Parks and Recreation, Joel W. McKnight, (915) 541-4354]

14. CITY MANAGER:

City Manager's report of current events and issues:

Discussion and action to authorize the City Manager to sign the First Amendment to the Sponsorship Agreement between the City of El Paso and Overtime Sports Southwest, LLC for the city's participation in the Sporting Events Trust Fund administration by the Texas State Comptroller's Office with regard to the Texas vs. Nation Game in 2009.
(All Districts) [Office of Management and Budget, David Almonte, (915) 541-4777]

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

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/>