

**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

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JANUARY 15, 2008  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrivals: Melina Castro and Rachel Quintana at 8:34 a.m. during Executive Session deliberations and Ann Morgan Lilly at 8:43 a.m. during Executive Session deliberations. Early departure: Eddie Holguin, Jr. at 1:55 p.m. The invocation was given by Police and Fire Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**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](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.

The following members of the public commented:

- 1. Ms. Courtney Knies**
  - 2. Ms. Lisa Turner**
- .....

**1<sup>ST</sup> MOTION**

Motion made by Representative O'Rourke, seconded by Mayor Pro Tempore Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:33 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- 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 Executive Session items listed on the Agenda.

NOT PRESENT FOR THE VOTE:   Representatives Lilly, Castro, and Quintana

**2<sup>ND</sup> MOTION**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 9:23 a.m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE:   Representatives Castro, Quintana, and O'Rourke

**3<sup>RD</sup> MOTION**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Castro, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:55 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- 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 Executive Session items listed on the Agenda.

**4<sup>TH</sup> AND FINAL MOTION**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 3:07 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE:   Representative Holguin

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**EX1.**   710, Inc. vs. The El Paso Central Appraisal District and The City of El Paso, Cause No. 2003TX350.

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week 710, Inc. vs. The El Paso Central Appraisal District and The City of El Paso, Cause No. 2003TX350.

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**EX2.** Discussion and action regarding City-County Property transactions.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Quintana and carried that the City Manager be authorized to **NEGOTIATE** with the County of El Paso on the acquisition, sale, or exchange of real property interests in the following:

1. 211 Shelter Place, El Paso, El Paso County, Texas;
2. 325 Shelter Drive, El Paso, El Paso County, Texas;
3. 5001 Fred Wilson Drive, El Paso, El Paso County, Texas;
4. 810 E. Overland Ave., El Paso, El Paso County, Texas;
5. 200 S. Campbell, El Paso, El Paso County, Texas;
6. 222 S. Campbell Street, El Paso, El Paso County, Texas; and
7. 10039 North Loop, El Paso County, Texas.

AYES: Representatives Lilly, Byrd, Castro, Quintana, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Holguin

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**EX3.** Discussion and action regarding City Hall real estate options.

Representative Castro commented.

Ms. Joyce Wilson, City Manager, commented.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried that the City Manager be authorized to **EVALUATE AND ANALYZE** alternatives related to the present and future uses of City Hall real estate interests.

AYES: Representatives Lilly, Byrd, Castro, Quintana, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Holguin

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**EX4.** Elizabeth Hepner vs. City of El Paso; Cause No. 2006-5498.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and carried that the outside counsel for the City of El Paso be authorized **SETTLEMENT AUTHORITY**, to negotiate settlement agreement, and sign all documents to resolve the lawsuit styled Elizabeth Hepner vs. City of El Paso; Cause No. 2006-5498.

AYES: Representatives Lilly, Byrd, Quintana, Ortega, and O'Rourke

NAYS: Representative Castro

NOT PRESENT FOR THE VOTE: Representative Holguin

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**EX5.** Discussion and action regarding Sexually Oriented Business Ordinance No. 016624.

Representatives Castro, Quintana, Lilly, and Ortega commented.

Ms. Joyce Wilson, City Manager, commented and Ms. Laura Gordon, City Deputy City Attorney, gave legal advice.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and carried that the City Attorney be authorized to **RETAIN EXPERT WITNESS** and be authorized to negotiate and sign retention agreements with expert witness in the lawsuit styled Jose F. Fong vs. City of El Paso; Cause No. 2007-2900.

AYES: Representatives Lilly, Byrd, Castro, Quintana, and Ortega  
NAYS: Representative O'Rourke  
NOT PRESENT FOR THE VOTE: Representative Holguin

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**EX6.** Discussion and action regarding strategies and options related to Asarco litigation, bankruptcy, TCEQ permit process, and other legal matters involving Asarco.

**1<sup>ST</sup> MOTION**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried that the City's outside counsel be authorized to **FILE A MOTION** for continuance regarding ASARCO's Air Quality Permit No. 20345 and any related documents with the Texas Commission on Environmental Quality because of actions the City desires to take in the bankruptcy case and other assertive actions and because of the Environmental Protection Agency's review of lead standards; and that the City's outside counsel be authorized to participate in any related hearings and processes.

AYES: Representatives Lilly, Byrd, Castro, Quintana, Ortega, and O'Rourke  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Holguin

**2<sup>ND</sup> AND FINAL MOTION**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and carried that the City's outside counsel be authorized to **FILE ALL REQUIRED DOCUMENTS** and take other necessary actions to protect the City's interests in relation to the City's position in the ASARCO bankruptcy proceeding (Case Number 05-21207) in the United States Bankruptcy Court, Southern District of Texas and that the City's outside attorney is authorized to take any and all action necessary to protect the City's interests, both affirmative and defensive, including the pursuit of all remedies applicable to such claim and to enforce and address the City's position regarding this or related matters.

This Motion is intended to grant broad authority to the City's outside attorney to take any action necessary to address these matters, including but not limited to, the initiation of and response to, litigation, complaints, and any other administrative or judicial proceeding or process, in consultation with the City Attorney's Office.

AYES: Representatives Lilly, Byrd, Quintana, Ortega, and O'Rourke  
NAYS: None  
ABSTAIN: Representative Castro  
NOT PRESENT FOR THE VOTE: Representative Holguin

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**1. MAYOR AND COUNCIL**

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **ELECT** Representative Byrd as Mayor Pro Tempore.

Mayor Cook and Representative Ortega commented.

**NO ACTION** was taken on the election of Alternate Mayor Pro Tempore.

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**CONSENT AGENDA**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

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**2. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of January 8, 2008.

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**3. REQUEST TO EXCUSE CITY COUNCIL MEMBERS**

**NO ACTION** was taken on this item.

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**4.**

**\*RESOLUTION**

That the City Manager be authorized 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 improvements to property located at 9012 Mt. Olympus, El Paso, Texas.

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**5A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Emanuel Anthony Martinez to the El Paso Museum of Archaeology Advisory Board by Representative Steve Ortega, District 7.

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**5B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Elia Perez to the El Paso Museum of Archaeology Advisory Board by Representative Susie Byrd, District 2.

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**6A. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **DELETE** the item regarding 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

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.

Representative Byrd commented.

Ms. Joyce Wilson, City Manager, commented.

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**6B. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **APPROVE** 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 (1<sup>st</sup> Year)  
\$34,706.80 (2<sup>nd</sup> Year)  
\$36,978.44 (3<sup>rd</sup> Year)  
Option: Two years  
Account No.: 51010256 – 01101 - 502206  
Funding Source: Operating Funds, Maintenance Svs. Contract - Janitorial  
Total Estimated Award: \$103,968.40

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.

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**7. BID**

\*Motion made, seconded, and unanimously carried to **APPROVE** 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

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.

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**8. BUDGET TRANSFER**

\*Motion made, seconded, and unanimously carried to **APPROVE** 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

Representative Castro commented.

Mr. Michael Tomar, Director of El Paso Museum of Art, commented.

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**9A. – 9B. INTRODUCTIONS**

Motion made by Representative Holguin, seconded by Mayor Pro Tempore Byrd, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- A. 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.

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

- B. 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.

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

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**10.**

**ORDINANCE 16828**

The City Clerk read an Ordinance entitled: **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.**

Mr. Edmund G. Archuleta, President/Chief Executive Officer, El Paso Water Utilities Public Service Board, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor Cook and Representatives Ortega, O’Rourke, Byrd, Castro, Holguin, and Quintana commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Steven Adams, First Southwest Company, and Mr. Paul Braden, Bond Counsel, commented.

Ms. Lisa Turner, citizen, commented.

Motion duly made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Ortega, and O'Rourke  
NAYS: None  
ABSTAIN: Representative Holguin

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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**11A. PUBLIC HEARING – DEVELOPMENT SERVICES**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the public hearing on 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.

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**11B. PUBLIC HEARING – DEVELOPMENT SERVICES**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the public hearing on 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.

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**11C.**

**ORDINANCE 16829**

The City Clerk read an Ordinance entitled: **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.**

Representative Ortega commented.

Motion duly made by Representative Ortega, seconded by Representative Holguin, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Lilly

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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**11D. PUBLIC HEARING – DEVELOPMENT SERVICES**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the public hearing on 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.

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**12A. MAYOR AND COUNCIL**

Motion made by Representative O'Rourke, seconded by Representative Ortega, and unanimously carried to officially **AUTHORIZE AND SPONSOR** a Special Parade on February 27, 2008, recognizing the 4th Brigade, 1st Cavalry Division, and the 3<sup>rd</sup> 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.

Representative Holguin was not present for the vote.

Mayor Cook and Representative Byrd commented.

Ms. Shamori Whitt, Management and Research Assistant to the City Manager, and Captain Brumfield, presented a PowerPoint presentation (on file in the City Clerk's office).

Ms. Joyce Wilson, City Manager, commented

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**12B. MAYOR AND COUNCIL**

Motion made by Representative O'Rourke, seconded by Representative Castro, and unanimously carried to authorize the City Manager to **RENAME** 8<sup>th</sup> Avenue to Olivas V. Aoy Avenue with the finding that a public purpose was established with the importance of Mr. Aoy to the development of education in El Paso and specifically the education of the Mexican-American population.

Representatives O'Rourke and Byrd commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

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**ITEMS TAKEN TOGETHER:**

**13A.**

**R E S O L U T I O N**

**WHEREAS**, the City Council for the City of El Paso ("Council") has identified development and implementation of a comprehensive neighborhood revitalization program as an important strategic goal and based on that direction, the City's Community and Human Development Department (the "Department") has committed to undertaking revitalization efforts for the City's more distressed neighborhoods; and

**WHEREAS**, the City has identified the Lower Dyer Neighborhood as a candidate for comprehensive long-term and sustainable physical, economic, and social revitalization strategies to be accomplished through partnerships among federal, state, and local government agencies, the private sector, community organizations, and neighborhood residents to stimulate reinvestment of human and economic capital and empower residents to participate in the neighborhood's resurgence; and

**WHEREAS**, through the active participation of community, business, and resident stakeholders, the Department has developed a proposed Lower Dyer Neighborhood Revitalization Strategy and the Department Director has recommended that Council approve the strategy for submission to HUD for initial review for designation of the Lower Dyer Neighborhood as a Neighborhood Revitalization Strategy Area, which would provide the City with greater flexibility in the use of Community Development Block Grant funds in the revitalization of the Lower Dyer Neighborhood.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That Council hereby approves the proposed Lower Dyer Neighborhood Revitalization Strategy and authorizes the City Manager to submit the proposed Lower Dyer Neighborhood Revitalization Strategy to HUD for initial review and comment on the designation of the Lower Dyer Neighborhood as a Neighborhood Revitalization Strategy Area under the City's Consolidated Plan 2005-2010.

Mayor Cook and Representatives O'Rourke, Byrd, and Holguin commented.

Mr. William Lilly, Director of Community & Human Development, presented a PowerPoint presentation (on file in the City Clerk's office).

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

1. Mr. Carlos Gallinar
2. Mr. Jorge Almada
3. Ms. Lydia Del Haro
4. Ms. Bonnie Gonzales
5. Mr. Alex Montelongo

**1<sup>ST</sup> MOTION**

Motion made by Mayor Pro Tempore Byrd seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow additional speakers to address the Council after the sign-up period.

**2<sup>ND</sup> MOTION**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Quintana, and unanimously carried to **APPROVE** the Resolution.

13B.

**R E S O L U T I O N**

**WHEREAS**, the City Council for the City of El Paso (“Council”) has identified development and implementation of a comprehensive neighborhood revitalization program as an important strategic goal and based on that direction, the City’s Community and Human Development Department (the “Department”) has committed to undertaking revitalization efforts for the City’s more distressed neighborhoods; and

**WHEREAS**, the City has identified the Chamizal Neighborhood as a candidate for comprehensive long-term and sustainable physical, economic, and social revitalization strategies to be accomplished through partnerships among federal, state, and local government agencies, the private sector, community organizations, and neighborhood residents to stimulate reinvestment of human and economic capital and empower residents to participate in the neighborhood’s resurgence; and

**WHEREAS**, through the active participation of community, business, and resident stakeholders, the Department has developed a proposed Chamizal Neighborhood Revitalization Strategy and the Department Director has recommended that Council approve the strategy for submission to HUD for initial review for designation of the Chamizal Neighborhood as a Neighborhood Revitalization Strategy Area, which would provide the City with greater flexibility in the use of Community Development Block Grant funds in the revitalization of the Chamizal Neighborhood.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That Council hereby approves the proposed Chamizal Neighborhood Revitalization Strategy and authorizes the City Manager to submit the proposed Chamizal Neighborhood Revitalization Strategy to HUD for initial review and comment on the designation of the Chamizal Neighborhood as a Neighborhood Revitalization Strategy Area under the City’s Consolidated Plan 2005-2010.

**3<sup>RD</sup> AND FINAL MOTION**

Motion made by Representative O’Rourke, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **APPROVE** the Resolution.

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13C.

**R E S O L U T I O N**

**WHEREAS**, the El Paso City Council for the City of El Paso (“Council”) has identified as a goal development and implementation of a City Wide Neighborhood program to systematically preserve and renew El Paso’s neighborhoods; and

**WHEREAS**, upon request by District #2 Representative Byrd, the former Planning, Research and Development Department and subsequently the Neighborhood Services Division of the Community and Human Development Department (the “Department”) coordinated with Sunrise Neighborhood residents, property owners, and other City departments to develop the proposed Sunrise Neighborhood Conservation Plan, which includes a Municipal Action Strategy, as a blueprint to address specific concerns in the neighborhood relating to land use, infrastructure, quality of life, quality of environment, and traffic; and

**WHEREAS**, the Sunrise Neighborhood Association and other residents and owners within the Sunrise Neighborhood have actively participated in the planning process and favor implementation of

the proposed Sunrise Neighborhood Conservation Plan and the municipal action strategies contained therein; and

**WHEREAS**, the Development Coordinating Committee (DCC) and City Plan Commission (CPC) have each reviewed and given a favorable recommendation for approval of the Sunrise Neighborhood Conservation Plan and the Department Director now recommends that Council approve the proposed Sunrise Neighborhood Conservation Plan and support the municipal action strategies contained therein.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That Council hereby approves the Sunrise Neighborhood Conservation Plan incorporated herein as attachment "A" as the conservation plan for the Sunrise Neighborhood.

Mr. Mark Weber, Senior Planner for Neighborhood Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Byrd and Castro commented.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Quintana, and unanimously carried to **APPROVE** the Resolution.

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**ADDITION TO THE AGENDA**

**1. CITY ATTORNEY**

Discussion and action on a Resolution approving a change in rates, service charges, and other terms and conditions in resolution of Texas Gas Services' Statement of Intent to Change Rates.

Mayor Cook and Representatives Ortega, Byrd, Quintana, Castro, O'Rourke, Lilly, and Holguin commented.

Ms. Bertha Ontiveros, Assistant City Attorney, and Mr. Norman Gordon, outside counsel, gave legal advice.

Mr. Mervin Moore, Public Utility Regulation Board Chair, and Mr. Richard Fleager, Texas Gas Service, commented.

Ms. Lisa Turner, citizen, commented.

**1<sup>ST</sup> MOTION**

Motion made by Representative O'Rourke, seconded by Representative Castro, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:50 a.m.

**2<sup>ND</sup> MOTION**

Motion made by Representative Holguin, seconded by Mayor Pro Tempore Byrd, and unanimously carried to adjourn the Executive Session at 11:25 a.m. and **RECONVENE** the meeting of the City Council.

Representative Quintana was not present for the vote.

**3<sup>RD</sup> AND FINAL MOTION**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Castro, and unanimously carried to **POSTPONE** the Resolution for three weeks.  
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Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **ADJOURN** this meeting at 3:26 p.m.

NOT PRESENT FOR THE VOTE: Representative Holguin

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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk