

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 27, 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 – Police Chaplain Dan Young
Pledge of Allegiance**

RECOGNITIONS

CITY EMPLOYEE RECOGNITIONS

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 20, 2009, and the Special City Council Meeting of January 21, 2009 (Annexation 10- Year Plan and Policy). [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a Commercial Site Lease Agreement (“Lease”) by and between the City of El Paso (“Lessor”) and Patriot Place, Ltd. (“Lessee”) for the following described property: a portion of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas (“Premises”). **(District 3)** [Airport, Monica Lombrana, (915) 780-4724]

3B. That the City Manager be authorized to sign a First Amendment to Shoeshine Concession Agreement by and between the City of El Paso (“Lessor”) and Los Amigos Shoeshine (“Concessionaire”) for shoe shine services within the El Paso International Airport Terminal Building, thereby extending the term of the agreement an additional three years for the period of February 1, 2009, through January 31, 2012, and providing for an option to extend the agreement an additional three years thereafter. **(All Districts)**
[Airport, Monica Lombrana, (915) 780-4724]

3C. Placing a condemnation lien on the following properties (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

1. 1921 Arizona (District 8)	\$7,512.04	Charles G. Clark
2. 2002 Detroit (District 8)	\$2,201.63	Lupe G. Avina
3. 5833 Macias Street (District 3)	\$4,039.11	Manuel Lopez & 1
4. 5031 Rosa Avenue (District 3)	\$7,359.62	William Ertman

[Development Services, Victor Q. Torres, (915) 541-4557]

- 3D.** That the City Manager be authorized to sign and accept on behalf of the City a Dedication Deed from Newman Ranch Partners, LP, dedicating to the City a strip of land to be used as a pond and varying in width from 5.88 feet to 10.67 feet. The strip of land is described as being a portion of Section 21, Block 80, TSP 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in Exhibit "A" of the Dedication Deed. Applicant: Newman Ranch Partners. Subject property: northwest of Dyer Street and southeast of US 54. **(District 4)**
[Development Services/Planning, Raul Garcia, (915) 541-4935]
- 3E.** That the Engineering Department be authorized to temporarily close the median opening on Yarbrough Drive at the intersection at Cinecue Way for a period of forty-five days. **(District 7)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 3F.** That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Century Sound Inc. and Saul J. Hernandez for the purchase of the following parcel for the Stanton Street Toll Plaza Project for \$200,000: Lot 11, Lot 12, and the north 2 feet of Lot 13, Block 47, Campbell Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 2, Page 68, Real Property Records, El Paso County, Texas, commonly known as 1002 S. Mesa Street, El Paso, El Paso County, Texas, and that the City Manager be authorized to sign a Tenant Relocation Agreement between the City of El Paso and Christian Hernandez, a tenant at 1002 S. Mesa, for \$1,000. Project #: PBR06003; Fund: 43005; Department: 32000080; Account: 508000. **(District 8)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 3G.** That the City Council accepts and approves the update to the classification and compensation plans of the City by revising 130 specified job titles and accompanying salary plan/grades in the General Services Compensation Plan and 40 specified job titles and accompanying salary plan/grades in the Professional and Managerial Compensation Plan as set forth in Attachment "A", as recommended by the Human Resources Director and the Civil Service Commission; and authorizes the Human Resources Director to amend and update "Ordinance 8064 Appendix "A" (Job Classifications) to appropriately include these approved job titles and accompanying salary plan/grades in the Plans. (See Attachment A) **(All Districts)**
[Human Resources, Linda Ball Thomas, (915) 541-4509]
- 3H.** A Resolution to approve the revisions to the Cultural Funding Guidelines. **(All Districts)** [Museums and Cultural Affairs, Sean McGlynn, (915) 541-4896]
- 3I.** That the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso ("City") and the County of El Paso ("County") for the provision of authorizing the city's new Animal Shelter Advisory Committee to serve as the Animal Shelter Advisory Committee for the County. **(All Districts)**
[Public Health, Michael Hill, (915) 771-5702]
- 3J.** That the City Manager be authorized to sign an Interlocal Governmental Agreement between the City of El Paso ("City") and New Mexico State University ("NMSU") whereby the City shall pay an amount not to exceed \$34,046 to NMSU for NMSU staff to provide evaluation services for the City's "CHOICES Two Should Know" program, which services shall end on October 31, 2009. **(All Districts)** [Public Health, Angela Mora, (915) 771-5706]

4. BOARD APPOINTMENTS:

- 4A.** Eli A. Garcia to the Community Development Steering Committee, to serve an unexpired term, by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 4B.** Yolanda Barbe to the Animal Welfare Advisory Committee by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 4C.** Ralph Adame to the Airport Advisory Board, to serve an unexpired term, by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4108]

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

- 5A.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to Checkpoint Services Inc., a State Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-890, in the amount of \$499,465.10 for Dell Computer and Equipment products. Participation by the City of El Paso in the DIR Program was approved by Mayor and Council on February 27, 2007.

Department: Information Technology
 Account Nos.: 31260001-508010-60660 PIT07001
 31250102-508010-27200 PIT07001
 31250102-508010-27192 PIT07001
 04102010-508035-27503 P540010CTY
 Funding Source: FY03 CO's-Northwest Corral-Data Processing Equipment - IT Acquisitions; Cert Oblig Const-Unallocated/2000 CO's - IT Acquisitions; FY03 CO's-CBD Phase 3 Design-Data Processing Equipment-IT Acquisitions; Communication Equipment-Capital Outlay
 Total Est. Award: \$499,465.10
 Reference No.: 2009-114
Districts: All
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 5B.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue purchase order in the amount of \$240,768.59 to INX, a State Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-286, for NetApp Storage System. Participation by the City of El Paso in the DIR Program was approved by Mayor and Council on February 27, 2007.

In addition it is requested that the City Attorney's office review and that the City Manager be authorized to execute any related contract documents and agreements necessary during the contract.

Department: Information Technology
 Account No.: 04102010-27503-508035-P540010CTY
 04252003-27260-508010-PMB0004130
 4102010-27503-508028-P540010CYT

Funding Source: Communication Equipment-Capital Outlay, Data Process Equip, FY03 CO's City Capital Equipment, Communication Equip, Project Consulting, Capital Outlay

Total Est. Award: \$240,768.59

Reference no.: 2009-116

Districts: All

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

- 5C. Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue purchase order for \$82,797 to Signature Technologies, Inc. d/b/a ComNet Software, the sole source provider for the upgrade of the Flight Information Display System (FIDS) at the El Paso International Airport (EPIA).

Department: Aviation

Account No.: 62620020 – 508010 – 41022 – P500004

Funding Source: General Airport Construction, Data Processing Equipment, Capital Outlay

Total Estimated Amount: \$82,797

Sole Source No.: 2009-051

Districts: All

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

6. BEST VALUE PROCUREMENTS:

- 6A. The award of Solicitation No. 2009-033 (Security Guard Service – Department of Public Health) to Mike Garcia Merchant Security, LLC, for a total estimated award of \$184,014.96.

Department: Public Health

Award to: Mike Garcia Merchant Security, LLC
El Paso, TX

Items: All

Option: Two years

Annual Estimated Amount: \$61,338.32

Account No.: 41010162 – 502212 – 01101

Funding Source: General Fund

Total Estimated Award: \$184,014.96 (3-year total)

Districts: All

This is a thirty-six 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 Financial Services, Purchasing Division, and Public Health recommend award to Mike Garcia Merchant Security, LLC, the vendor offering the best value bid. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 6B.** The award of Solicitation No. 2009-053 (Environmental Laboratory Services for Air Quality) to SCI Tech Holdings, Inc. d/b/a CFR Environmental Services and Armstrong Forensic Laboratory Inc. for a total estimated award of \$240,000.

Department: Environmental Services
 Award to: Vendor 1 SCI Tech Holdings, Inc. d/b/a CFR Environmental Services
 El Paso, TX
 Items: 1 and 2 – Gasoline Analysis
 Option: Two years
 Annual Estimated Amount: \$95,000

Award to: Vendor 2 Armstrong Forensic Laboratory, Inc.
 Arlington, TX
 Items: 3, 4, and 5 – Filter Media Lead/Weight Analysis
 Option: Two years
 Annual Estimated Amount: \$25,000

Account No.: 34010289 – 502204 – 40429 – G340916
 34010289 – 502204 – 40429 – G340918
 34010289 – 502204 – 40429 – G340924
 Funding Source: Federal/State Grants – Environmental Services
 Total Estimated Award: \$240,000 (2-year total)
Districts: All

This is a twenty-four 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 Financial Services, Purchasing Division, and Environmental Services recommend award as indicated to the vendors offering the best value bid. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

7. BIDS:

- 7A.** The award of Solicitation No. 2009-041 (Westside Community Park & Recreation Center Improvements Phase II) to Karlsruher Inc. d/b/a CSA Engineers & Constructors for a total estimated amount of \$457,375.68.

Department: Engineering
 Award to: Karlsruher Inc. d/b/a CSA Engineers & Constructors
 El Paso, TX
 Option 1: \$457,375.68
 Account No.: 51159242 – 508027 – 27714 – PQLPA136
 14101001 – 508027 – 60183 – PQLPA136
 Funding Source: Parkland Dedication Fees and 2000 Quality of Life Bonds
 Total Est. Award: \$457,375.68
District: 1

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, upon review of the City Attorney, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

The Departments of Financial Services - Purchasing Division, Engineering, and Parks recommend award as indicated to the lowest responsive, responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

- 7B.** The award of Solicitation No. 2009-062 (Barricade Rental Service) to Contractor's Barricade Service Inc., for a total estimated award of \$70,000.

Department:	Street
Award to:	Contractor's Barricade Service Inc. El Paso, TX
Items:	All
Option:	Either one or two years
Annual Estimated Amount:	\$70,000
Account No.:	32010200 – 502411 – 01101
Funding Source:	General Fund
Total Estimated Award:	\$210,000 (3-year total)
Districts:	All

This is a thirty-six 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 Financial Services, Purchasing Division, and Street recommend award as indicated to the lowest responsive, responsible bidder. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

8. COMPETITIVE SEALED PROPOSAL:

The award of Proposal No. 2009-046 (EPIA – U. S. Customs and Border Protection Facility – Re-Bid) to Matyear Construction Co. Inc. for a total amount of \$287,246.

Department: El Paso International Airport

Award to: Matyear Construction Co., Inc.
El Paso, TX
Base Bid: \$287,246
Account No.: 62620026 – 508027 – 41088 – PAP0048
Funding Source: Airport Enterprise Fund
Total Estimated Award: \$287,246
District: 2

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

As a part of this award, upon the review of the City Attorney, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper execution of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order without further authorization by City Council.

This is a lump-sum contract.

The Departments of Financial Services - Purchasing Division, Engineering, and El Paso International Airport recommend award to the offeror who submitted the highest ranked proposal. [Engineering, R. Alan Shubert, (915) 541-4423]

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.**

An Ordinance approving and authorizing the execution of a Credit Agreement and an Issuing and Paying Agency Agreement with respect to the City of El Paso, Texas, Water and Sewer Commercial Paper Notes, Series A, amending the Ordinance authorizing the issuance of such notes; and resolve matters which are necessary to effectuate said matters. **(All Districts)** [Bond Counsel, Paul A. Braden, (915) 351-6053]

PUBLIC HEARING WILL BE HELD ON FEBRUARY 3, 2009, FOR THE ITEM

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

10. FINANCIAL SERVICES:

Discussion and action on the award of Solicitation No. 2009-058 (Arterial Street Lighting) to Medlock Commercial Contractors, L.L.C., for a total estimated amount of \$2,483,649.05.

Department: Engineering
Award to: Medlock Commercial Contractors, LLC.
El Paso, TX
Base Bid I: \$203,735.08 (Hawkins Blvd. from Montana Ave. to Viscount Blvd.)
Base Bid II: \$80,090.09 (Hunter Rd. from GW East Blvd. to Cuba Dr.)
Base Bid III: \$163,066.15 (Montwood Dr.-Phase I from Viscount to McRae Blvd.)
Base Bid IV: \$100,354.13 (Montwood Dr.-Phase II from Joe Battle to Sun Fire Dr.)
Base Bid V: \$114,409.75 (Montwood Dr.-Phase III from Sun Fire Dr. to City Limits)
Base Bid VI: \$583,498.72 (Saul Kleinfeld Dr. from Montana Ave. to Montwood Dr.)
Option I: \$225,071.68 (Airway Blvd. from Edgemere to GW West Blvd)
Option II: \$281,054.56 (Betel Dr. from Zaragosa Rd. to Burgundy Dr.)
Option III: \$86,747.84 (Cotton St. from Missouri to Arizona Ave.)
Option IV: \$407,998.75 (Redd Rd. from Desert North Blvd. to Westwind Dr.)
Option V: \$237,622.30 (Saul Kleinfeld Dr. from Montwood Dr. to Zaragosa Rd.)

Account No.: 99331117 – 508027 – 27263 – PCP06ST015 and PCP06ST015A
Funding Source: 2006 Certificate of Obligation Bonds
Total Est. Award: \$2,483,649.05
Districts: 1, 3, 5, 6, 7, and 8

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Purchasing Division, and Engineering recommend award as indicated to the lowest responsive, responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

REGULAR AGENDA – PUBLIC HEARINGS

11. DEVELOPMENT SERVICES:

11A. 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, Lots 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]

11B. 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]

11C. 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]

11D. 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]

11E. 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]

11F. 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, 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

(east ETJ: adjacent to Districts 5 & 6)

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

- 11G. 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]

- 11H. 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. And

repealing Ordinance 15381 which granted a special permit for off-street, off-site parking. 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]

- 11I. 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]
- 11J. An Ordinance vacating a portion of a 20-foot wide alley between Lots 11 - 14 and 7 - 10, Block 214 Campbell Addition and a portion of an 18-foot wide alley between Lots 1 - 3 and 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]

REGULAR AGENDA – OTHER BUSINESS

12. DEVELOPMENT SERVICES:

Discussion and action on an appeal by applicant in HLC Case: HPC09-00004; 915 and 917 Magoffin Avenue; 1000, 1008, and 1010 Myrtle Avenue; 1001 Magoffin Avenue, El Paso, Texas, in the Magoffin Historic District regarding a decision rendered by the Historic Landmark Commission (HLC) on January 21, 2009, to deny a Certificate of Appropriateness for the referenced property. **(District 8)**
[Development Services, Victor Q. Torres, (915) 541-4557]

REGULAR AGENDA – PUBLIC HEARINGS

13. EL PASO WATER UTILITIES:

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]

14. ENGINEERING:

14A. 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]

14B. 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]

- 14C.** 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]

- 14D.** 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]

15. INTRODUCTION AND PUBLIC HEARING – FINANCIAL SERVICES:

An Ordinance authorizing the issuance of “City of El Paso, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2009” and resolve matters which are necessary to effectuate said issuance. **(All Districts)**

[Financial and Administrative Services, William F. Studer, Jr., (915) 541-4215]

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[Bond Counsel, Paul A. Braden, (915) 351-6053]

REGULAR AGENDA – OTHER BUSINESS

16. MAYOR AND COUNCIL:

- 16A.** Discussion and action on adding the following item to the State Legislative Agenda: “Requiring Central Appraisal Districts to grant a full tax exemption to nature preserves that are owned by non-profit land trusts and are open for public use and enjoyment”. [Representative Susie Byrd, (915) 541-4416]

- 16B.** Discussion and action to have all public PSB (Public Service Board) meetings held at City Hall. [Representative Beto O'Rourke, (915) 541-4123]

- 16C.** Discussion and action regarding a Resolution approving the City of El Paso 2009 Federal Legislative Priorities and 2010 Appropriations Requests and adopting a Statement of Policy for the City of El Paso regarding federal legislation and actions before Federal Administrative Agencies.

[Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]

16D. 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]

17. BUDGET TRANSFERS:

Discussion and action on the following Budget Transfers:

17A. BT2009-453 POLICE

This transfer will establish appropriations for state confiscated funds to allow the Department to purchase various items and to complete various projects for this fiscal year.

Increase	\$248,570.23	to	Miscellaneous Non Operating Revenue
Increase	\$167,610.83	to	Outside Contracts NOC
Increase	\$ 49,131.91	to	Public Safety Equipment
Increase	\$ 4,400.00	to	Furniture & Fixtures
Increase	\$ 26,924.64	to	Data Processing Equipment
Increase	\$ 502.85	to	Animals

(All Districts)

[Office of Management and Budget, David Almonte, (915) 541-4777]

[Police Department, Tom Whitten, (915) 564-7304]

17B. BT2008-454 POLICE

This transfer will establish appropriations for federal confiscated funds to allow the Department to purchase various items and to complete various projects for this fiscal year.

Increase	\$1,904,217.63	to	Miscellaneous Non Operating Revenue
Increase	\$ 350,000.00	to	Desktop Software Supplies
Increase	\$ 343,131.70	to	Public Safety Equipment
Increase	\$ 161,900.51	to	Data Processing Equipment
Increase	\$ 25,000.00	to	Animals
Increase	\$1,024,185.42	to	Construction

(All Districts)

[Office of Management and Budget, David Almonte, (915) 541-4777]

[Police Department, Tom Whitten, (915) 564-7304]

18. DEVELOPMENT SERVICES:

Discussion and action on a Resolution that the City Manager be authorized to sign an amendment to the May 6, 2008, Development Agreement by and between the City of El Paso, the El Paso Water Utilities - Public Service Board, and Haciendas del Rio Partners, LP to amend Exhibit B, Development Plan, to increase the residential lots from 118 to 188. The density will not exceed 2.5 dwelling units per acre as required by the development agreement. Subject property: Strahan southeast of Moore. Applicant: Haciendas del Rio Partners, LP. **(West ETJ, Near District 1)**

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

19. FINANCIAL SERVICES:

Discussion and action on a Resolution that interest accrued from the Palo Verde Performance Standards Awards be equally allocated to the Business Incentives Program for Energy Efficiency Uses and Dark Sky Compliance Program and that the

City Manager is authorized to effectuate all necessary budget transfers to comply and implement the approved initiatives. **(All Districts)**
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

20. PARKS AND RECREATION:

20A. 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] **POSTPONED FROM 01-20-09**

20B. Discussion and action on a Resolution authorizing the Parks and Recreation Department to apply for an Outdoor Recreation Grant through the Texas Parks and Wildlife Department in the amount of \$150,000 for the purpose of developing a dog park at Westside Park, 7400 High Ridge Drive, and authorizing the City Manager to sign grant agreements and to expend the funds on this project should the grant application be successful. **(District 1)**
[Parks and Recreation, Judy Weiss, (915) 541-4259]

21. CITY MANAGER:

City Manager's report of current events and issues:

21A. Quarterly Financial Report: 1st Quarter Financial Report for Fiscal Year 2009.
[Financial and Administrative Services, William F. Studer, Jr., (915) 541-4215]

21B. Discussion and action on the City's options regarding Ascarate Park.
[Quality of Life Services, Debbie Hamlyn, (915) 541-4242]

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. Discussion and action regarding the acquisition of Ascarate Park from the County of El Paso. (551.071 and 551.072) [Quality of Life, Debbie Hamlyn, (915) 541-4242]
POSTPONED FROM 11-11-08

- EX2.** Guadalupe Guerra vs. City of El Paso, Cause No. 2004-1749. (551.071)
[City Attorney's Office, Karla M. Nieman, (915) 541-4550]
- EX3.** Jorge Berry vs. City of El Paso and Civil Service Commission; Cause No. 2006-4076.
(551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX4.** Discussion and action regarding a lease of property in the Franklin Mountains above Scenic Drive consisting of the land commonly known as the Star on the Mountain.
(551.071 and 551.072) [City Attorney's Office, Elaine Hengen, (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/>