

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 22, 2008  
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:38 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Rachel Quintana, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrivals: Ann Morgan Lilly at 8:39 a.m. during Executive Session deliberations and Melina Castro at 8:45 a.m. during Executive Session deliberations. The invocation was given by Reverend Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

.....  
**MAYOR'S PROCLAMATIONS**

1. AMERICAN HEART ASSOCIATION OF EL PASO'S GO RED FOR WOMEN DAY
2. COMPANY E COMMEMORATION DAY

**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.

.....  
Motion made by Representative Quintana, seconded by Representative Holguin, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:38 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 and Castro

Motion made by Representative Holguin, seconded by Mayor Pro Tempore Byrd, and unanimously carried to adjourn the Executive Session at 9:20 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

.....  
**EX1.** Discussion and action on the AB Fall Mansion Home.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative O'Rourke, and carried that authorizes the City Attorney's Office to **INCREASE** the contractual limit on the contract with outside counsel in the prosecution and defense of all matters relating to the AB Fall Mansion.

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

.....  
**EX2.** Discussion and action on City Attorney settlement authority regarding general bankruptcy matters.

\*Motion made, seconded, and unanimously carried to **POSTPONE** for one week the item regarding discussion and action on City Attorney settlement authority regarding general bankruptcy matters.

.....  
**EX3.** 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** for one week the item regarding 710, Inc. vs. The El Paso Central Appraisal District and The City of El Paso, Cause No. 2003TX350.

.....  
**EX4.** Legal issues pertaining to the selection of the date to hold the special election to fill the vacancy in District No. 3.

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

.....  
**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

.....  
**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of January 15, 2008, and Special City Council Meeting Minutes of January 11, 2008, and January 16, 2008.

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

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

.....  
**3A.**

**\*RESOLUTION**

That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), Continental Sprayers International, Inc. ("Assignor"), Kasco Butterfield, LLC ("Assignee") and Kasco Ventures, Inc. ("Guarantor") for the following described property:

Lots 1 and 2, Block 7, Butterfield Trail Industrial Park Unit 1, City of El Paso, El Paso County, Texas, municipally known and numbered as 24 Zane Grey, El Paso, Texas.

.....  
**3B.**

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

That a change order be issued for Contract Number 2006-173, Resler Canyon Erosion Control Improvements Re-bid, to amend the project scope to include work at Location Number 1, Alto Mesa Drive and Mesa Street. The contract amount will not increase.

Representatives Quintana and Holguin commented.

Ms. Joyce Wilson, City Manager, and Mr. Alan Shubert, City Engineer, commented.

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

\*Motion made, seconded, and unanimously carried to **MOVE TO THE REGULAR AGENDA.**

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

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

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

NAYS: Representative Holguin

.....  
**3C.**

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

That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Parkhill, Smith, & Cooper, Inc., a Texas Corporation, to perform consulting services for a project known as "Concrete Intersection Improvement-Artcraft/Westside and Artcraft/Upper Valley Intersections" for a contract amount of \$62,500 and that the City Engineer be authorized to approve up to \$25,000 in additional services for a total contract amount not to exceed \$87,500.

Mayor Cook and Representatives Quintana and Lilly commented.

Ms. Joyce Wilson, City Manager, and Mr. Alan Shubert, City Engineer, commented.

.....  
**3D.**

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

That the City Manager be authorized to sign a Second Amendment to Agreement by and between the City of El Paso, in its capacity as the designated Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO"), and the Instituto Municipal de Investigación y Planeación, ("IMIP"), wherein the scope of work is revised to add an additional task to be performed by the MPO for an additional consideration of \$16,000.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Roy Gilyard, Metropolitan Planning Organization Executive Director, commented.

**3E. RESOLUTION**

\*Motion made, seconded, and unanimously carried to **POSTPONE** for one week a Resolution that the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Shawver Pool to the "William W. Cowan Pool."

Representative Ortega commented.

**3F.**

**\*RESOLUTION**

That the City Manager be authorized to sign the Addendum to the Accreditation/Recognition Program for Law Enforcement/Recognition Agreement ("Agency Agreement") between the City of El Paso and the Commission on Accreditation for Law Enforcement Agencies, Inc.

**4. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Rick Melendrez to the Empowerment Zone Advisory Board by Representative Eddie Holguin, Jr., District 6.

**5. APPLICATIONS FOR TAX REFUND**

\*Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**:

- A. AmTrust Bank in the amount of \$3,435.76 overpayment of 2007 taxes. (PID #S814-999-0200-0400).
- B. FIS Tax Service in the amount of \$3,578.77 overpayment of 2007 taxes. (PID #T287-999-0300-0600).
- C. Rene & Michelle Sierra in the amount of \$5,029.43 overpayment of 2007 taxes. (PID #V897-999-1090-3600).

**6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.**

\*Motion made, seconded and unanimously carried to **APPROVE** the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to exercise the City's option to extend current Contract 2006-049 (Auxiliary Generator Maintenance) with Cummins Rocky Mountain for two additional years pursuant to the provisions to an award approved by City Council on January 10, 2006. Contract period is January 10, 2009, to January 10, 2011.

Department:	General Services
Option:	One [of One]
Total Estimated Amount:	\$100,000 (2-year extension)
Account No.:	31010326 – 01101 - 502226
Funding Source:	General Services, Building Maintenance Division

**7. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **APPROVE** 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 \$309,123.66.

Department: Engineering  
Award to: Tri-State Electric Ltd.  
El Paso, Texas  
Items: 1 and 8  
Annual Estimated Amount: \$154,561.83  
Option: 2 years  
Account No.: 27263 – 99331117 – 508027 – PCP06ST013  
Funding Source: Signal/Flasher Install CP06  
Total Estimated Award: \$309,123.66

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 Engineering and Financial Services, Purchasing Division, recommend award to Tri-State Electric Ltd., the vendor offering best value bid.

Mayor Cook and Representatives Quintana and Byrd commented.

The following members of City staff commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Manuel Chavira, Assistant Fire Chief
- 3. Mr. Daryl Cole, Director of Streets

.....  
**8A. INTRODUCTION**

Motion made by Representative Quintana, seconded by Representative Castro, and carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- A. An Ordinance limiting the use of the power of eminent domain on non-blighted private property in the Redevelopment Districts of the Downtown 2015 Plan.

**PUBLIC HEARING WILL BE HELD ON JANUARY 29, 2008, FOR ITEM 8A**

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

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

AYES: Representatives Castro, Quintana, Holguin, and O'Rourke

NAYS: Representatives Lilly, Byrd, and Ortega  
.....

**8B. – 8E INTRODUCTIONS**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, 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:

- B.** An Ordinance authorizing the City of El Paso to sell 11,057 square feet, more or less, being a portion of Block 17, Anson Mills Map of the City of El Paso, El Paso County, Texas, commonly known as 319-327 Oregon Street, to Mills Acquisition Company LP n/k/a Mills Plaza Properties LP.
- C.** An Ordinance amending Ordinance No. 016428 to change the three divisions of Municipal Court Number Four to be divisions of Municipal Court Number Five.

**PUBLIC HEARING WILL BE HELD ON JANUARY 29, 2008, FOR ITEMS 8B – 8C**

- D.** An Ordinance changing the zoning of the following real property described as: Parcel 1: Lot 26, Block 22A, Vista Granada Unit Two, Replat B, City of El Paso, El Paso County, Texas, be changed from A-2/SC/SP (Apartment/Special Contract/Special Permit) to C-1/SC/SP (Commercial/Special Contract/Special Permit); Parcel 2: Lot 27, Block 22A, Vista Granada Unit Two, Replat B, City of El Paso, El Paso County, Texas, be changed from A-2/SC/SP (Apartment/Special Contract/Special Permit) to C-1/SC/SP (Commercial/Special Contract/Special Permit); and, Parcel 3: a portion of Lot 28, Block 22A, Vista Granada Unit Two, Replat B, City of El Paso, El Paso County, Texas, be changed from A-2/SC (Apartment/Special Contract) to C-1/SC (Commercial/Special Contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- E.** An Ordinance changing the zoning of a portion of Lot 25, Block 22A, Vista Granada Unit Two, Replat B, City of El Paso, El Paso County, Texas from A-2/SC/SP (Apartment/Special Contract/Special Permit) to C-1/SC/SP (Commercial/Special Contract/Special Permit). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 12, 2008, FOR ITEMS 8D – 8E**

**9A. ENGINEERING**

Motion made by Representative Ortega, seconded by Representative Castro, and unanimously carried to **POSTPONE** for two weeks a Resolution authorizing the City Manager to sign a Local Project Advance Funding Agreement (LPAFA) between the City of El Paso (“City”) and the State of Texas, acting by and through the Texas Department of Transportation (“State”). The scope of work for this Agreement is described as a feasibility study for a new port of entry located between the existing Bridge of the Americas and the Zaragoza Port of Entry. The agreement amount of \$1 million is funded with 80% federal funds and 20% of City funds. City funds are programmed through 2006 Certificates of Obligation for TXDOT matches.

Ms. Terry Quezada, Capital Improvement Program Administrator, presented a PowerPoint presentation (on file in the City Clerk’s office).

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

Ms. Joyce Wilson, City Manager, and Mr. Daryl Cole, Director of Streets, commented.

Mr. Roy Gilyard, Metropolitan Planning Organization Executive Director, commented.

**9B.**

**RESOLUTION**

That the City Manager be authorized to sign a Local Project Advance Funding Agreement (LPAFA) between the City of El Paso (“City”) and the State of Texas, acting by and through the Texas Department of Transportation (“State”). The scope of work for this Agreement is described as conducting a study for the expansion of the Ysleta/Zaragoza port of entry/exit facilities.

Ms. Terry Quezada, Capital Improvement Program Administrator, presented a PowerPoint presentation (on file in the City Clerk’s office).

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

Ms. Joyce Wilson, City Manager, and Mr. Daryl Cole, Director of Streets, commented.

Mr. Roy Gilyard, Metropolitan Planning Organization Executive Director, commented.

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

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

.....  
**ITEMS TAKEN TOGETHER:**

**9C.**

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

That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Parkhill, Smith, and Cooper, Inc., a Texas Corporation, to perform consulting services for a project known as “Construction Management Services – EPIA Capital Improvement Plan” for a contract amount not to exceed \$750,000.

**9D.**

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

That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Paragon Project Resources, Inc., a Texas Corporation, to perform consulting services for a project known as “Construction Management Services – EPIA Capital Improvement Plan” for a contract amount not to exceed \$750,000.

Representatives Byrd and Quintana commented.

Mr. Alan Shubert, City Engineer, commented.

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

.....

**10A. FINANCIAL SERVICES**

Motion made by Mayor Pro Tempore Byrd, seconded Representative Ortega, and unanimously carried to **APPROVE** the award of Solicitation No. 2008-016 (Aerial Fire Apparatus, 5 Person Tilt Cab, 100' Heavy Duty) to First In, Inc. for the purchase of one vehicle for a total estimated award of \$793,971.

Department: Fire  
Award to: First In, Inc.  
El Paso, Texas  
Item: #1 Aerial Fire Apparatus, 5 Person Tilt Cab,  
100' Heavy Duty  
Option: Option to purchase up to 100% of the original contract quantities, at the same unit price, if the option is exercised within six months from the date of award of the contract.  
Account No.: 508006 – 27264 – 14200500 – 37000 – PSTM06PW555  
Funding Source: Storm 2006, Vehicular Equipment Replacement  
Total Estimated Award: \$793,971

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

The Departments of Financial Services, Purchasing Division, and Fire recommend award as indicated to sole vendor offering the best value bid.

Mayor Cook and Representative Byrd commented.

Mr. Terrence Freiburg, Purchasing Manager, commented.

.....  
**10B. FINANCIAL SERVICES**

Motion made by Mayor Pro Tempore Byrd, seconded Representative Lilly, and unanimously carried to **APPROVE** the award of Solicitation No. 2008-023 (Pumpers, 4 Person Tilt Cab) to First In, Inc. for the purchase of three vehicles for a total estimated award of \$1,276,032.77.

Department: Fire  
Award to: First In, Inc.  
El Paso, Texas  
Items: Alternate Bid Item No. 2 – Delete Options 23, 25-33,  
35-41, 43-51, 54, 55, 57-65  
Option: Option to purchase up to 100% of the original contract quantities, at the same unit price, if the option is exercised within six months from the date of award of the contract.  
Account No.: 508006 – 27264 – 14200500 – 37000 – PSTM06PW555  
Funding Source: Storm 2006, Vehicular Equipment Replacement  
Total Estimated Award: \$1,276,032.77

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

The Departments of Financial Services, Purchasing Division, and Fire recommend award as indicated to sole vendor offering the best value bid

.....

10C.

**RESOLUTION**

**WHEREAS**, the City awarded Contract No. 2005-202R to Center for Employee Assistance Program, on July 12, 2005, for Stress Management for Firefighters; and

**WHEREAS**, the City Council terminates said Contract for convenience pursuant to the provisions of the Contract; and

**WHEREAS**, pursuant to Section C 8A of the Contract (Cancellation for Convenience), the City is authorized to terminate the Contract for convenience; and

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

That the Purchasing Manager is authorized to notify Center for Employee Assistance Program, that the City is terminating Contract No. 2005-202R pursuant to the provisions and requirements of Section C 8A of the Contract Clauses due to convenience and that the termination shall be effective as of January 22, 2008.

Representatives Quintana and Byrd commented.

Mr. Terrence Freiburg, Purchasing Manager, and Mr. Manuel Chavira, Assistant Fire Chief, commented.

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

.....  
**10D. FINANCIAL SERVICES**

Motion made by Mayor Pro Tempore Byrd, seconded Representative Lilly, and unanimously carried to **APPROVE** the award of Solicitation No. 2008-054 (Stress Management for Firefighters) to Center For Employee Assistance for a total estimated amount of \$627,750.

Department:	Fire
Award to:	Center For Employee Assistance El Paso, Texas
Items:	All
Annual Estimated Amount:	\$209,250
Option:	2 years
Account No.:	22010090-01101-502111
Funding Source:	Fire, Operating Account, Health Care Provider Services
Total Estimated Award:	\$627,750

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 Financial Services, Purchasing Division, and Fire recommend award as indicated to vendor offering the best value bid.

Representative Quintana commented.

Mr. Terrence Freiburg, Purchasing Manager, and Mr. Manuel Chavira, Assistant Fire Chief, commented.

.....  
**11A.**

**ORDINANCE 16830**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.20 (HISTORIC LANDMARK COMMISSION), SECTION 20.20.120 (HISTORIC LANDMARK DEMOLITION OR REMOVAL), OF THE EL PASO CITY CODE BY ADDING A PARAGRAPH TO ADDRESS NOTICE REQUIREMENTS FOR THE APPLICANT AND AMENDING A PARAGRAPH TO CORRECT A TYPOGRAPHICAL ERROR, THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mayor Cook and Representative Byrd commented.

Ms. Kelly Carpenter, Deputy Director of Planning, commented and Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.

Motion duly made by Representative O'Rourke, seconded by Representative Ortega, 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, Holguin, Ortega, and O'Rourke
- NAYS: None
- NOT PRESENT FOR THE VOTE: Representatives Castro and Quintana

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

.....  
**11B.**

**ORDINANCE 16831**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 11A, 11B, 12A, AND 13A, BLOCK 39 AND TRACT 3C, BLOCK 40, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-5 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Ms. Kelly Carpenter, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Holguin and Byrd commented.

Motion duly made by Representative Holguin, seconded by Mayor Pro Tempore Byrd, 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, Holguin, Ortega, and O'Rourke
- NAYS: None

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

.....  
11C.

**RESOLUTION**

**WHEREAS**, RJLK, L.P., (the "Applicant") has applied for approval of a detailed site development plan pursuant to a special contract condition, to permit the construction and development of two hotels; and

**WHEREAS**, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS**, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

**WHEREAS**, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

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

1. Pursuant to requirements imposed by a special contract condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of two hotels on the following described property which is located in a C-3/sc (Commercial/special contract) District:

A portion of Lot 2, Block 4, West Ten Development, City of El Paso, El Paso County, Texas.

A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-3/sc (Commercial/special contract) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-3/sc (Commercial/special contract) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Representative O'Rourke commented.

Motion made by Representative O'Rourke, seconded by Representative Lilly, and unanimously carried to **APPROVE** the Resolution.

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

Motion made by Representative O'Rourke, seconded by Representative Quintana, and unanimously carried to **POSTPONE** for one week 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.

Ms. Kelly Carpenter, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office) and Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.

Representative O'Rourke commented.

Mr. Phillip Dieter, applicant, commented.

.....  
**11E.**

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

**WHEREAS**, Rio Grande Mob, Ltd., (the "Applicant") has applied for approval of a detailed site development plan pursuant to a special contract condition, to permit the construction and development of three medical office buildings; and

**WHEREAS**, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS**, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

**WHEREAS**, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

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

1. Pursuant to requirements imposed by a special contract condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of three medical office buildings on the following described property which is located in a C-3/sc (Commercial/special contract) District:

A portion of Lot 2, Block 3, West Ten Development, City of El Paso, El Paso County, Texas.

A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-3/sc (Commercial/special contract) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-3/sc (Commercial/special contract) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Ms. Kelly Carpenter, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative O'Rourke commented.

Motion made by Representative O'Rourke, seconded by Representative Lilly, and unanimously carried to **APPROVE** the Resolution.

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

.....  
**12.**

**ORDINANCE 16832**

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

Representatives Holguin and O'Rourke commented.

Motion duly made by Representative Holguin, seconded by Representative Castro, 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, Castro, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representative Byrd

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

.....  
**13A. MAYOR AND COUNCIL**

Discussion and action regarding the number of municipal courts of record, divisions, and processes beginning with the next term of office in June 2009.

Representatives Quintana, Ortega, and Holguin commented.

The following members of City staff commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 3. Ms. Richarda Momsen, City Clerk

Motion made by Representative Holguin, seconded by Representative Ortega, and unanimously carried to **DELETE** the item.  
.....

**13B. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action to direct the City Manager to post a public notice announcing the acceptance of resumes of interested candidates for Municipal Judge Court #4 and to set a deadline for candidates to submit their resumes to the City Manager or the members of the City Council and to have the City Manager compile a list of the candidates and as soon as practicable, place an appropriate item on the City Council Agenda to enable the City Council to make an appropriate appointment.

.....  
**14A. CITY MANAGER**

City Manager’s report of current events and issues:

Quarterly Financial Report: 1st Quarter for Fiscal Year 2008.

Mr. William Studer, Deputy City Manager of Financial and Administrative Services, presented a PowerPoint presentation (on file in the City Clerk’s office).

Representatives Byrd, Holguin, O’Rourke, Lilly, and Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

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

.....  
**14B. CITY MANAGER**

City Manager’s report of current events and issues:

Update on Council's Strategic Plan - Goals and Accomplishments.

Mr. David Almonte, Office of Management and Budget Director, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor Cook and Representatives Byrd, Ortega, O’Rourke, and Lilly commented.

Dr. Kathryn Dodson, Director of Economic Development, commented.

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

.....  
**ADDITION TO THE AGENDA**

**1. MAYOR AND COUNCIL**

Motion made by Representative O’Rourke, seconded by Representative Lilly, and unanimously carried to **POSTPONE** for one week an item to authorize the City Manager and staff to install street lights at 18 identified locations in south El Paso.

1. On east side of Park, a few yards before Cesar Chavez Hwy
2. Intersection of 8th Ave and the alley between Park & Tays
3. Alley between Tays & Hills and Father Rahm & 6<sup>th</sup>
4. Alley between Tays & Hills and 6<sup>th</sup> & 7<sup>th</sup>
5. Alley between Tays & Hills and 6<sup>th</sup> and Father Rahm

6. Alley between 7<sup>th</sup> & 8<sup>th</sup> and Hills & St. Vrain
7. Alley between 8<sup>th</sup> & 9<sup>th</sup> and Hills and St. Vrain
8. Alley between Father Rahm & 6<sup>th</sup> and St. Vrain & Virginia
9. Alley between 6<sup>th</sup> & 7<sup>th</sup> and St. Vrain & Virginia
10. At the intersection of Virginia and 9<sup>th</sup>
11. Alley between Virginia & Ochoa and 6<sup>th</sup> and Father Rahm
12. Alley between 8<sup>th</sup> & 9<sup>th</sup> and Virginia & Ochoa (possibly on pole #1009)
13. On Hills, between Paisano and Delta
14. Intersection between 8<sup>th</sup> Ave and the alley between Mesa and Oregon (north corner of the intersection).
15. West side of Mesa, between 6<sup>th</sup> and Father Rahm
16. Alley between Oregon & Mesa and 4<sup>th</sup> & 3<sup>rd</sup> (east side of alley)
17. Alley between Stanton & Kansas and 8<sup>th</sup> & 7<sup>th</sup>
18. Intersection of Father Rahm and Campbell (either of the north corners)

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

Ms. Joyce Wilson, City Manager, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

.....  
 Motion made by Representative O'Rourke, seconded by Representative Lily, and unanimously carried to **ADJOURN** this meeting at 1:24 PM.  
 .....

APPROVED AS TO CONTENT:

---

Richarda Duffy Momsen, City Clerk