

JOHN F. COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

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

## **AGENDA FOR SPECIAL CITY COUNCIL MEETING**

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January 29, 2007  
10<sup>th</sup> Floor Conference Room, City Hall  
4:00 p.m.

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, January 30, 2007. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

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January 30, 2007  
Council Chambers, City Hall  
8:30 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Police Chaplain Clift Barnes**  
**Pledge of Allegiance**

### **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.

**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 23, 2007, and the Special City Council Meeting of January 22, 2007 (Agenda Review).  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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

**3. RESOLUTIONS:**

**3A.** That the City expend additional available funding in the amount of \$224,268.40 to install cultured stone in the El Paso International Airport Golf Course Club House for Contract Number 2006-076, EPIA Butterfield Trail Golf Course – Club House and Maintenance Facility. **(District 2)**  
[Airport, Patrick T. Abeln, (915) 780-4724] [Engineering Department, Rick Conner, (915) 541-4423]

**3B.** That the City Manager be authorized to sign an Independent Contractor Agreement between the City of El Paso and Rodolfo Valdez to employ Rodolfo Valdez as a Utility Land Management Coordinator for the El Paso Water Utilities at an hourly rate of \$35.66. The term of the contract shall be for the period of February 7, 2007, through February 6, 2008. Fund Source: 702-140. **(All Districts)**  
[El Paso Water Utilities, Fred Loweree, (915) 594-5501]

**3C.** That the Solid Waste liens on the attachment posted with this agenda be approved. **(Districts 1, 2, 4, 7, & 8)** (See Attachment A).  
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

**4. BOARD RE-APPOINTMENTS:**

**4A.** Michael Flores to the Commission on Border Relations by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]

**4B.** Tanny Berg to the International Bridge Commission by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

**5. BOARD APPOINTMENTS:**

- 5A.** Victor M. Aguirre to the International Bridge Commission by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]
- 5B.** Michael S. Schwartz to the Zoning Board of Adjustment as an alternate by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]
- 5C.** Michael Santamaria to the Zoning Board of Adjustment as an alternate by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]
- 5D.** Randy Bowling to the Zoning Board of Adjustment by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]

**6. FINANCIAL SERVICES:**

Request that the Purchasing Manager for Financial Services Department be authorized to exercise the City's option to extend the current Maintenance of Overhead Doors at Various Fire Stations & City Facilities, Contract 2005-039, with Sun City Garage Doors, Inc. for one additional year pursuant to the provisions to an award approved by City Council on February 8, 2005. Contract Period: March 1, 2007, through February 28, 2008.

Option No.: One of one  
Total Estimated Award: \$75,000.00  
Account No: 31010325 – 01101 - 502226  
Funding Source: Operating Account-Maintenance Building/Facilities Contract  
Department: General Services, Fleet Services  
**Districts: All**  
[Financial Services, Terrence Freiburg, (915) 541-4313]

**7. BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2007-069, Janitorial Service - Mission Valley Police Regional Command Center and Northeast Police Regional Command Center, to The Eagle Janitorial Services for a total estimated award of \$202,765.68.

Department: General Services, Building Maintenance Division  
Award to: The Eagle Janitorial Services  
El Paso, TX  
Item(s): 1 and 2  
Option: 2 years, one year at a time  
Account No.: 31010325-01101-502206  
Funding Source: Operating Account Janitorial Contracts  
Total Estimated Award: \$202,765.68  
**Districts: All**

Vendor offers a prompt payment discount 3%/20 days.

The Departments of Financial Services and the General Services, Building Maintenance Division, recommend award to the vendor offering the best value bid.  
[Financial Services, Terrence Freiburg, (915) 541-4313]

**8. BIDS:**

**8A.** The award of Solicitation No. 2007-062, Antifreeze, to Big Bear Oil Company, Inc. for a total estimated award of \$150,000.00.

Department: General Services-Fleet Division Internal Service Fund  
 Award to: Big Bear Oil Company  
 El Paso, TX  
 Item(s): 1A, 1B, 1C, 2A, 2B, and 2C  
 Option: Vendor offers the City a prompt payment discount of 1%/10 days.  
 Annual Estimated Award: \$50,000.00  
 Account No.: 37370510 – 503121 - 45202  
 Funding Source: General Services-Fleet Division Internal Service Fund  
 Total Estimated Award: \$150,000.00  
**District(s): All**

This is a requirements type contract with an initial term of thirty six months.

The Departments of Financial Services and General Services, Fleet Division, recommend award as indicated to the lowest responsive, responsible bidder.  
 [Financial Services, Terrence Freiburg, (915) 541-4313]

**8B.** The award of Solicitation No. 2007-053, Automotive Glass, to Southwest Auto Glass, Inc. and H & J Alamo Auto Glass Inc. for a total estimated award of \$180,000.00.

Department: General Services  
 Award to: Vendor 1 Southwest Auto Glass, Inc.  
 El Paso, TX  
 Item(s): Group No. 1  
 Annual Estimated Amount: \$50,000.00  
 Award to: Vendor 2 H & J Alamo Auto Glass Inc.  
 El Paso, TX  
 Item(s): Group No. 2  
 Annual Estimated Amount: \$10,000.00  
 Account No.: 37370510 - 45202 - 503121 - 503125  
 Funding Source: General Services, Inventory Purchase, Outside Repairs/Services NOC, Inventory Sales  
 Total Estimated Award: \$180,000.00  
**Districts: All**

This is a requirements type contract with a thirty-six month contract.

The Departments of Financial Services and Environmental Services recommend award to the lowest responsive, responsible bidder.  
 [Financial Services, Terrence Freiburg, (915) 541-4313]

**8C.** The award of Solicitation No. 2007-039, Franklin Park Improvements, to Martinez Irrigation & Landscapes, Inc. of El Paso, Texas, for total amount of \$164,242.00.

Department: Parks and Recreation  
Award to: Martinez Irrigation & Landscapes, Inc.  
El Paso, Texas

Items: Base Bid \$98,340.00  
Alternate 1 \$36,571.00  
Alternate 2 \$24,321.00  
Alternate 3 \$ 5,010.00

Total Award: \$164,242.00  
Account No. 51150063-G510502-07327-508027  
Funding Source: PSB Grant Fund  
**Districts: 3 and 4**

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 part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction 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 \$25,000.00 per numbered change order without further authorization by City Council.

This is a low bid, lump-sum contract.

The Financial Services, Engineering, and Parks & Recreation Departments recommend award as indicated to the lowest responsive, responsible bidder. [Engineering Department, Rick Conner, (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.**

**9A.** An Ordinance granting a Special Privilege to the Kern Place Merchants Association to temporarily close portions of Cincinnati Avenue and Baltimore Avenue from February 20, 2007, through February 21, 2007, for a "Bourbon Street on Cincinnati Street Festival". (Fee: \$137.50, SPL06-00023) **(District 1)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

**9B.** An Ordinance granting a Special Privilege to The New Old Plantation to temporarily close a portion of Ochoa Street from February 20, 2007, through February 21, 2007, for a "Mardi Gras Party". (Fee: \$137.50, SPL06-00024) **(District 8)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

**9C.** 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 to add a new location on Firehouse Drive from Montwood Drive

to a point 242 feet south, west side only. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 5)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 9D. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection O (Speed Limits on Parts of Doniphan Drive (S.H. 20) and Mesa Street (S.H. 20 and U.S.B.R. 80), of the El Paso City Code to amend the speed limit on Mesa Street. The penalty is as provided in Section 12.84.010 of the El Paso City Code. **(Districts 1 & 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 9E. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection A, of the El Paso City Code by adding a new location on Campbell Street between Arizona Avenue and Nevada Avenue, west side. The penalty being as provided in Section 12.88.180 of the El Paso City Code. **(District 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 9F. An Ordinance amending and restating the Lease Agreement (the "Agreement") entered into as of the effective date by and between the City of El Paso, Texas, a municipal corporation (hereinafter "City"), and the El Paso Independent School District (hereinafter "Lessee"). **(District 3)** [Parks and Recreation, Norman C. Merrifield, (915) 541-4910]

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 13, 2007, FOR ITEMS 9A - 9F**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

**REGULAR AGENDA – PUBLIC HEARINGS**

**10. PUBLIC HEARING – DEVELOPMENT SERVICES**

An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended, to delete the proposed Camelot Heights Drive as a minor arterial between Stanton Street and Mesa Drive. Applicant: SBS Development Company, LLC. **(District 1)**

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

POSTPONED FROM 11-07-06, 11-28-06, AND 12-19-06

**11. PUBLIC HEARING – ENGINEERING:**

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of the El Paso City Code to amend Zone G (No Parking Anytime on Sixth Avenue between Oregon Street and Mesa Street, South Side Only, and on Mesa Street between Sixth Avenue to a Point 150 Feet South, West Side Only). The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**12. PUBLIC HEARING – STREETS:**

An Ordinance authorizing the City Manager to sign an agreement by and between the City of El Paso and the Chihuahuita Neighborhood Association for maintenance and other services to support the Chihuahuita Serenity Garden. **(District 8)** [Streets, Daryl W. Cole, (915) 621-6750]

**13. PUBLIC HEARING – MAYOR AND COUNCIL:**

An Ordinance amending Title 2 (Administration & Personnel) to create Chapter 2.42 (Library Advisory Board) of the El Paso City Code and establish a Library Advisory Board. [Representative Eddie Holguin, Jr., (915) 541-4178]

**REGULAR AGENDA – OTHER BUSINESS**

**14. MAYOR AND COUNCIL:**

Discussion and action to terminate the Agreement with the El Paso Public Library Association dated August 3, 1999. [Representative Eddie Holguin, Jr., (915) 541-4178]  
POSTPONED FROM 01-16-07

**15. DEVELOPMENT SERVICES:**

That the City Manager be authorized to sign a Development Agreement by and between the City, Public Service Board (PSB), and El Paso Outlet Center, LLC to set forth the rights and responsibilities between the parties to allow for the development of the property located within the City's West Extraterritorial Jurisdiction and containing 80.65 acres; in accordance with Subchapter G, Chapter 212 of the Texas Local Government Code, and subject to the affirmative approval and execution of same agreement by the El Paso Water Utilities-Public Service Board. **(West ETJ-Adjacent to District 1)**  
[Development Services/Planning, Kelly Carpenter, (915) 541-4193]

**16. CITY MANAGER:**

City Manager's report of current events and issues:

Discussion and action on issues related to Storm 2006.  
[Development Services, R. Alan Shubert, (915) 541-4557]

**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.** Rafael Gardon vs. City of El Paso; Cause No. 2003-493. (551.071).  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** Claim of CF Jordan – Montwood Project; Our File No. 06-C-173A. (551.071).  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX3.** Petition of El Paso Electric Company for Authority to Revise Fuel Factor and for Fuel Surcharge, PUC Docket No. 32240, SOAH Docket No. 473-06-1028. (551.071).  
[City Attorney's Office, Jorge Villegas, (915) 541-4550]
- EX4.** Discussion and action regarding Delta Air Lines, Inc., et. al., Chapter 11 Bankruptcy Proceeding. (551.071). [City Attorney's Office, Raymond Telles, (915) 541-4550]

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>