

**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

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JANUARY 27, 2009  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, Rachel Quintana, Eddie Holguin, Jr., and Steve Ortega. Late arrivals: Melina Castro at 8:37 a.m. and Beto O'Rourke at 8:40 a.m. The invocation was given by Police Chaplain Dan Young, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**RECOGNITIONS**

**CITY EMPLOYEE RECOGNITIONS**

Ms. Joyce Wilson, City Manager, presented the following employee recognitions:

1. **Mr. Antonio (Tony) Lara – 25 years**
2. **Ms. Elizabeth Ballesteros – 25 years**
3. **Ms. Sonya (Russo) Serna – 25 years**
4. **Ms. Esther Guerrero – 25 years**
5. **Mr. Samuel (Sam) Jarvis – 25 years**
6. **Mr. Michael Ray – 25 years**
7. **Mr. Joe Hernandez – 25 years**
8. **Deputy Fire Chief Edward Lowe – 30 years**
9. **Ms. Ana Laura Duarte – 30 years**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/muni\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/muni_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

- 1. Mr. Federico Medina
- 2. Mr. Lee Wilson
- 3. Mr. John Fields
- 4. Mr. Roger Bristow
- 5. Mr. Jerry Thiedt
- 6. Ms. Lisa Turner

Mayor Cook and Representative Castro commented.

Ms. Joyce Wilson, City Manager, commented.

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 Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:34 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 Castro and O'Rourke

Motion made by Representative Acosta, seconded by Mayor Pro Tempore Byrd, and unanimously carried to adjourn the Executive Session at 9:00 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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

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TAKEN WITH ITEM 21B.

**EX1.** Discussion and action regarding the acquisition of Ascarate Park from the County of El Paso. (551.071 and 551.072)

**NO ACTION** was taken on EX1.

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**EX2.** Guadalupe Guerra vs. City of El Paso, Cause No. 2004-1749. (551.071)

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Acosta, and carried that the City Attorney's office be authorized to **REJECT** Plaintiff's settlement demand and be authorized settlement authority, and to take any and all action to protect the City's interest and position, both affirmative and defensive, including engaging in negotiations for settlement, and sign all documents to resolve the lawsuit styled Guadalupe Guerra vs. City of El Paso; Cause No. 2004-1749.

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

NAYS: Representative Castro

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**EX3.** Jorge Berry vs. City of El Paso and Civil Service Commission; Cause No. 2006-4076. (551.071)

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

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**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)

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

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

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

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried authorizing City staff to **CONTINUE NEGOTIATIONS** with the Electric Company, the Chamber of Commerce, and the property owner.

Mayor Cook and Representatives Castro and Byrd commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Richard Dayoub, El Paso Greater Chamber of Commerce Foundation, commented.

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**CONSENT AGENDA**

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

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

NAYS: None

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**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the 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).

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

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

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**3A.**

**\*RESOLUTION**

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").

Representative Acosta and Ortega commented.

Ms. Elaine Hengen, Senior City Attorney, gave legal advice.

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**3B.**

**\*RESOLUTION**

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.

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**3C.**

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 30<sup>th</sup> day of October 2007, after due notice and hearing, issued an order to Charles G. Clark, record Owner of the hereinafter described property that the structures be secured within thirty days and to clean the premises of all weeds, trash, and debris all within thirty days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such Order, the Street Department of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of securing the structures and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 18 and the West ½ of Lot 19, Block 93, Franklin Heights Addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 1921 Arizona Avenue, El Paso, Texas,

to be \$6,253.27, performed by the Street Department of the City of El Paso, and \$1,258.77, performed by the City Clerk's Office and Development Services Department, making a total of \$7,512.04. The City Council finds that the work was completed on the 9<sup>th</sup> day of June 2008, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$7,512.04 to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 27<sup>th</sup> day of July 2005, after due notice and hearing, issued an order to Lupe G. Avina, record Owner of the hereinafter described property that the structures be secured within thirty days and to clean the premises of all weeds, trash, and debris all within thirty days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such Order, the Street

Department of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of securing the structure and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 28 and 29 and West 2/3 of Lot 27, Block 16, Highland Park Addition to the city of El Paso, El Paso County, Texas according to the map thereof on File in Book 1, Page 54, Plat Record of El Paso County, Texas, municipally known and numbered as 2002 Detroit, El Paso, Texas,

to be \$838.33, performed by the Street Department of the City of El Paso, and \$1,363.30, performed by the City Clerk's Office and Development Services Department, making a total of \$2,201.63. The City Council finds that the work was completed on the 28<sup>th</sup> day of August 2007, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$2,201.63 to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 26<sup>th</sup> day of September 2007, after due notice and hearing, issued an order to Manuel Lopez & 1, record Owners of the hereinafter described property that the structures be secured within thirty days and to clean the premises of all weeds, trash, and debris all within thirty days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such Order, the Street Department of the City of El Paso has been ordered to proceed to secure and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of securing the structures and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 33, Howell Subdivision, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 2, Page 21, Real Property Records, El Paso County, Texas, municipally known and numbered as 5833 Macias Street, El Paso, Texas,

to be \$2,724.20, performed by the Street Department of the City of El Paso, and \$1,314.91, performed by the City Clerk's Office and Development Services Department, making a total of \$4,039.11. The City Council finds that the work was completed on the 6<sup>th</sup> day of December, 2008, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$4,039.11 to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso City Code, the City Council of the City of El Paso, by Order dated the 25<sup>th</sup> day of July 2007, after due notice and hearing, issued an order to William Ertman, record Owner of the hereinafter described property that the main structure be secured, demolish illegal additions within thirty days and to clean the premises of all weeds, trash, and debris all within thirty days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such Order, the Street Department of the City of El Paso has been ordered to proceed to secure, demolish illegal additions and clean the premises of all weeds, trash, and debris.

**WHEREAS**, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of securing the structure, demolishing the illegal additions and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 1 and 2, Block 24, Map of Brentwood Heights Addition, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 5, Page 56, Plat Records of El Paso County, Texas, municipally known and numbered as 5031 Rosa Avenue, El Paso, Texas,

to be \$6,008.48, performed by the Street Department of the City of El Paso, and \$1,351.14, performed by the City Clerk's Office and Development Services Department, making a total of \$7,359.62. The City Council finds that the work was completed on the 8<sup>th</sup> day of December 2008, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of \$7,359.62 to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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**3D.**

**\*RESOLUTION**

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.

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3E.

**\*RESOLUTION**

**WHEREAS**, The residents of the Cinecue Park neighborhood have requested a traffic engineering study be conducted at the intersection of Cinecue Way and Yarbrough Drive to determine if the permanent closure of the median on Yarbrough at the intersection of Cinecue Way would be beneficial to the community by alleviating short cutting and speeding through Cinecue Way; and

**WHEREAS**, The Engineering Department has determined that the traffic engineering study will take forty-five days and require the temporary closure of the median on Yarbrough Drive at the intersection of Cinecue Way.

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

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.

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3F.

**\*RESOLUTION**

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.

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3G.

**\*RESOLUTION**

**WHEREAS**, Section 6.4-1 of the City Charter provides that the Human Resources Director shall update as necessary the Classification and Compensation Plans of the City for the classified services, and the Director shall present such Plans, and the recommendations of the Civil Service Commission, to the City Council for acceptance and approval; and

**WHEREAS**, Section 2.1 of Ordinance 8064, as amended, provides that the Human Resources Director or her designee shall create and maintain a document titled Ordinance 8064 Appendix "A" (Job Classifications), which shall list all of such classifications in the system and the salary plan/grades; and

**WHEREAS**, Section 2.1 of Ordinance 8064, as amended, further provides that the Human Resources Director or her designee shall maintain an updated Appendix "A" following any classification changes; and

**WHEREAS**, the Human Resources Director has completed a review of the classification and compensation for certain, selected positions within the Professional/Managerial and General Services Compensation Plans and recommended revisions to such positions as set forth in Attachment "A"; and

**WHEREAS**, the Director’s review and recommendations were presented to the Civil Service Commission for their recommendation, and the Commission recommended revising all of positions as set forth in Attachment “A”; and

**WHEREAS**, these recommendations are now presented to the City Council for the Council’s acceptance and approval, upon which the Human Resources Director shall update the Plans and implement them pursuant to the requirements of Ordinance 8064, as amended.

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

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.

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**3H. RESOLUTION**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week a Resolution to approve the revisions to the Cultural Funding Guidelines.

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**3I. \*RESOLUTION**

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.

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**3J. \*RESOLUTION**

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.

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**4A. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Eli A. Garcia to the Community Development Steering Committee, to serve an unexpired term, by Representative Susie Byrd, District 2.

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**4B. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Yolanda Barbe to the Animal Welfare Advisory Committee by Representative Susie Byrd, District 2.

**4C. BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Ralph Adame to the Airport Advisory Board, to serve an unexpired term, by Representative Steve Ortega, District 7.

**5A. PURCHASING REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, 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

**5B. PURCHASING REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a 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

**5C. PURCHASING REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a 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

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**6A. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **AWARD** 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)

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.

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**6B. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **AWARD** 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)

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.

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**7A. BID**

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

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.

**7B. BID**

\*Motion made, seconded, and unanimously carried to **DELETE** 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)

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.

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**8. COMPETITIVE SEALED PROPOSAL**

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

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.

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**9. INTRODUCTION**

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

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

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.

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

**10. FINANCIAL SERVICES**

Motion made by Representative Lilly, seconded by Representative Acosta, and unanimously carried to **AWARD** Solicitation No. 2009-058 (Arterial Street Lighting) to Medlock Commercial Contractors, L.L.C., for a total estimated amount of \$2,483,649.05.

NOT PRESENT FOR THE VOTE: Representative Castro

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

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.

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

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Sam Rodriguez, Engineering Division Manager
- 3. Mr. Daryl Cole, Director of Streets

Ms. Lisa Turner, citizen, commented.

.....  
11A.

**ORDINANCE 17056**

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

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Acosta commented.

Motion duly made by Representative Acosta, 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, Acosta, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Castro

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 17057**

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

Representative Acosta commented.

Mr. Mathew McElroy, Deputy Director of Planning, commented.

Motion duly made by Representative Acosta, 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, Acosta, 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. PUBLIC HEARING – DEVELOPMENT SERVICES**

\*Motion made, seconded, and unanimously carried to **DELETE** the public hearing on 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.

.....  
**11D.**

**ORDINANCE 17058**

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

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk’s office).

Representative Acosta commented.

Motion duly made by Representative Acosta, 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, Acosta, 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**.

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

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

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

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

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

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

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** the public hearing for two weeks.

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

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

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

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

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

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

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** the public hearing for two weeks.

.....  
**11G.**

**ORDINANCE 17059**

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

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor Cook and Representative Ortega commented.

Mr. Ted Marquez, Engineering Division Manager, commented.

Motion duly made by Representative Ortega, 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, Acosta, 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**.

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

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

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.

#### **11I. PUBLIC HEARING – DEVELOPMENT SERVICES**

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.

#### **11J. PUBLIC HEARING – DEVELOPMENT SERVICES**

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.

#### **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.

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office) on items 11H, 11I, and 11K.

Mr. Victor Torres, Director of Development Services, presented a PowerPoint presentation (on file in the City Clerk's office) on item 12.

Mr. Carlos Gallinar, La Fe Clinic and City Plan Commission, Mr. Paul Gilcrease, TVO Development, Mr. Eric Earnshaw, BGO Architects, and Ms. Rishar Gilbert, representing the applicant, presented a PowerPoint presentation (on file in the City Clerk's office).

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

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.
3. Mr. Charlie McNabb, City Attorney, gave legal advice.
4. Ms. Marie Taylor, Assistant City Attorney, gave legal advice.
5. Ms. Pat Aduato, Deputy City Manager of Development and Infrastructure Services
6. Mr. Troy Ainsworth, Historic Preservation Officer
7. Mr. William Lilly, Director of Community and Human Development
8. Mr. Charlie McNabb, City Attorney, gave legal advice.
9. Mr. Mathew McElroy, Deputy Director of Planning

The following members of the public commented:

1. Mr. Ricardo Gonzalez
2. Mr. Mike Breitinger, Executive Director of the El Paso Central Business Association
3. Mr. Bernie Sargent, Chair of the El Paso County Historical Commission
4. Ms. Daphne Hamilton, Chair of the Historic Landmark Commission
5. Ms. Sharon Cowell
6. Mr. Rick Robins
7. Ms. Marty Jobe
8. Mr. Adrian Aragon
9. Mr. George Saucedo, Saucedo Brothers Locksmith
10. Ms. Patricia Martinez
11. Mr. Stanley Jobe
12. Commissioner Veronica Escobar
13. Mr. John Estrada, Board Member of Centro De Salud Familiar La Fe
14. Ms. Maria Stoiber

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

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

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

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

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Gonzalez an additional minute to address the Council.

AYES: Representatives Lilly, Byrd, Acosta, Castro, Holguin, and Ortega

NAYS: None

ABSTAIN: Representative O'Rourke

NOT PRESENT FOR THE VOTE: Representatives Quintana

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

Motion made by Representative Holguin, seconded by Representative Castro, and carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Gonzalez an additional ten minutes to address the Council.

AYES: Representatives Byrd, Acosta, Castro, Holguin, and Ortega

NAYS: Representative Lilly

ABSTAIN: Representative O'Rourke

NOT PRESENT FOR THE VOTE: Representatives Quintana

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

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Sargent an additional minute to address the Council.

NOT PRESENT FOR THE VOTE: Representative O'Rourke

**5<sup>TH</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Ms. Hamilton an additional three minutes to address the Council.

NOT PRESENT FOR THE VOTE: Representative O'Rourke

**11H.**

**ORDINANCE 17060**

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

**6<sup>TH</sup> MOTION**

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

AYES: Representatives Lilly, Byrd, Acosta, Castro, Quintana, Holguin, and Ortega

NAYS: None

ABSTAIN: Representative O'Rourke

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

**11I.**

**ORDINANCE 17061**

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

**11J.**

**ORDINANCE 17062**

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

**7<sup>TH</sup> MOTION**

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

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

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

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

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, and carried to **UPHOLD** the appeal and grant the Certificate of Appropriateness with the changes that were recommended and adopted by the Historic Preservation Officer 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.

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

.....  
The City Council Meeting **RECESSED** at 3:24 p.m. and **RECONVENED** at 3:50 p.m.  
.....

**13.**

**ORDINANCE 17063**

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

Motion duly made by Representative Ortega, 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, Acosta, 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**.

.....  
**14A. PUBLIC HEARING – ENGINEERING**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the public hearing on 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.  
.....

**14B. PUBLIC HEARING – ENGINEERING**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the public hearing on 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.

**14C. PUBLIC HEARING – ENGINEERING**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the public hearing on 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.

**14D. PUBLIC HEARING – ENGINEERING**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the public hearing on 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.

**15.**

**ORDINANCE 17064**

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

Mr. Jason Hughes, 1<sup>st</sup> Southwest, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor Cook and Representatives Lilly and Quintana commented.

Ms. Joyce Wilson, City Manager, and Mr. William Studer, Deputy City Manager of Financial and Administrative Services, commented.

Motion duly made by Representative Lilly, 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, Acosta, Ortega, and O’Rourke

NAYS: Representatives Castro, Quintana, and Holguin

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

.....  
**16A. MAYOR AND COUNCIL**

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

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

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

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried to **ADD** 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".

Mayor Cook and Representatives Byrd and Lilly commented.

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

The following members of the public commented:

1. Mr. Charlie Wakeem, citizen, presented a PowerPoint presentation (on file in the City Clerk's office).
2. Dr. Richard Tescher

.....  
**16B. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action to have all public PSB (Public Service Board) meetings held at City Hall.

Representative O'Rourke commented.

.....  
**16C.**

**RESOLUTION**

**WHEREAS**, the Federal Legislature and its administrative agencies will consider many measures and actions that affect the City of El Paso; and

**WHEREAS**, it is necessary to provide guidance to City representatives in conducting legislative and administrative efforts and relations with other levels of government.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, THAT THE ATTACHED DOCUMENT ENTITLED "2009 FEDERAL LEGISLATIVE PRIORITIES AND 2010 APPROPRIATIONS REQUESTS" IS ADOPTED AS THE CITY'S LEGISLATIVE AGENDA FOR THE 111<sup>th</sup> FEDERAL LEGISLATIVE SESSION AND THAT THE FOLLOWING ADMINISTRATIVE POLICY BE ADOPTED:**

1. The legislative or administrative positions herein approved shall be communicated to the El Paso legislative delegation, to the Federal Legislature, in general, and to the appropriate legislative

committees and administrative agencies by the City's federal legislative lobbyist and federal agency consultant, City of El Paso staff persons, members of City Council and others as coordinated through the Mayor's office.

2. City employees, members of City boards, commissions, and advisory groups may not represent in oral testimony or in writing the City's official position on proposed legislation or administrative action unless that position is approved and coordinated through the Mayor's office.
3. The City Council authorizes and directs the Mayor's office to coordinate its legislative program and the City Attorney's Office shall be authorized to interpret on behalf of the City this policy with the necessary broad policy concerns set forth in this policy.

Mayor Cook and Representatives Ortega, Holguin, and Acosta commented.

Ms. Sylvia Firth, Senior Assistant City Attorney/Intergovernmental Affairs, gave legal advice and Mr. Robert Andrade, Executive Assistant to the Mayor, commented.

Mr. John O'Donnell, federal lobbyist for the City of El Paso, commented.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Acosta, and unanimously carried to **APPROVE** the Resolution, and the **AMENDED** State Legislative Agenda.

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**16D.**

## **RESOLUTION**

**WHEREAS** our sister city of Ciudad Juárez is being plagued by an unprecedented wave of acts of criminal violence that has not been seen in Ciudad Juárez in the past;

**WHEREAS** the results of these acts has brought enormous pain to thousands of residents of both Ciudad Juárez and El Paso;

**WHEREAS** the Paso del Norte bi-national community is gravely concerned by these monstrous acts;

**WHEREAS** many of the perpetrators of these acts are closely tied to the illegal drug business;

**WHEREAS** many other opportunistic criminals have found it timely to increase their criminal activities in the face of a chaotic situation that has overwhelmed the capacity of the local governments to cope with the violence;

**WHEREAS** this drug war has lasted longer than last 6 wars (Iraqi Freedom, Gulf War, Vietnam War, Korean War, World War II, World War I) combined, due to the fact that the drug policies of our two nations have focused on incarceration rather than prevention and rehabilitation;

**WHEREAS** the continued impunity of these crimes constitutes a frontal threat to the rule of law in our bi-national community; and

**WHEREAS** we, the residents of the City of El Paso, seek to continue to strengthen our bonds with the residents of our sister city and further desire to take action to promote their well being of security and safety as well as ours;

**NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, HEREBY**

1. Convey their solidarity with the people of Ciudad Juárez in the face of the multiple heinous acts of violence being committed against our bi-national community;

2. Express their sincerest condolences and deepest sympathy to the families of those who have fallen victim to this wave of violence;
3. Condemn all unlawful acts of malicious violence, persecution, intimidation, terrorization, and harassment that are being perpetrated on our bi-national community in the Region of Paso del Norte by organized and non-organized criminals;
4. Urge the federal government of the United States of America to come to the aid of our besieged sister city, by
  - a. Strongly supporting and funding the work of the El Paso Police Department and Alcohol, Tobacco and Firearms Agency in order to stem the tide of illegally acquired and exported weapons to Mexico;
  - b. Supporting the enforcement of current laws and legislation to stiffen the penalties on persons who illegally traffic weapons across our border;
  - c. Supporting the enforcement of current penalties and the legislation to stiffen the penalties on persons who illegally traffic chemical agents used in the manufacturing of illicit drugs;
  - d. Strongly supporting and funding the work of the Federal Bureau of Investigation, Drug Enforcement Administration, the Internal Revenue Service and the Immigration and Customs Enforcement Agency in investigating and prosecuting aggressively all money laundering activities carried out in the United States and to collaborate with the Mexican law enforcement agencies to do the same in Mexico;
  - e. Supporting and funding the efforts of the El Paso Police Department and the El Paso County Sheriffs Office, Texas Department of Public Safety, and other law enforcement agencies in international bridge operations to detect vehicle theft, gun smuggling, money laundering and other cross-border criminal activity;
  - f. Supporting and funding greater efforts to reduce drug consumption in the United States;
  - g. Releasing the remaining funds already authorized and appropriated under the Merida Initiative; and
  - h. Ultimately, supporting legislation that examines the nation's policies on drugs with a focus on rehabilitation rather than incarceration;
5. Urge the federal government of the Republic of Mexico to come to the aid of our beleaguered and besieged sister city, by
  - a. Increasing federal efforts to help Ciudad Juárez and the State of Chihuahua to reduce the levels of violence;
  - b. Supporting greater efforts to reduce drug consumption in Mexico; and
  - c. Ultimately, support legislation that examines the Republic of Mexico's policies on drugs with a focus on rehabilitation rather than incarceration.

Representative Quintana commented.

Mr. Jose Contreras, Border Relations Committee, commented.

Ms. Richarda Momsen, City Clerk, commented.

Mr. John Gnauck, citizen, commented.

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

Motion made by Representative Quintana, seconded by Representative Acosta, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

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

Motion made by Representative Quintana, seconded by Representative Acosta, and unanimously carried to **APPROVE** the Resolution.

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**17A. BUDGET TRANSFERS**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the item on budget transfer BT200 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

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**17B. BUDGET TRANSFERS**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the item on budget transfer BT2009-454 – Police, **AS REVISED**. 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

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**18. DEVELOPMENT SERVICES**

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

**19. FINANCIAL SERVICES**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the item on 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.

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**20A. PARKS AND RECREATION**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the item for 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.

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**20B. PARKS AND RECREATION**

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the item on 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.

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**21A. CITY MANAGER**

City Manager’s report of current events and issues:

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **POSTPONE** one week the Quarterly Financial Report: 1<sup>st</sup> Quarter Financial Report for Fiscal Year 2009.

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**21B. CITY MANAGER**

City Manager’s report of current events and issues:

Discussion and action on the City's options regarding Ascarate Park.

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

Ms. Joyce Wilson, City Manager, and Ms. Debbie Hamlyn, Deputy City Manager of Quality of Life, commented.

The following members of the public commented:

- 1. County Commissioner Veronica Escobar
- 2. County Commissioner Anna Perez
- 3. Ms. Kay Johnston
- 4. Ms. Lisa Turner
- 5. Mr. Jerry Thiedt

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

Motion made by Representative Holguin, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

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

Motion made by Representative Acosta, seconded by Mayor Pro Tempore Byrd, and carried to authorize the City Manager and staff **TO CONTINUE DISCUSSION AND OPTIONS** with the County of El Paso on the managing and operating of Ascarate Park and other park facilities.

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

NAYS: Representatives Quintana and Holguin

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

Motion made by Representative Castro, seconded by Representative Quintana, and carried to **RECONSIDER** the item.

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

NAYS: Representative Acosta

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

Motion made by Representative Acosta, seconded by Mayor Pro Tempore Byrd, and carried to authorize the City Manager and staff **TO CONTINUE DISCUSSION AND OPTIONS** with the County of El Paso on the managing and operating of Ascarate Park and other park facilities.

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

NAYS: Representatives Castro, Quintana, and Holguin

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**ADDITION TO THE AGENDA**

**1. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **APPROVE** the notation of, pursuant to Section 2.92.110 of the City Code, receipt of campaign contribution by Mayor John Cook: Stanley Jobe, \$1,000; El Paso Sheriff's Officers Association, \$1,000; Harold and Beth Hanh, \$2000; Paul Foster, \$1,000; Robert and Sherry Brown, \$1,000; The El Paso Association of Firefighters-Local 51, \$1,000; Ike Montey, \$1,000; Noel Rosenbaum, \$500; Andrew and Leslie Cook, \$500; Hector and Debbie Gutierrez, \$500; Ainsa & Hutson, \$500; James and Samantha Singelyn, \$500; Delgado, Acosta, \$500; Marty Martin, \$500; Elaine Barron, \$500; Gary and Leanne Hedrick, \$500; Sam Legate, \$500; Eliot Shapleigh, \$500; Margarita and Gerry Licon, \$500; El Paso Electric PAC, \$1,000; Robert and Paulette Wingo, \$750; Randy and Margo Kuykendall, \$500; Bill and April Terrell, \$500; Rachel and Gregory Harracksingh \$500; Irene Epperson, \$500; James F. Scherr, \$2,000; Leonard A. Goodman, \$500; J.A. Cardwell, \$1,000; Henry Ellis, \$500; Ginger Francis, \$500; L. Fredrick Francis, \$500; Adam and Dana Frank, \$500; Carlos and Irma Garza, \$1,000; Robert Hoy Hill, \$500; Woody and Gale Hunt, \$500; Michael and Sydney Jelinek, \$750; Travis Johnson, \$1,000; Linda Jordan, \$500; C.F. Jordan III, \$500; Susan Mendez, \$500; Michael and Clara Miles, \$500; Jim Phillips, \$500; K. Alan Russell, \$500; Cita Sanders, \$500; William Sanders, \$500; Leo Schuster, \$1,000; Scott PAC, \$1,250; Lou and Laura Alpern, \$2,300; Moore, Nordell, Kroger, \$500; Kenneth Gezelius, \$500; Ann Morgan Lilly Campaign, \$500.

**ADDITION TO THE AGENDA**  
**2. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action on funding the National Latino Congresso which will be held in El Paso, March 20 - 22, 2009.

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Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **RECESS** the City Council Meeting at 4:18 p.m. in order to convene the Mass Transit Department Board Meeting.

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Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **RECONVENE** the City Council Meeting at 4:35 p.m.

.....  
Motion made by Representative Acosta, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **ADJOURN** this meeting at 4:57 p.m.

APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk