

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL ROBINSON, 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
FEBRUARY 2, 2010
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:31 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Rachel Quintana, Steve Ortega, and Beto O'Rourke. Late arrivals: Emma Acosta and Carl Robinson at 8:38 a.m. during Executive Session deliberations and Eddie Holguin, Jr. at 8:39 a.m. during Executive Session deliberations. The invocation was given by Police Chaplain Cliff Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **BLACK HISTORY MONTH**
2. **GO DIRECT/DIRECT EXPRESS MONTH**
3. **NOLAN RICHARDSON DAY**
4. **BOB MARLEY WEEK**

RECOGNITIONS
City Employees

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

1. **Mr. Victor Diaz – 25 years**
2. **Fire Suppression Technician Kenneth Duryee - 25 years**
3. **Fire Captain Carlos Franco – 25 years**
4. **Fire Inspector Jeremiah Haggerty - 25 years**
5. **Fire Lieutenant Don Janes – 25 years**
6. **Mr. Emilio Martinez – 25 years**
7. **Mr. Jose Ortiz – 25 years**
8. **Assistant Police Chief Eric Shelton – 25 years**
9. **Ms. Kathryn Murphy – 25 years**
10. **Mr. Armando Soto – 25 years**
11. **Mr. George Flores – 30 years**
12. **Mr. James Peterson – 30 years**
13. **Ms. Jackie Franco – 30 years**
14. **Fire Lieutenant Victor Verdugo – 30 years**
15. **Fire Battalion Chief Rafael Castaneda – 30 years**
16. **Mr. Vicente Arroyos – 30 years**
17. **Mr. Carlos Apodaca – 35 years**
18. **Ms. Deborah Hamlyn – 35 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 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. Ken Nichols
2. Mr. Dave Motts
3. Mr. Randy White
4. Mr. Barney Fields
5. Mr. Robert Strong
6. Mr. Robert Arriola
7. Mr. Stan Roberts
8. Pastor Sonia Brown
9. Pastor Tom Brown
10. Ms. Lisa Turner
11. Mr. Manny Hinojosa
12. Mr. Baron Martin
13. Mr. Salvador Gomez

Mayor Cook and Representative Holguin commented.

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

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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 8:31 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 Acosta, Robinson, and Holguin

Motion made by Representative Robinson, seconded by Representative 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: Representative Ortega

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EX1. Claim of Victoria A. Navarro, Our File No. 10-C-003 (551.071)

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

1ST MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried that the City Attorney's Office be authorized to **REJECT** the claimant's settlement demand in the claim of Victoria Navarro, our file #10-C-003.

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

NAYS: None

ABSTAIN: Representatives Acosta and Holguin

2ND MOTION

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

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried that the City Attorney's Office be authorized to **DENY** the claim of Victoria Navarro, our file #10-C-003.

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

NAYS: None

ABSTAIN: Representatives Acosta and Holguin

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EX2. Paula Bell and Ricky Bell vs. the City of El Paso et al., Cause No. EP-08-CA-331-FM. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried that the City Attorney's Office be authorized **SETTLEMENT AUTHORITY**, to negotiate settlement agreement and sign all documents to resolve the lawsuit styled Rickey and Paula Bell vs. the City of El Paso, et al., Cause No. EP-08-CV-0331-FM.

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Quintana, 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, Robinson, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of January 26, 2010.

2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

3A.

***RESOLUTION**

That the Mayor be authorized to sign an Interlocal Cooperation Contract between the City of El Paso and the University of Texas at Austin which will allow the Center for Public Policy Dispute Resolution to provide mediation services related to the Hawkins Plaza leases for portions of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas.

Representatives Acosta, Holguin, and Ortega commented.

Monica Lombrana, Director of Aviation, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

3B.

***RESOLUTION**

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 26th day of October, 2005, after due notice and hearing, issued an order to Daniel and Gloria Irene Chavez, record Owners of the hereinafter described property that the main structure be secured within 30 days and to clean the premises of all weeds, trash, and debris all within 30 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 the Building and to clean the premises of all weeds, trash, and debris all within 30 days.

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 main structure and to clean the premises of all weeds, trash, and debris within thirty (30) days, more particularly described as:

Lot 14, Block 1, Rosedale Farms No. 5, an addition in the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 14, Page 1, Plat Records in the office of the County Clerk of El Paso County, Texas, municipally known and numbered as 21 Half Moon Drive, El Paso, Texas.

to be \$753.44, performed by the Street Department of the City of El Paso. The City Council finds that the work was completed on the 2nd day of November, 2009, 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 \$753.44 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.

Representative Acosta commented.

Mr. Victor Torres, Director of Development Services, commented.

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3C.

***RESOLUTION**

WHEREAS, 1914, Brick-n-Mortar, Mahattan, Republic, Shadow Lounge, The Garden, and The Plum (hereinafter referred to as "Grantees") are sponsoring an outdoor street festival for a Mardi Gras Block Party (hereinafter referred to as "Event"), on Tuesday, February 16, 2010 to Wednesday, February 17, 2010; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for the use and closure of City rights-of-way for less than twenty-four (24) hours on portions of Western Street, the adjacent alleys between Anthony Street and Durango Street, and a portion of the sidewalks on Durango Street and Anthony Street from 12:00 pm Tuesday, February 16, 2010, to 10:00 am Wednesday, February 17, 2010, in conjunction with the proposed Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantees desire to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portions of Western Street, the adjacent alleys between Anthony Street and Durango Street, and a portion of the sidewalks on Durango Street and Anthony Street from 6:00 pm, Tuesday, February 16, 2010 to 2:00 am, Wednesday, February 17, 2010.

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3D.

***RESOLUTION**

WHEREAS, O.P.E.P (hereinafter referred to as "Grantees") are sponsoring an outdoor street festival for a Mardi Gras Block Party (hereinafter referred to as "Event"), on Tuesday, February 16, 2010 to Wednesday, February 17, 2010; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for the use and closure of City rights-of-way for less than twenty-four (24) hours on portions of Ochoa Street between First Avenue and Paisano Drive from 3:00 pm Tuesday, February 16, 2010, to 4:00 am Wednesday, February 17, 2010, in conjunction with the proposed Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantees desire to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portions of Ochoa Street between First Avenue and Paisano Drive from 8:00 pm, Tuesday, February 16, 2010 to 2:00 am, Wednesday, February 17, 2010.

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3E.

***RESOLUTION**

WHEREAS, Kern Place Merchants Association (hereinafter referred to as “Grantees”) are sponsoring an outdoor street festival for a Mardi Gras Block Party (hereinafter referred to as “Event”), on Tuesday, February 16, 2010 to Wednesday, February 17, 2010; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for the use and closure of City rights-of-way for more than twenty-four (24) hours on portions of Baltimore Avenue, Cincinnati Avenue, and the adjacent alley, between Mesa Street and Stanton Street from 12:00 am Tuesday, February 16, 2010, to 4:00 pm Wednesday, February 17, 2010, in conjunction with the proposed Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantees desire to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portions of Baltimore Avenue, Cincinnati Avenue, and the adjacent alley between Mesa Street and Stanton Street from 12:00 pm, Tuesday, February 17, 2010 to 2:00 am, Wednesday, February 16, 2010.

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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 Martha Villareal a/k/a Martha Villarreal, Eduardo Villarreal, Jr., Nephtali Villarreal, and Ismael Villarreal for the purchase of the following parcel for the Health Administration Building Phase III Project for \$75,821.00:

Lots 1 and 2, Block 1, Hadlock’s Suburban Gardens, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 12, Page 20, Plat Records of El Paso County, Texas.

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3G. RESOLUTION

That the City Manager be authorized to sign a lease agreement between DLB Properties JV (“Landlord”) and the City of El Paso (“Tenant”) regarding the El Paso Police Department Internal Affairs Division’s rental of office space in the Compass Bank Building located at 6044 Gateway Blvd East, El Paso, Texas for a term of 10 years.

Representatives Byrd, Ortega, and Acosta commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Assistant Police Chief Eric Shelton
- 3. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services

Mr. Paul Hiatt, Hiatt and Associates Property Management, commented.

1ST MOTION

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

2ND AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **DENY** and to direct the City Manager to come back with a cost benefit analysis of locations, including downtown sites, and some analysis about how pedestrians bike riders, and users of mass transit will access the facility.

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3H.

***RESOLUTION**

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso, Texas and the Village of Vinton, Texas, for the provision of public health services by the City of El Paso to the Village of Vinton, and related matters, for the period of September 1, 2009, through August 31, 2010.

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4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Carlos Gallinar to the Capital Improvements Advisory 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** Frederick Gromand to the City Accessibility Advisory Committee by Representative Emma Acosta.

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5. APPLICATIONS FOR TAX REFUNDS

*Motion made, seconded, and carried that the following tax refunds be **APPROVED**, subject to auditor approval:

- A. Brokers Logistics, Ltd., in the amount of \$8,767.69 overpayment of 2007 taxes. (PID #O114-999-7000-0000).
- B. Stewart Title of El Paso in the amount of \$3,343.00 overpayment of 2009 taxes. (PID #A438-999-0050-2700).
- C. Pioneer Bank in the amount of \$2,589.29 overpayment of 2009 taxes. (PID #A520-999-0210-0100).
- D. BAC Tax Services Corporation in the amount of \$3,013.96 overpayment of 2009 taxes. (PID #C102-000-0030-0700).
- E. Stewart Title Co. in the amount of \$4,919.07 overpayment of 2009 taxes. (PID #C340-999-1240-1100).
- F. Erick M. & Katherine R. Chavarria in the amount of \$3,974.99 overpayment of 2009 taxes. (PID #C518-999-1010-6500).
- G. Paul L. Lieggi in the amount of \$2,798.02 overpayment of 2009 taxes. (PID #C741-999-0220-4300).
- H. Teresa Gray in the amount of \$3,252.45 overpayment of 2009 taxes. (PID #C742-0010-1100).

- I. Stewart Title of El Paso in the amount \$2,869.58 overpayment of 2009 taxes.
(PID #D417-000-0050-3000).
- J. Pioneer Bank in the amount of \$3,326.62 overpayment of 2009 taxes.
(PID #E077-000-0120-1500).
- K. First American Attn: Chase Refunds in the amount of \$7,862.58 overpayment of 2009 taxes.
(PID #E742-000-0050-0500).
- L. Juan M. Munoz in the amount of \$4,853.74 overpayment of 2009 taxes.
(PID #E746-000-0020-1000).
- M. Ameristar Title in the amount of \$2,674.46 overpayment of 2009 taxes.
(PID #G686-999-0050-2500).
- N. Charles Duncan in the amount of \$3,347.69 overpayment of 2009 taxes.
(PID #H788-010-0480-0160).
- O. Chicago Title Insurance Company in the amount of \$3,320.43 overpayment of 2009 taxes.
(PID #H788-011-0130-1700).
- P. BAC Tax Services Corporation in the amount of \$2,531.92 overpayment of 2009 taxes.
(PID #I258-999-0070-4000).
- Q. Ronald Granger and Regis Hattenberger in the amount of \$8,575.95 overpayment of 2009 taxes.
(PID #M709-999-0000-1900).
- R. LSI Title Agency Inc., in the amount of \$2,747.66 overpayment of 2009 taxes.
(PID #M735-999-0000-0800).
- S. Chicago Title Insurance Company in the amount of \$2,649.63 overpayment of 2009 taxes.
(PID #N463-999-0110-0100).
- T. Lydia Portillo & Enrique Portillo Jr., in the amount of \$2,586.00 overpayment of 2009 taxes.
(PID #P654-999-0820-0500).
- U. Jose R. & Jodi L. Morales in the amount of \$2,950.81 overpayment of 2009 taxes.
(PID #P695-999-0010-1300).
- V. BAC Tax Services Corporation in the amount of \$5,393.42 overpayment of 2009 taxes.
(PID #R246-999-0080-3000).
- W. Citi Mortgage, Inc., in the amount of \$4,899.48 overpayment of 2008 taxes.
(PID #S533-000-0090-1700).
- X. First American Real Estate Tax Service in the amount of \$3,707.06 overpayment of 2008 taxes.
(PID #S533-000-0090-1750).
- Y. Stewart Title of El Paso in the amount of \$3,696.10 overpayment of 2009 taxes.
(PID #T213-999-0100-1400).

- Z. BAC Tax Service Corporation in the amount of \$24,563.07 overpayment of 2009 taxes. (PID #T230-999-0070-1300).
- AA. Marian G. Coran in the amount of \$3,712.12 overpayment of 2009 taxes. (PID #T259-999-0020-0100).
- BB. Texas Title Company in the amount of \$4,970.75 overpayment of 2009 taxes. (PID #T287-999-1590-1000).
- CC. First American Real Estate Tax Service in the amount of \$2,900.86 overpayment of 2009 taxes. (PID #T287-999-1830-0110).
- DD. Jeffrey & Dianne Dukes in the amount of \$3,657.29 overpayment of 2009 taxes. (PID #T287-999-0820-3800).
- EE. Sierra Title Co. in the amount of \$4,620.49 overpayment of 2009 taxes. (PID #U819-999-0028-2908).
- FF. Antony Suresh in the amount of \$9,712.21 overpayment of 2009 taxes. (PID #U819-999-002B-3131).
- GG. Maria Weathers in the amount of \$3,853.50 overpayment of 2009 taxes. (PID #V893-999-1440-1100).
- HH. Christian & Elsa Alba in the amount of \$2,828.86 overpayment of 2009 taxes. (PID #V893-999-1830-5300).
- II. First American Title Insurance Co., in the amount of \$2,855.92 overpayment of 2009 taxes. (PID #V893-999-3580-5100).
- JJ. Sierra Title Company in the amount of \$3,890.50 overpayment of 2009 taxes. (PID #V893-999-5810-5200).
- KK. Javier Guerra in the amount of \$6,188.41 overpayment of 2009 taxes. (PID #V897-999-0880-0800).
- LL. Chicago Title Insurance Company in the amount of \$2,913.28 overpayment of 2009 taxes. (PID #V927-999-0190-0500).
- MM. Robert Snead in the amount of \$2,709.57 overpayment of 2009 taxes. (PID #W145-999-0070-1600).

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6A. PURCHASING REQUEST TO ISSUE PURCHAS ORDER, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to exercise the City's option to extend current Contract 2008-081 Maintenance of Overhead Doors at City Facilities with Desert Garage Doors for two additional years pursuant to the provisions of an award approved by the City Council on March 18, 2008. Extended contract period will be from March 18, 2011, to March 17, 2013.

Department: General Services – Building Maintenance Division

Option: One [of one]
Estimated Amount: \$150,000 (total for 2 year extension)
Funding Source: General Fund

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6B. PURCHASING REQUEST TO ISSUE PURCHAS ORDER, ETC.

*Motion made, seconded, and unanimously carried to exercise the City’s option to extend current Contract 2008-058 (Washing of Heavy Duty Equipment) with Texas Truckwash and Detail for 2 additional years pursuant to the provisions of an award approved by the City Council on March 18, 2008. Extended contract period will be from March 18, 2011, to March 17, 2013.

Department: General Services – Fleet Division
Option: One [of one]
Funding Source: Internal Service Fund
Total Estimated Amount: \$342,000 (total for 2 year extension)

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7. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2010-081 (Blueprint Duplication and Printing Services) to P3001, LLC for a total estimated award of \$109,374.

Department: Engineering
Award to: P3001, LLC
El Paso, TX
Items: 1 – 4
Option: Two years
Annual Estimated Amount: 36,458
Account No.: Various
Funding Source: Various
Total Estimated Award: \$109,374

This is a thirty-six month requirements type contract.

The cost under this requirements contract is only an estimated value. The actual cost of this contract may be higher or lower than the total estimated 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 Engineering recommend award to P3001, LLC, the vendor offering the best value bid.

8A. – 8G INTRODUCTIONS

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

- 8A. An Ordinance to renew and extend a Special Privilege to St. Mark’s United Methodist Church to permit and regulate the construction, maintenance, and use of one subsurface storm water drainage pipe within a portion of Oleander Way, City of El Paso, El Paso County, Texas, for a term of fifteen years with one renewable term of fifteen years.
- 8B. An Ordinance authorizing the City of El Paso to sell approximately 1,856 square feet, being a portion of O.A. Danielson Survey, Number 315, El Paso, El Paso County, Texas, to the State of Texas, acting by and through the Texas Department of Transportation, said parcel to be included in a highway construction project for I-10 at loop 375.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 9, 2010, FOR ITEMS 8A – 8B

- 8C. An Ordinance changing the zoning of a portion of Lot 2, Block 1, Sandstone Ranch Estates Unit Two, City of El Paso, El Paso County, Texas, from A-2 (Apartment) to A-3 (Apartment). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 8D. An Ordinance granting Special Permit No. ZON09-00076 to allow an infill development with reduced side yard setbacks to 4 feet and reduced lot area in order to construct a 2,540 square foot duplex on a 6,000 square foot lot on the property described as Lots 26 and 27, Block 115, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas, and imposing a condition, pursuant to Section 20.10.280 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.
- 8E. An Ordinance granting Special Permit No. ZON09-00073 to allow for a 56% parking reduction on the property described as Lots 1 - 10, Block 223, Alexander Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 and 20.04.320 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.
- 8F. An Ordinance granting Special Permit No. ZON09-00022 to allow for governmental uses and buildings on the property described as being all of Tracts 3A, 3A1, G.M. Collingsworth Survey No. 14, a portion of Tract 1B, Guadalupe Lucero Survey No. 45, a portion of Tract 15 B, Ysleta Grant, Block 21, a portion of United States Parcel No. 3, a portion of Ascarate Street also known as First Street, and a portion of the Old River Bed known as Tract 4, (described July 9, 1938, in Book 632, Page 559, Deed Records, El Paso County, Texas) 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.
- 8G. An Ordinance changing the zoning of a portion of Tract 4B, Section 38, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from A-2 (Apartment) to C-1/C (Commercial/Condition), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 23, 2010, FOR ITEMS 8C – 8G

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9. BUDGET TRANSFER

*Motion made, seconded, and unanimously carried to **DELETE** the item requesting approval of a budget transfer for the funds received from the Agreement for Funding and Implementation of El Paso Particulate Matter Reduction Project to allow for unpaved roads, alley-ways, parking lots and/or medians and to reprogram 2006 Certificate of Obligations in order to increase the facility rehabilitation budget to allow for the renovation of the AB Fall Mansion. Funding source is 2006 Certificates of Obligations.

Increase \$1,497,682.36 to Construction

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10. CITY MANAGER

City Manager’s report of current events and issues:

Presentation of findings of the impact of El Paso's professional arts sector and its audiences on the local economy. The Museums of Cultural Affairs Department (MCAD) commissioned the study from Americans for the Arts and in partnership with the University of Texas at El Paso’s (UTEP) Institute for Policy and Economic Development. The findings demonstrate the importance of continued investment in the arts and the role the local arts sector contributes to El Paso's continued economic development. The study was underwritten with a generous donation from the El Paso Electric Company.

Mr. Sean McGlynn, Director of Museums and Cultural Affairs, presented a PowerPoint presentation (on file in the City Clerk’s office).

Representatives Robinson, Byrd, Quintana, and Ortega commented.

The following members of the public commented:

- 1. Ms. Kathrin Berg –Pettit, Executive Director of El Paso Pro Musica
- 2. Mr. Raul Gonzalez
- 3. Ms. Alicia Rascon
- 4. Ms. Lisa Turner
- 5. Ms. Ruth Ellen Jacobson

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

NO ACTION, other than the above procedural Motion, was taken on the item.

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Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **ADJOURN** this meeting at 11:33 a.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk