

JOHN F. COOK  
MAYOR



**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

JOYCE WILSON  
CITY MANAGER

SPECIAL CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
FEBRUARY 16, 2010

The City Council met at the above place and date. Meeting was called to order at 1:03 p.m. Mayor John Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Carl Robinson, Steve Ortega, and Beto O'Rourke. Late arrivals: Emma Acosta at 1:05 p.m., Eddie Holguin, Jr. at 1:10 p.m. and Rachel Quintana at 1:12 p.m.

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1. Staff presentation and overview of Billboard Signs and discussion:
    - 1A. Current regulations
    - 1B. Project milestones
    - 1C. Planning and Development Legislative Review Committee (LRC) – recommended Ordinance
    - 1D. Mayor's recommended Ordinance
    - 1E. City Council policy direction of August 26, 2009
    - 1F. Third party inventory – findings
    - 1G. City Council policy direction of January 5, 2010
    - 1H. Pending issues

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

Mayor Cook and Representatives Acosta and Byrd commented.

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

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2. Discussion and action on policy direction for pending issues regarding Billboard Signs:
    - 2A. Should new billboard construction be prohibited outright or permitted with a cap and exchange provision?
    - 2B. If new billboard construction is permitted, what is the recommended minimum exchange rate?
    - 2C. Should an exchange be based on specific corridors or locations or other requirements?
    - 2D. On a cap and exchange provision, how is the takedown to be measured (structure, square footage, or other)?
    - 2E. What should the registration procedures be for existing billboard signs within the City limits and the extended territorial jurisdiction (ETJ) to establish legal non-conformancy?
    - 2F. What is the recommended minimum setback requirement for billboard signs adjacent to residential districts?
    - 2G. Should revocation of permits issued in error be allowed?
    - 2H. What should the duration of replacement permits be?

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

The following City staff members commented:

1. Ms. Pat Adauto, Deputy City Manager of Development and Infrastructure
2. Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice
3. Mr. Mathew McElroy, Deputy Director of Planning

The following members of the public commented:

1. Mr. Richard Dayoub, President and Chief Executive Officer of the Greater El Paso Chamber of Commerce
2. Ms. Yolanda Giner, Gordon Mott and Davis, representing Clear Channel Outdoor Communication, presented a PowerPoint presentation.
3. Mr. VJ Smith, Clear Channel Outdoor Communication, presented a PowerPoint presentation.
4. Mr. Larry Medina
5. Mr. Roland Correa, former member of the Building Zone Advisory Committee (BZAC)
6. Mr. Steven Silver
7. Mr. Mike Mons, Lamar Outdoor Advertising
8. Mr. Mike Dipp Jr.
9. Maestro Phillip Garcia, El Paso Youth Symphony
10. Mr. Mike Churchman, Lynx Exhibit
11. Mr. Mike Breitinger, Executive Director of the El Paso Central Business Association
12. Mr. Pat O'Donnell, Yesco Outdoor Media
13. Mr. Mark Barnett, Barnett Harley Davidson
14. Mr. Bill Burton, Mithoff Burton
15. Mr. Joe Lopez, Lopez Marketing Group
16. Ms. Marcie Turner
17. Mr. Dave O'Donnell, Southwest Outdoor Advertising

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

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

#### **ITEMS 2A, 2B, AND 2C:**

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

Motion made by Representative Quintana, seconded by Representative Robinson, and carried to **ALLOW FOR CONTINUED EXCHANGE AND AMEND** the Ordinance with a 1:1 exchange and a 2:1 exchange rate in the five BRT corridors.

AYES: Mayor Cook and Representatives Acosta, Robinson, Quintana, and Holguin

NAYS: Representatives Lilly, Byrd, Ortega, and O'Rourke

Mayor Cook broke the tie, voting aye.

**ITEM 2D:**

**3rd MOTION**

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **MAINTAIN THE STATUS QUO** and measure takedowns by structure.

**ITEM 2E:**

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

Motion made by Representative Ortega, seconded by Representative Quintana, and unanimously carried to **MAINTAIN THE STATUS QUO** on the registration procedures for existing billboard signs within the City limits and the extended territorial jurisdiction (ETJ) to establish legal non - conformancy.

**ITEM 2F:**

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

Motion made by Representative Robinson, seconded by Representative Quintana, and carried to **MAINTAIN THE STATUS QUO** and make no changes to the setback requirement for billboard signs adjacent to residential districts.

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

**ITEM 2G:**

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

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **ALLOW** the revocation of permits issued in error.

**ITEM 2H:**

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

Motion made by Representative Ortega, seconded by Representative Byrd, to establish a 90 day duration for replacement permits.

AYES: Representatives Lilly, Byrd, Ortega, and O'Rourke  
NAYS: Mayor Cook and Representatives Acosta, Robinson, Quintana, and Holguin

Mayor Cook broke the tie, voting nay.

**THE MOTION FAILS.**

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

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and carried to establish a 9 month duration for replacement permits.

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

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3. Discussion and action on policy direction for expanding the moratorium period for digital signs (CEVM).

Mayor Cook commented.

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

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **REMOVE** the moratorium on static billboards concurrently with the consideration of the new regulations, and to **MAINTAIN** the moratorium on digital billboards.

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4. Discussion and action on amendments to the Sign regulations in Title 20 (Zoning) to include the timeline for finalization of the proposed regulations for billboard signs.

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

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Quintana, and unanimously carried to **APPROVE** the timeline as presented by staff for finalization of the proposed regulations for billboard signs based on the policy direction given.

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Motion made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, and unanimously carried to adjourn this meeting at 4:08 p.m.

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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk