

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

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

AGENDA FOR SPECIAL CITY COUNCIL MEETING

February 26, 2007
10th Floor Conference Room, City Hall
4:00 p.m.

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, February 27, 2007. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

AGENDA FOR REGULAR CITY COUNCIL MEETING

February 27, 2007
Council Chambers, City Hall
8:30 a.m.

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

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

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

Invocation – Police and Fire Chaplain Sam Faraone
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. J.M. HANKS HIGH SCHOOL JAZZ FESTIVAL**
- 2. FUTURE FARMERS OF AMERICA (FFA)**
- 3. CENTRAL AND SOUTH TEXAS MINORITY BUSINESS COUNCIL (CSTMBC) FACE TIME EXPO 2007**

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.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of February 20, 2007, and the Special City Council Meetings of February 19, 2007 (Agenda Review) and February 21, 2007 (Joint City Council and Public Service Board).

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

3. **RESOLUTIONS:**

- 3A. That Xavier Bañales be reappointed to the Board of Trustees of the El Paso Mental Health and Mental Retardation Center to a full term expiring December 31, 2008, for the position designated to be held by a professional. **(All Districts)** [City Attorney's Office, Elaine Hengen, (915) 541-4550]

- 3B. That the City Manager is authorized to sign a Lease Agreement between the City of El Paso and the El Paso Center for Mental Health and Mental Retardation Services, El Paso, Texas, for a parcel of City land being Lots 23-32, Block 135, East El Paso Addition, City of El Paso, El Paso County, Texas, and commonly known as 3410 Morenci Street, El Paso, Texas. **(District 8)**

[Financial Services, Gonzalo Cedillos, (915) 541-4074]

POSTPONED FROM 02-13-07 AND 02-20-07

- 3C. That the Mayor and City Council review and accept the El Paso Police Department's Contact Data (Racial Profiling) Annual Report covering the period of January 1, 2006, through December 31, 2006. **(All Districts)**
[Police Department, Paul Cross, (915) 564-7310]

4. BOARD RE-APPOINTMENTS:

- 4A. Amy Estelle Parker to the Cultural Affairs Advisory Board by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4268]
- 4B. Michael J. "Mike" Dipp, Jr. to the International Bridge Commission by Mayor John Cook. [Mayor John F. Cook, (915) 541-4145]

5. BOARD APPOINTMENTS:

- 5A. Lisa Degliantoni to the Arts Museum Advisory Board by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4268]
- 5B. Oscar V. Perez to the Zoning Board of Adjustment, as an alternate, by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 5C. Annette L. Stone to the Community Development Steering Committee, to fill an unexpired term, by Representative Presi Ortega, Jr.
[Representative Presi Ortega, Jr., (915) 541-4189]
- 5D. Alicia De Jong Davis to the RSVP Advisory Council by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]
- 5E. Nestor Valencia to the Art Museum Advisory Board by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4268]

6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

- 6A. Request that the Purchasing Manager for Financial Services Department be authorized to exercise the City's option to extend Contract 2005-088 (High Pressure Coupled Hose Line & Hose Machines) which was awarded on March 22, 2005, to Granberry Supply Corporation for two additional years from March 22, 2008, to March 21, 2010.

Department: General Services Department- Fleet Division
Option No.: One of One
Total Estimated Award: \$90,000.00 (two year extension)
Account No.: 37370510 – 503121 - 45202
Funding Source: Fleet Services Internal Service Fund
Districts: All
[Financial Services, Terrence Freiburg, (915) 541-4313]

- 6B. Request that the Purchasing Manager for Financial Services Department be authorized to exercise the City's option to extend Contract 2004-061R (Airport Financial & Planning Services & Master Plan Update) which was awarded on March 9, 2004, to Ricondo & Associates for one (1) additional year from March 10, 2007, through March 9, 2008.

Department: Department of Aviation
 Funds Available: 62620006 – 502207 - 40101
 Funding Source: Airport Operating Fund
 Total Estimated Award: \$300,000.00
District: 3
 [Financial Services, Terrence Freiburg, (915) 541-4313]

7. BIDS:

7A. The award of Solicitation No. 2007-108 (Rental Services for Landfill Compactor-Rebid) to Wagner Equipment Company for the rental period of approximately five months in the total estimated amount of \$125,000.00.

Department: Environmental Services
 Award to: Wagner Equipment Company
 El Paso, Texas
 Item(s): 1A
 Option: Vendor offers the City the option to extend the term of the contract at the same unit price for an additional six month period if the option is exercised within six months from the date of award.
 Account No.: 502408 – 40403 - 34010296
 Funding Source: Vehicles-Leases
 Total Estimated Award: \$125,000.00
Districts: All

This is a requirements type contract with an initial term of an estimated six (6) months.

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

7B. The award of Solicitation No. 2007-083 (Fuel System Components) to Main Auto Parts for a total estimated award of \$75,000.00.

Department: General Services-Fleet
 Award to: Main Auto Parts
 El Paso, Texas
 Item(s): Group I, 1 and 2, Automotive and Light Truck Applications
 Option: Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.
 Account No.: 37370510 - 503121 - 45202
 Funding Source: General Services-Fleet Division Internal Service Fund
 Total Estimated Award: \$75,000.00
Districts: All

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

Vendor also offers the City a prompt payment discount of 2% 20 days.

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

- 7C. The award of Solicitation No. 2007-063 (McNeilus Aftermarket Parts) to Equipment Southwest, Inc. for a total estimated award of \$375,000.00.

Department: General Services-Fleet Division
Award to: Equipment Southwest, Inc.
Irving, Texas
Item(s): Group A, 1 and Group B, 1
Option: Vendor offers the City the option to extend the term of the contract at the same unit prices for one or two additional years if the option is exercised within one or two years from the date of the award.
Account No.: 37370510 – 503121 - 45202
Funding Source: General Services-Fleet Division Internal Service Fund
Total Estimated Award: \$375,000.00
Districts: All

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

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

REGULAR AGENDA - INTRODUCTIONS

8. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the introduction of ordinances. Public comments are invited at the date of the scheduled public hearing.

- 8A. An Ordinance incorporating the Open Space Master Plan into the City's Comprehensive Plan, The Plan for El Paso, and which plan shall Amend the Plan for El Paso. **(All Districts)** [Development Services, Chuck Kooshian, (915) 541-4632]

PUBLIC HEARING WILL BE HELD ON MARCH 13, 2007, FOR ITEM 8A

- 8B. An Ordinance changing the zoning of Lot 41, Block 100, Chaparral Park Unit 22 Replat A, City of El Paso, El Paso County, Texas, from C-2/C (Commercial/Condition) to P-R I/C (Planned Residential I/Condition) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: East of Westwind Drive and North of La Placita Avenue. Applicant: Boulder Canyon, LP. ZON06-00159 **(District 1)** [Development Services/Planning, Melissa Granado, (915) 541-4730]
- 8C. An Ordinance granting Special Permit No. ZON06-00162 to allow for a parking reduction on the property described as Lots 11-14, Block 146, Campbell Addition,

City of El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: 300 Florence Street. Applicant: ORW y Mas Enterprises, LLC. ZON06-00162 **(District 8)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]

- 8D.** An Ordinance changing the zoning of a portion of H.G. Foster Survey No. 262, City of El Paso, El Paso County, Texas, from R-3A (Residential) to P-R I (Planned Residential I), and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: East of Franklin Hills Street and North of High Ridge Drive. Applicant: Franklin Hills 8 L.P. ZON06-00157 **(District 1)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON MARCH 20, 2007, FOR ITEMS 8B – 8D

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

REGULAR AGENDA – PUBLIC HEARINGS

9. PUBLIC HEARINGS – DEVELOPMENT SERVICES:

- 9A.** An Ordinance changing the zoning of Tracts 11 and 12, Block 7, Upper Valley Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to P-R 1 (Planned Residential/1) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: East of Upper Valley Road and South of Gomez Road. Applicant: I.H.H. Investments, LLC. ZON06-00134 **(District 1)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9B.** An Ordinance changing the zoning of the following real property described as: Parcel 1: all of Blocks 60 and 65 and portions of Third Avenue and Fourth Avenue, Magoffin Addition, City of El Paso, El Paso County, Texas, from SRR (Special Residential Revitalization) to S-D (Special Development); Parcel 2: all of Block 66 and a portion of Third Avenue, Magoffin Avenue, City of El Paso, El Paso County, Texas, from SRR (Special Residential Revitalization) to S-D (Special Development); Parcel 3: a portion of Block 55 and all of Blocks 58 and 67 and portions of Third Avenue and Fourth Avenue, Magoffin Addition, City of El Paso, El Paso County Texas, from SRR (Special Residential Revitalization) to S-D (Special Development); and, Parcel 4: a portion of Block 56 and all of Blocks 57 and 68, Magoffin Addition, and a portion of Block 109 and all of Blocks 110 and 142, Campbell Addition, and portions of Third Avenue and Fourth Avenue, City of El Paso, El Paso County Texas, from SRR (Special Residential Revitalization) to S-D (Special Development). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 508 S. Virginia Street. Applicant: Housing Authority of the City of El Paso. ZON06-00132 **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 9C.** An Ordinance granting Special Permit No. ZON06-00133 to allow for a parking reduction on the property described as Parcel 1: all of Blocks 60 and 65 and portions of Third Avenue and Fourth Avenue (vacated right-of-way), Magoffin Addition, City of El Paso, El Paso County, Texas; Parcel 2: all of Block 66 and a portion of Third Avenue (vacated right-of-way), Magoffin Addition, City of El Paso, El Paso County, Texas; Parcel 3: a portion of Block 55 and all of Blocks 58 and 67 and portions of Third Avenue and Fourth Avenue (vacated right-of-way), Magoffin Addition, City of El Paso, El Paso County, Texas; and Parcel 4: a portion of Block 56 and all of Block 57, Magoffin Addition, and a portion of Block 109 and all of Block 110, Campbell Addition, and portions of Third Avenue and Fourth Avenue (vacated right-of-way), City of El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of The El Paso City Code. The penalty being as provided in Chapter 20.68 of The El Paso City Code. Subject Property: 508 S. Virginia Street. Applicant: Housing Authority of the City of El Paso. **ZON06-00133 (District 8)**
 [Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9D.** An Ordinance releasing conditions placed on property by Ordinance No. 11388 which changed the zoning of a portion of Lot 1, Block 6, Americas Ten Subdivision, City of El Paso, El Paso County, Texas, and which imposed certain conditions and releasing other conditions placed on the property by contract. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: East of Southview Drive, North of Mercantile Avenue. Applicant: State of Texas. **ZON06-00147 (District 6)**
 [Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9E.** An Ordinance changing the zoning of Lots 1 – 3, Block 12, East El Paso Subdivision, City of El Paso, El Paso County, Texas, from A-3 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 3301 Pera Avenue. Applicant: City of El Paso. **ZON06-00150 (District 8)**
 [Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9F.** An Ordinance granting Special Permit No. ZON06-00151 to allow for a parking reduction on the property described as Lots 1-3, Block 12, East El Paso Subdivision, City of El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: 3301 Pera Avenue. Applicant: City of El Paso. **ZON06-00151 (District 8)**
 [Development Services/Planning, Esther Guerrero, (915) 541-4720]

10. PUBLIC HEARING – ENGINEERING:

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection O (Speed Limits on Parts of Doniphan Drive (S.H. 20) and Mesa Street (S.H. 20 and U.S.B.R. 80), of the El Paso City Code to amend the speed limit on Mesa Street. The penalty is as provided in Section 12.84.010 of the El Paso City Code. **(Districts 1 & 8)**
 [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
 POSTONED FROM 02-13-07

REGULAR AGENDA – OTHER BUSINESS

11. MAYOR AND COUNCIL:

That the Mayor be authorized to call upon all State and Federal officials to demand immediate flood funding to have International Boundary and Water Commission (IBWC) to comply with their duties and obligations in cleaning all silt and sediments from the Rio Grande River and not to raise the levee. Furthermore, IBWC must comply with the Federal Emergency Management Agency (FEMA) in order that El Paso is not designated as a flood plain zone area. [Representative Jose Alexandro Lozano, (915) 541-4515]

12. DEVELOPMENT AND INFRASTRUCTURE SERVICES:

That the City Manager be authorized to sign an Agreement between the City of El Paso and the Medical Center of the Americas Foundation (“MCA”) that provides for the development by MCA of a Master Plan for the area known as the Medical Center of the Americas and the contribution by the City of an amount not to exceed \$250,000.00 to offset a portion of the costs for development of the Master Plan. The term of the Agreement is from the date of execution through December 31, 2007, with extensions allowed upon approval of the City Manager. Funding Source: Contingency 99010273-504405. **(District 3)** [Development and Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

13. AIRPORT:

That the City Manager be authorized to execute a Local Project Advance Funding Agreement (LPAFA) by and between the City of El Paso (“City”) and the State of Texas, acting by and through the Texas Department of Transportation. The scope of work for this LPAFA is described as a voluntary local government contribution with no match required for the Global Reach Extension and Inner Loop Projects. The City’s contribution to these projects is \$10,000,000.00 and a portion of the right-of-way located on City of El Paso property that is managed by the Department of Aviation that is within the Federal Aviation Administration’s approved El Paso International Airport Layout Plan. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

14. BUDGET TRANSFER:

BT2007-490 COMMUNITY DEVELOPMENT-HOME Program Income.
 This budget transfer is to appropriate the HOME Program Income Loan funds into the accounts for the multi-family and owner-occupied rehabilitation project funds.
(All Districts)
 [Office of Management and Budget, David Almonte, (915) 541-4011]
 [Community and Human Development, William L. Lilly, (915) 541-4500]

Increase	\$1,267,961.50	to	Miscellaneous Operating Revenue
Increase	\$1,000,000.00	to	Multi-Family Housing Rehabilitation
Increase	\$ 267,961.50	to	Single Family Housing Rehabilitation

15. CITY ATTORNEY:

That the City Manager be authorized to sign and file a letter with the Public Utility Commission of Texas in Docket 32766 in support of El Paso Electric's position that

Southwestern Public Service's current method of assigning system average fuel costs to El Paso Electric remain unchanged. **(All Districts)**
[City Attorney's Office, Jorge Villegas, (915) 541-4550]

16. FINANCIAL SERVICES:

That the City of El Paso continue its participation in several purchasing programs designed to increase procurement efficiency and cost effectiveness and that the City Manager be authorized to issue purchase orders, without further City Council action, relating to purchases made under said purchasing programs in an amount not to exceed \$100,000.00 per contract on an annual basis and with a term not to exceed five years. **(All Districts)** [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

17. CITY MANAGER:

City Manager's report of current events and issues:

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

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Brandon Lee Moon vs. City of El Paso, Texas, et al.; Cause No. SA-06-CA-0925-OG. (551.071). [City Attorney's Office, John L. Anderson (915) 541-4550]
- EX2.** Discussion and action on the lease agreement between the City of El Paso and the El Paso Science Museum - Insights. (551.071) and (551.072). [City Attorney's Office, Theresa Cullen-Garney, (915) 541-4550]
- EX3.** Discussion and action on acquiring new facilities for the Parks and Recreation Department's administration and other City departments. (551.071) and (551.072). [City Attorney's Office, Theresa Cullen-Garney, (915) 541-4550]
- EX4.** Discussion and action on the AB Fall Mansion Home. (551.071). [City Attorney's Office, Laura P. Gordon, (915) 541-4550]

NOTICE TO THE PUBLIC:

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

Hearing Assistance Devices are available upon request.

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

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