

JOHN F. COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSIE BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL L. ROBINSON, DISTRICT 4  
MICHEL R. NOE, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
CORTNEY CARLISLE NILAND, DISTRICT 8

## **AGENDA FOR REGULAR COUNCIL MEETING**

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March 6, 2012  
COUNCIL CHAMBERS, CITY HALL  
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE  
10<sup>th</sup> FLOOR CONFERENCE ROOM  
March 5, 2012  
9:00 a.m.

NOTICE: 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.

***PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.***

### **ROLL CALL**

**INVOCATION by CIMA Chaplain Carlos Clugy-Soto**

**PLEDGE OF ALLEGIANCE**

### **MAYOR'S PROCLAMATIONS**

1. American Red Cross Month
2. Texas Council of Deliberation and Assemblies Weekend
3. The 100<sup>th</sup> Anniversary of Girl Scouts of the USA

### **RECOGNITION**

**6<sup>th</sup> Neighborhood Leadership Academy**

### **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.

**NOTICE:**

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.  
30 Minutes total is allotted for speakers.  
Three to five minutes may be allowed for each speaker.

**NOTICE TO THE PUBLIC**

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

**CONSENT AGENDA**

**1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of February 28, 2012.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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

**3. BOARD RE-APPOINTMENTS:**

**3A.** Gerald Smola to the Committee on Border Relations by Representative Carl L. Robinson. District 4 [Representative Carl L. Robinson, (915) 541-4400]

**3B.** Jason Lee Brewer to the Empowerment Zone Advisory Board, by Representative Eddie Holguin, Jr. District 6  
[Representative Eddie Holguin, Jr., (915) 541-4128]

**4. BOARD APPOINTMENT:**

Robert Strong to the Foster Grandparent Program Advisory Council by Representative Steve Ortega. District 7 [Representative Steve Ortega, (915) 541-4124]

**5. DISCRETIONARY FUNDS:**

Request authorization to allocate the use of discretionary funds from District 8 in the amount of \$500; for the purchase and installation of a commemorative Willie Cager Texas Western banner to be placed inside the Pat O'Rourke Recreation Center in honor of the Willie Cager Gymnasium to encourage youth athletics, foster community pride, and commemorate part of the University of Texas El Paso's History. **(District 8)**  
[Representative Cortney Carlisle Niland, (915) 541-4268]

**REGULAR AGENDA – PUBLIC HEARINGS: DISCUSSION AND ACTION**

**6. PLANNING AND ECONOMIC DEVELOPMENT:**

- 6A.** An Ordinance granting Special Permit No. PZST11-00014, to allow for a planned residential development with reduced setbacks and to repeal Special Permit Ordinance 016326 approved by the City Council on April 11, 2006, On The property described as Lots 1–14, Block 423, Aspen Estates, City Of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of Pellicano Drive and west of Gene Torres Drive. Property Owner: Cisco Homes, LLC. PZST11-00014 **(District 6)**  
[Planning and Economic Development, Geena Maskey, (915) 541-4192]
- 6B.** An Ordinance granting Special Permit No. PZST11-00016, to allow for a 100% parking reduction on the property described as all of Lot 16, and the East ½ of Lot 15, Block 107, East El Paso Addition, City of El Paso, El Paso County, Texas pursuant to Section 20.10.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3329 Montana Avenue. Property Owner: Dr. Rafael Armendariz. PZST11-00016 **(District 8)** [Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 6C.** An Ordinance granting Special Permit No. PZST11-00013, to allow for infill development with reduced lot width on the property described as all of Lots 21 and 20 Except the Westerly 3 Feet of 20, Block 73D, Logan Heights Addition First Revised Plat, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3604 Keltner Avenue. Property Owner: Stone Nest LLC. PZST11-00013 **(District 2)**  
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 6D.** An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of The Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to delete a portion of Independence Drive from Delfina Drive to Elvin Way.  
**(District 6)** [Planning and Economic Development, Melissa Granado, (915) 541-4730]
- 6E.** An Ordinance vacating a utility easement described as a portion of Lots 16 & 17, Block 1, Shadow Mountain Heights “Replat A”, City of El Paso, El Paso County, Texas. Applicant: Stuart P. Shiloff and Nancy Shiloff. SUET12-00001 **(District 1)**  
[Planning and Economic Development, Justin Bass, (915) 541-4930]
- 6F.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.10 (Dedication, Construction Requirements and City Participation), and Chapter 19.15 (Roadways) of the El Paso City Code to remove references to the Development Coordinating Committee. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)** [Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]
- 6G.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.18 (Traffic Impact Analysis), of the El Paso City Code to amend the Traffic Impact Analysis standards and requirements. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)**  
[Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]
- 6H.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.11 (Tree Care), Section 9.11.010 (General Provisions) of the El Paso City Code to amend the

definition of Arboricultural Specifications Manual. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)**  
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]

**6I.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.04 (Street and Sidewalk Construction and Maintenance), Section 13.04.045 (Sidewalks in New Development) of the El Paso City Code to remove reference to the Development Coordinating Committee. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)**  
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]

**6J.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals) Section 15.08.120 (Special Privilege Licenses and Permits) of the El Paso City Code to amend the staff designated to accept, review, process and approve applications. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)**  
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]

**6K.** An Ordinance amending Title 15 (Public Services), Chapter 15.20 (Stormwater Management), Section 15.20.110 (Stormwater Discharge from Construction Activities) of the El Paso City Code to provide for appeals to be sent to the Construction Board of Appeals. The penalty being as provided in Section 15.20.150 of the El Paso City Code. **(All Districts)**  
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]

## **7. COMMUNITY AND HUMAN DEVELOPMENT:**

An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.102 (Neighborhood Association Recognition) of the El Paso City Code in its entirety. To provide a standardized recognition policy; to define terms; to provide criteria for recognition and registration of a neighborhood association or civic association as a recognized neighborhood association; to establish the responsibilities of a recognized neighborhood association; to clarify the process for suspension or revocation of recognition status; to clarify the services available to recognized neighborhood associations. **(All Districts)** [Community and Human Development, William Lilly, (915) 541-4643]

## **8. DEPARTMENT OF TRANSPORTATION:**

An Ordinance terminating the special privilege license granted by Ordinance No. 017322 to Kelbor Enterprises, Inc. doing business as Coconuts, permitting the encroachment of an outdoor patio café onto a portion of City right-of-way located at 816 Piedras Street and allowing the sale and service of alcoholic beverages as a permissible activity within the outdoor patio café area (SPL09-00035) **(District 8)**  
[Department of Transportation, Mirian Spencer, (915) 541-4050]

## **9. ENVIRONMENTAL SERVICES AND CODE ENFORCEMENT:**

An Ordinance amending Title 7 (Animals), by amending Chapter 7.28 (Animal Shelter Advisory Committee) in its entirety; to combine the Animal Shelter Advisory Committee with the Animal Welfare Advisory Committee and to establish term limits; and to delete Chapter 7.30 of the City Code. **(All Districts)**  
[Environmental Services and Code Enforcement, Ellen A. Smyth, (915) 621-6719]

**10. HUMAN RESOURCES:**

- 10A.** An Ordinance amending Ordinance 8065 (Civil Service Rules), to amend the entirety of or various sections of Rules Nos. 1, 2, 5, 6, 11, 13, 14, 15, 19, 20, 23, 24 and 29; to delete rules Nos. 3, 4, 7, 8, 9, 10, 12, 18, 21, 22, 25, 26, 27, 28 and 30; and to renumber all remaining and revised Rules consecutively, including those Rules not otherwise amended (Rules 16 and 17). **(All Districts)**  
[Human Resources, Linda Ball Thomas, (915) 541-4509]
- 10B.** An Ordinance amending Ordinance 8064 (Classification and Compensation Plan), to amend the Ordinance in its entirety. **(All Districts)**  
[Human Resources, Linda Ball Thomas, (915) 541-4509]

**11. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

- 11A.** An Ordinance authorizing the City Manager to sign a Contract of Sale with Oxford Funding & Investment Group, LLC for the sale of the property at 6212 Fiesta Drive, El Paso, Texas. **(District 8)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 11B.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, by repealing Chapter 18.02 in its entirety and adopting a new Chapter 18.02 in its place, the penalty being as provided in Section 18.02.111 (Violations and Penalties) of the El Paso City Code.  
**(All Districts)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 11C.** **1.** An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and La Frontera Conservation Fund which will allow the City to convey Lots 1 through 10, both inclusive, Block 1, Satterthwaite Addition, City of El Paso, El Paso county, Texas; also known and numbered as 601 N. Oregon, El Paso, Texas. **(District 8)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4428]
- 2.** Discussion and Action on a Resolution that the City Manager be authorized to sign a Contract of Sale between the CITY OF EL PASO and KEYSTONE DAM, LTD., a Texas limited partnership, for the purchase of approximately 29.11 acres of property on Doniphan Drive and adjacent to the Keystone Heritage Park, more particularly described as: all of Lots 25 and 26, Block 3, Keystone Business Park, Lots 16, 17, 18, 19, 20 and a portion of Lots 21, 22, 23, and Lot 24, Block 3, Keystone Business Park, being a portion of A.F. Miller Survey No. 213, J.F. Driscoll Survey No. 372, C.A. Engelsfreund Survey No. 112, and G.A. Wilson Survey No. 91, City of El Paso, El Paso County, Texas; and that the City Manager, or her designee, be authorized to sign any necessary documents, including contract extensions, to accomplish the intent of this Resolution.  
**(District 8)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4428]
- 3.** Discussion and action on a Resolution that the City Manager be authorized to sign an Amended (By Restatement) Economic Development Grant Agreement ("the Agreement") by and between the City of El Paso ("City") and the El Paso Community Foundation ("Community Foundation") for the development of a nonprofit project to be located in downtown El Paso in association with Artspace Projects, Inc; and that the City Manager do such other acts and things, as may

be reasonably requested by the Community Foundation for the purpose of carrying out this Agreement, subject to approval by the City Attorney. **(District 8)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4428]

**4.** Discussion and action that the City Council approves as to form the Project Agreement by and between the El Paso Community Foundation and Artspace Projects, Inc., concerning the development of an Artspace Project in downtown El Paso. **(District 8)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4428]

**REGULAR AGENDA – OTHER BUSINESS**

**12. MAYOR AND COUNCIL:**

Update and discussion on current status of vacant building ordinance and its success. **(All Districts)** [Representative Michiel Noe, (915) 541-4701]

**REGULAR AGENDA – PUBLIC HEARING: DISCUSSION AND ACTION**

**THE FOLLOWING ITEM WILL NOT BE HEARD BEFORE 11:00 AM**

**13. PLANNING AND ECONOMIC DEVELOPMENT**

An Ordinance amending the City of El Paso’s Comprehensive Plan, “The Plan for El Paso,” and the Year 2025 General Land Use Map. **(All Districts)**  
[Planning and Economic Development, Mathew McElroy, 9915) 541-4056]

**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 and the Rules of City Council.) 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.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.102 (Neighborhood Association Recognition) of the El Paso City Code. (551.071)  
[City Attorney’s Office, Marie Taylor, (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 THURSDAY AT THE ADDRESS BELOW:**

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