

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
March 1, 2011
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, Emma Acosta, and Carl Robinson. Late arrival: Eddie Holguin, Jr. arrived at 8:32 a.m. during Executive Session deliberations, Steve Ortega arrived at 8:33 a.m. during Executive Session deliberations, Beto O'Rourke arrived at 8:33 a.m. during Executive Session deliberations and Rachel Quintana arrived at 8:39 a.m. during Executive Session deliberations. Early departure: Eddie Holguin, Jr. at approximately 3:18 p.m. The invocation was given by Police Chaplain Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

- 1. WOMEN IN CONSTRUCTION WEEK**
- 2. ROBERT NESTA MARLEY DAY**
- 3. TEXAS STATE HISTORICAL WEEK**
- 4. MONET TO MATISSE: FRENCH MASTERWORKS DAY**

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. Jim Tolbert
2. Mr. Bill Hart, Jr.
3. Mr. Bernie Sargent
4. Ms. Soledad Hernandez
5. Mr. Timothy West
6. Mr. David Welsh
7. Ms. Debra Young
8. Mr. Manny Hinjosa

- 9. Mr. Steven Strumer
- 10. Mr. Tom Brown
- 11. Ms. Sonia Brown
- 12. Mr. Lynn Fitzgerald
- 13. Mr. Salvador Gomez
- 14. Mr. Raul Amaya

1ST AND FINAL MOTION

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

The following City staff commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Charlie McNabb, City Attorney, gave legal advice
- 3. Mr. Victor Morrison - Vega, Deputy Director of Planning and Economic Development

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 Motion made by Representative Robinson, seconded by Representative Byrd, 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 Quintana, Holguin, Ortega, and O'Rourke

Motion made by Representative Robinson, seconded by Representative O'Rourke, 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 Acosta, Quintana, and Holguin

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EX1. Portions of Lot 1, Block 1, Hawkins Plaza, El Paso, Texas. (551.071 and 551.072)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Ortega, and carried to begin termination proceedings for the Commercial Site Leases between the City of El Paso and Patriot Place, Ltd. for the following property: portions of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas.

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

Representative Acosta commented.

The following members of the public commented:

1. Mr. Mark Benitez
2. Mr. Bart Kennerly

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EX2. Application of El Paso Electric Company to Implement Fuel Refund before the Public Utility Commission of Texas, Docket No. 39159 (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried to grant the authority to the City Attorney to file a Motion in Intervention on behalf of the City for the Application of El Paso Electric Company to Implement a Fuel Refund before the Public Utility Commission of Texas, Docket No. 39159.

AYES Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
 NAYS None

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EX3. Application of El Paso Electric Company for an Amendment to its Certificate of Convenience and Necessity for a Peaking Generation Unit at the Rio Grande Site in New Mexico before the Public Utility Commission of Texas, Docket No. 38717. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson and carried to grant the authority to the City Attorney to enter into a settlement regarding the Application of El Paso Electric Company for an Amendment to its Certificate of Convenience and Necessity for a Peaking Generation Unit at the Rio Grande Site in New Mexico before the Public Utility Commission of Texas, Docket No. 38717.

AYES Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
 NAYS None

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, 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

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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 February 22, 2011.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

*** R E S O L U T I O N**

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

WHEREAS, The Union Plaza Business Association (hereinafter referred to as "Grantees") are sponsoring a Mardi Gras Block Party (hereinafter referred to as "Event"), from Tuesday, March 8, 2011 to Wednesday, March 9, 2011; 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 San Antonio Street, Western Street and the adjacent alley between Anthony Street and Durango Street, and portions of City rights-of-way along Durango Street and Anthony Street from 3:00 p.m. Tuesday, March 8, 2011, to 4:00 a.m. Wednesday, March 9, 2011, 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 block party in the closed portions of San Antonio Street, Western Street and the adjacent alley between Anthony Street and Durango Street, and portions of City rights-of-way along Durango Street and Anthony Street from 5:00 p.m. Tuesday, March 8, 2011 to 2:00 a.m. Wednesday, March 9, 2011.

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3B.

***R E S O L U T I O N**

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

WHEREAS, Special Events Management (hereinafter referred to as "Grantees") are sponsoring the El Paso Downtown Mardi Gras (hereinafter referred to as "Event"), from Saturday, March 5, 2011 to Sunday, March 6, 2011; and

WHEREAS, SMG F&B of Texas, LLC (hereinafter referred to as "Licensee") has been approved by the Grantee to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours for portions of City rights-of-way on Main Street between Santa Fe Street and El Paso Street, Arts Festival Plaza, and Sheldon Court between Mills Avenue and Santa Fe Street, 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, both the Grantee and Licensee desire to provide for the sale and serving of alcoholic beverages on a portion of the City right-of-way during the Event;

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

That the Grantee and Licensee be authorized to provide for the sale and service of alcoholic beverages at the El Paso Downtown Mardi Gras in the closed portions of City rights-of-way on Main Street between Santa

Fe Street and El Paso Street, Arts Festival Plaza, and Sheldon Court between Mills Avenue and Santa Fe Street from 5:00 pm Saturday, March 5, 2011 to 2:00 am Sunday, March 6, 2011.

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4A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Thomas Fullerton, Jr. to the Committee on Border Relations by Representative Emma Acosta, District 3.

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4B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Yolanda Giner to the Animal Welfare Advisory Committee by Representative Emma Acosta, District 3.

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4C. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Lorraine Huit to the Building and Standards Commission by Representative Emma Acosta, District 3.

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4D. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Carlos Torres Sr. to the Building and Standards Commission as an Alternate by Representative Emma Acosta, District 3.

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4E. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Linda T. Vick to the Building and Standards Commission by Representative Steve Ortega, District 7.

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4F. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Angelica Quintanilla to the Committee on Border Relations by Representative Beto O'Rourke, District 8.

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5A. BOARD APPOINTMENT

*Motion made, seconded, and carried to **APPOINT** Moises Rodriguez, Jr. to the Capital Improvements Advisory Committee by Representative Susie Byrd, District 2.

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5B. BOARD APPOINTMENT

*Motion made, seconded, and carried to **APPOINT** Ernesto Martinez, Jr. to the Building and Standards Commission by Representative Susie Byrd, District 2.

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5C. BOARD APPOINTMENT

*Motion made, seconded, and carried to **APPOINT** Geoffrey Wright to the City Plan Commission by Representative Rachel Quintana, District 5.

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6. APPLICATION FOR TAX REFUNDS

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

- A. Michael Mowles in the amount of \$6,319.56 overpayment of 2010 taxes.
(PID #A462-999-1690-4100).
- B. Bobby J. Boyles Propeties, LLC in the amount of \$9,240.89 overpayment of 2010 taxes.
(PID #A462-999-1520-4100).
- C. Leticia Jensen in the amount of \$2,887.30 overpayment of 2010 taxes.
(PID #C231-999-0070-2300).
- D. Esmeraldo Saenz in the amount of \$5,124.97 overpayment of 2010 taxes.
(PID #C340-999-1250-3300)
- E. Chase Home Finance in the amount of \$2,979.31 overpayment of 2010 taxes.
(PID #E054-999-0270-2300).
- F. Bank of America in the amount of \$5,518.08 overpayment of 2010 taxes.
(PID #F609-999-0060-4200).
- G. Hector Serrano in the amount of \$3,364.84 overpayment of 2010 taxes.
(PID #H453-999-0250-0120).
- H. First National Bank in the amount of \$3,674.88 overpayment of 2010 taxes.
(PID #L225-999-0180-0100).
- I. Bobby J. Boyles Propeties, LLC in the amount of \$2,512.17 overpayment of 2010 taxes.
(PID #L447-999-0410-8900).
- J. BBVA Compass Bank in the amount of \$5,778.31 overpayment of 2010 taxes.
(PID #L626-999-0090-0500).
- K. Lawyers Title of El Paso in the amount of \$5,601.88 overpayment of 2009 taxes.
(PID #M348-999-0010-1151).
- L. Doris Benitez & Mattison L. Brown in the amount of \$4,998.88 overpayment of 2010 taxes. (PID
#N425-999-0490-1600).
- M. Rocco Montorell in the amount of \$3,858.04 overpayment of 2010 taxes.
(PID #P863-999-0100-5500).
- N. Ernie L. Waymon in the amount of \$4,101.90 overpayment of 2010 taxes.
(PID #R200-999-0110-0100).
- O. GMAC Mortgage in the amount of \$4,449.02 overpayment of 2009 taxes.
(PID #S138-999-0010-0750).
- P. Rosa A. Guerra in the amount of \$3,587.01 overpayment of 2010 taxes.
(PID #S237-999-0250-7800).

- Q. Econo Storage #3 in the amount of \$2,600.00 overpayment of 2010 taxes. (PID #V893-999-0750-4300).
- R. Cynthia Correa in the amount of \$4,837.52 overpayment of 2010 taxes. (PID #S557-000-0010-0600).
- S. Rocky Mountain Mortgage Company in the amount of \$5,873.35 overpayment of 2010 taxes. (PID #S812-999-0240-2500).
- T. Stewart Title of El Paso in the amount of \$2,970.12 overpayment of 2010 taxes. (PID #T957-999-0410-1700).
- U. Jose A. Castillo & Rebecca Trujillo in the amount of \$3,058.45 overpayment of 2010 taxes. (PID #V893-999-3950-1700).
- V. Corelogic in the amount of \$3,292.39 overpayment of 2010 taxes. (PID #W145-999-0640-0900).
- W. Randolph Brooks FCU in the amount of \$10,773.02 overpayment of 2010 taxes. (PID #W418-999-0090-2100).

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7A. REQUEST TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue Purchase Order to ExerPlay, Inc., a contractor under Texas Association of School Boards (TASB) BuyBoard Contract No. 346-10 (Parks, Recreation & Field Lighting Products & Installation), for BigBelly Solar Trash Compactors. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Texas Association of School Boards (TASB) BuyBoard was approved by Mayor and City Council on August 21, 2007.

Department:	Environmental Services and Code Enforcement
Award to:	ExerPlay, Inc. Cedar Crest, NM
Total Estimated Award:	\$346,224.08 (for 91 units)
Funding Source:	Energy Efficiency and Conservation Block Grant
Reference No.:	2011-178

This is a cooperative, unit price contract

Mr. Marty Howell, Sustainability Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Acosta, Ortega, and Robinson commented.

Mr. Tim Carlisle, Big Belly Solar Trash Compactors, commented.

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7B. REQUEST TO ISSUE PURCHASE ORDERS, 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 2008-076 (Fertilizer) with Justin Seed for one additional year pursuant to the provisions of an award approved by the City Council on March 4, 2008. The extended contract period will be from March 5, 2011 to March 4, 2012.

Department:	General Services
Award to:	Justin Seed Justin, TX
Option:	One [of One]
Annual Estimated Amount:	\$100,000
Total Estimated Amount:	\$100,000 (1 year)
Funding Source:	General Fund – Land Maintenance Supplies

This is a low bid, requirements contract.

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8A - 8F AND 8H. – 8J. AND 8L TAKEN TOGETHER

8A. INTRODUCTIONS

Motion made by Representative Quintana, 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** for public hearing:

- 8A.** An Ordinance to amend Title 6 (Vehicles for Hire), Chapter 6.16 (Taxicabs) by adding Chapter 6.16.290 (Schedules - Convenience Fee). The penalty being as provided in Chapter 1.08.010 of the El Paso City Code.
- 8B.** An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and Carolina Peralta which will allow the City to convey Lot 11, Block 157, Tierra Del Este Unit Forty Four Subdivision Addition, City of El Paso, El Paso County, Texas to Carolina Peralta.
- 8C.** An Ordinance authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in real property described as Lot 46, Block 102, Morningside Heights, amended, to City of El Paso, in accordance with Section 34.05 (H) of the tax code.
- 8D.** An Ordinance authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in real property described as Lots 31 & 32, and Lots 37 to 41, Block 102, Morningside Heights, to City of El Paso, in accordance with Section 34.05 (H) of the tax code.
- 8E.** An Ordinance authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in real property located at 240 Colfax St., to City of El Paso, in accordance with Section 34.05 (H) of the tax code.
- 8F.** An Ordinance authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in real property described as Lot 25, Block 8, Alamo Alto Townsite Addition, an addition in El Paso County, Texas, to Richard B. Martinez, Jr., in accordance with Section 34.05 (H) of the tax code.

- 8H. An Ordinance amending Title 7 (Animals), Chapter 7.28 (Animal Shelter Advisory Committee), Section 7.28.030 (Terms of Office) of the El Paso City Code to establish term limits.
- 8I. An Ordinance amending Title 7 (Animals), Chapter 7.30 (Animal Welfare Advisory Committee), Section 7.30.030 (Terms of Office) of the El Paso City Code to establish term limits.
- 8J. An Ordinance vacating a portion of Cebada Street (70' public right-of-way), between Block 60 and Block 61, East El Paso Addition, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2011, FOR ITEMS 8A – 8F & 8H – 8J

- 8L. An Ordinance releasing a condition placed on property by Ordinance No. 16332 which changed the zoning of Lot 1, Block 1, Placitas De Zaragoza, City of El Paso, El Paso County, Texas, and which imposed a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MARCH 22, 2011, FOR ITEM 8L

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8G AND 8K TAKEN TOGETHER

8G. INTRODUCTION

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **POSTPONE** three weeks the Introduction of an Ordinance authorizing the City Manager of the City of El Paso to sign a special warranty deed and any other documents required, such as, but not limited to, a disclaimer of interest in property or donation agreement, to convey to the State of Texas, approximately 12.080 acres of land known as Parts 1 and 2 of Parcel 14 along and adjacent to the existing Loop 375 being portions of Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas, for The State of Texas Loop 375 Highway Project.

NOT PRESENT FOR THE VOTE: Representative Holguin

8K. INTRODUCTION

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **POSTPONE** three weeks the Introduction of an Ordinance amending Title 19 (Subdivisions), Appendix 111 (Mountain Area Defined), of the El Paso City Code to add land to the area identified as the Mountain Development Area (MDA).

NOT PRESENT FOR THE VOTE: Representative Holguin

Mayor Cook and Representative Byrd commented.

Ms. Joyce Wilson, City Manager, commented.

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*** RESOLUTION**

*Motion made, seconded, and unanimously carried to **DELETE** a Resolution authorizing the City Manager to sign, on behalf of the City of El Paso, the First Amendment to Addendum to City of El Paso, Invitation for Bids, Single Stream Curbside Recycling Collection and Processing Services for Environmental Services Department Bid No. 2006-015, between the City of El Paso and Friedman Recycling of El Paso, LP ("Contractor"). Said amendment modifies the revenue sharing language, accepts new consideration and expands the residential curbside recycling program by including additional recyclables.

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10. FIRE DEPARTMENT

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried to **AWARD AS REVISED** Solicitation No. 2011-054R (Customer Service Call Center – Staffing & Management Service Operations) to Faneuil, Inc. for an initial term estimated award of \$5,096,855.12, with the elimination of the twenty Full Time Equivalents (FTE's) which are currently vacant.

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

Department: Fire
Award to: Faneuil, Inc.
Hampton, VA
Items: All
Initial Term: 2 years
Option: 2 years if exercised within 2 years of date of award
Annual Estimated Amount: \$2,548,427.56
Initial Term Estimated Award: \$5,096,855.12 (2 years)
Total Estimated Award: \$10,193,710.24 (4 years)
Funding Source: General Fund – Temporary Services Contracts

This is a Request for Proposal, services contract.

The cost under this service 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.

Additionally, 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 to effectuate this award.

The Financial Services - Purchasing Division and Fire Department recommend that Adecco North America and Kelly Services, Inc. be disqualified as non-responsive, and the contract be awarded as indicated to Faneuil, Inc., the highest ranked proposer based on evaluation factors established for this procurement.

Ms. Leila Melendez, Executive Assistant to the City Manager, presented a PowerPoint presentation (copy on file with City Clerk's office).

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

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Bruce D. Collins, Purchasing Manager

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11. GENERAL SERVICES

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to exercise the City's option to extend current Contract 2010-003 (Vehicles – Police Department) with Casa Ford Inc. through the

manufacturer's build-out date for Model 2012 vehicles pursuant to the provisions of an award approved by the City Council on March 9, 2010. The extended contract period will be from March 9, 2011 to March 8, 2012.

AYES: Representatives Lilly, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Byrd

Department: General Services
Award to: Casa Ford Inc.
El Paso, TX
Option: One [of Two]
Annual Estimated Amount: \$1,500,000
Total Estimated Amount: \$4,751,867.40 (Vehicle Model Years 2010-2012)
Funding Source: Fleet Replacement – General Services Department
Confiscated Funds – Police Department

This is a Best Value, requirements contract

Representative Byrd commented.

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12A.

ORDINANCE 17502

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 1A, BLOCK 26, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO C-3 (COMMERCIAL) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning and Economic Development, presented a PowerPoint presentation, (copy on file in City Clerks office).

Representatives Acosta and Robinson commented.

Motion duly made by Mayor Pro Tempore Acosta, seconded by Representative Quintana, 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, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Byrd

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

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12B.

ORDINANCE 17503

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS:**

PARCEL 1: A PORTION OF SECTION 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO C-3 (COMMERCIAL) AND IMPOSING A CERTAIN CONDITION;

PARCEL 2: A PORTION OF SECTION 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO C-3 (COMMERCIAL) AND IMPOSING A CERTAIN CONDITION;

PARCEL 3: A PORTION OF SECTION 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, AND A PORTION OF MESQUITE HILLS DRIVE OUT OF MESQUITE HILLS UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO C-3 (COMMERCIAL) AND IMPOSING A CERTAIN CONDITION;

PARCEL 4: A PORTION OF SECTIONS 16 AND 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, AND A PORTION OF MESQUITE HILLS DRIVE OUT OF MESQUITE HILLS UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO C-1 (COMMERCIAL);

PARCEL 5: A PORTION OF SECTIONS 16 AND 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, AND A PORTION OF MESQUITE HILLS DRIVE OUT OF MESQUITE HILLS UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH & FARM) TO A-2 (APARTMENT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

Mr. Mathew McElroy, Deputy Director of Planning and Economic Development presented a PowerPoint presentation, (copy on file in City Clerks office).

Representative Robinson commented.

Motion duly made by Representative Robinson, 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, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: Representative Byrd

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

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12C, 13 AND 14 TAKEN TOGETHER

ORDINANCE 17504

12C.

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 6, CASTNER RANGE UNIT ONE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Motion duly made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, that the Ordinance be **ADOPTED AS REVISED**. 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, Robinson, 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 AS REVISED**.

13.

ORDINANCE 17505

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE LICENSE TO NORTHEAST 58 TBH/IT LLC FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND REPAIR OF A BRIDGE CROSSING AND ACCESS DRIVEWAY OVER PORTIONS OF CITY RIGHT-OF-WAY AT KENWORTHY DRIVE AND ACROSS A PORTION OF THE NORTHGATE OUTLET CHANNEL FOR A TERM OF FIFTY YEARS.**

Motion duly made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, 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, Robinson, 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**.

14. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager to sign a Developer's Participation Agreement between the City of El Paso and Northeast 58 THB/IT, LLC for the construction of a roadway bridge over the Northgate Outlet Channel and right-of-way improvements on Stahala Drive, in accordance with Local Government Code Section 212.071. There is no cost to the City.

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

Mr. Mathew McElroy, Deputy Director of Planning and Economic Development presented a PowerPoint presentation, (copy on file in City Clerks office).

Representative Robinson commented

Ms. Bertha Ontiveros, Assistant City Attorney, gave legal advice.

15A MAYOR AND COUNCIL

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **APPROVE** the design for Oregon Street travel and parking and direct City staff to come back to Council with historic lamp posts that compliment the area and follow the historical motif for Bus Rapid Transit (BRT) shops and approve street design as presented and amended and direct staff to prepare an Ordinance on parking.

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

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

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Jay Banasiak, Sun Metro Director
- 3. Mr. Daryl Cole, Director of Transportation
- 4. Mr. Sam Rodriguez, Engineering Division Manager

The following citizens commented:

- 1. Mr. Malcolm McGregor
- 2. Ms. Alice Najjar

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15B AND ADD2 TAKEN TOGETHER

15B. MAYOR AND COUNCIL

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **POSTPONE** one week the item regarding the progress on Southloop Park.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega, and O'Rourke
 NAYS: None
 NOT PRESENT FOR THE VOTE: Representative Quintana

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15C. MAYOR AND COUNCIL

For Notation Only:

Informal Report on attendance at the National Institute on Redistricting Conference, attended on February 7, 2011- February 10, 2011 in Washington, D.C.
 [Hosted and paid by the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund].

Representative Acosta presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Acosta, Ortega and O'Rourke commented.

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

NO ACTION was taken on this item.

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ITEMS 16A AND 16B TAKEN TOGETHER

16A. DEPARTMENT OF TRANSPORTATION

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **APPROVE AS REVISED**, the transportation priority projects for:

- 1. Submittal to MPO in response to call for projects from Congestion Mitigation/Air Quality (CMAQ) funds,

2. Submittal to MPO in response to call for projects for State funding that may become available,
3. Submittal to federal or state funding agencies in response to calls for projects,

with an amendment that on the State funding for the Montana Bus Rapid Transit (BRT) and the Dyer BRT, that they would be full blown BRT's, with pedestrian elements.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Lilly

16B. DEPARTMENT OF TRANSPORTATION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **APPROVE AS REVISED**, and of Certificates of Obligation, allow for downtown improvements to the extent allowable by law, on T. I. P. Reprogramming per Council direction at its January 27, 2011 Strategic Planning Session.

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

NAYS: None

Ms. Terry Quezada, Assistant Director of Transportation, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Byrd, Acosta, O'Rourke and Ortega commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Daryl Cole, Director of Transportation
3. Ms. Jane Shang, Deputy City Manager of Mobility Services
- 4.

Mr. Chuck Berry, TxDot, commented.

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17. CITY MANAGER

City Manager's report of current events and issues:

Discussion and action on the Texas Department. of Transportation Loop 375 Transmountain Road (Westside Transmountain Road) project:

- 1) Presentation by TXDOT staff of the Draft Environmental Assessment for the project.
- 2) Presentation by City staff and WP Moore staff of the Traffic Impact Analysis performed on the project.

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

The following City Staff members commented:

- 1) Ms. Joyce Wilson, City Manager
- 2) Mr. Daryl Cole, Director of Transportation

- 3) Mr. Mathew McElroy, Deputy Director of Planning and Economic Development
- 4) Mr. R. Alan Shubert, City Engineer

The following members of the public commented:

- 1) Dr. Rick Bonart
- 2) Mr. Bill Addington, Sierra Club
- 3) Mr. Brian Wierson, Greater El Paso Chamber of Commerce
- 4) Mr. Randolph V. Schultz, Walter P. Moore Co.
- 5) Mr. Geraldo Cabo, TxDot
- 6) Mr. Chuck Berry, TxDot
- 7) Mr. Charlie Wakeem

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ADD-1. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Robert Filarski to the Building and Standards Commission by Representative Beto O'Rourke, District 8.

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ADD-2. DISCRETIONARY FUNDS

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **APPROVE** to transfer \$20,000 from the District 6 Discretionary Fund to the Southloop Park project.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Quintana

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 Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried to **ADJOURN** this meeting at 3:24 p.m.

NOT PRESENT FOR THE VOTE: Representative Holguin

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk