

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
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
March 6, 2012
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, Carl Robinson, Michiel R. Noe, Eddie Holguin, Jr., and Cortney Carlisle Niland. Late Arrival: Steve Ortega, at 8:33 a.m. In the absence of the Chaplain a moment of silence was observed, followed by the Pledge of Allegiance to the Flag of the United States of America.

.....

MAYOR'S PROCLAMATIONS

- 1. American Red Cross Month**
- 2. Texas Council of Deliberation and Assemblies Weekend**
- 3. The 100th Anniversary of Girl Scouts of the USA**

RECOGNITION

6th 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 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 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.

The following members of the public commented:

1. Mr. Peter Svarzbein
2. Mr. David Cooper
3. Mr. Sergio Hernandez
4. Mr. Patrick Wood

Mayor Cook and Representatives Holguin and Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. R. Alan Shubert, City Engineer, commented.

.....
CONSENT AGENDA

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Niland, 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, Noe, Holguin, Ortega, and Niland
NAYS: None

.....
1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of February 28, 2012.

.....
2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

.....
3A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Gerald Smola to the Committee on Border Relations by Representative Carl L. Robinson, District 4.

.....
3B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Jason Lee Brewer to the Empowerment Zone Advisory Board, by Representative Eddie Holguin Jr., District 6.

.....
4. BOARD APPOINTMENT

Robert Strong to the Foster Grandparent Program Advisory Council by Representative Steve Ortega. District 7

NO ACTION was taken on this item

.....
5 DISCRETIONARY FUNDS

*Motion made, seconded, and unanimously carried to **APPROVE** 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.

.....
6A.

ORDINANCE 17735

The City Clerk read an Ordinance entitled: **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**

Mr. Mathew McElroy, Planning and Economic Development, presented a PowerPoint presentation (copy of file in City Clerk's office)

Motion duly made by Representative Holguin, seconded by Representative Byrd, 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, Noe, Holguin, Ortega and Niland
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**.

.....
6B. PLANNING AND ECONOMIC DEVELOPMENT

Motion made, seconded, and unanimously carried to **DELETE** the public hearing on 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

.....
6C. PLANNING AND ECONOMIC DEVELOPMENT

Motion duly made by Representative Byrd, seconded by Representative Ortega, and carried to **POSTPONE** four weeks the public hearing of 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

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

.....

6D.

ORDINANCE 17736

The City Clerk read an Ordinance entitled: **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.**

Mr. Mathew McElroy, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Byrd, Acosta, Noe, Holguin and Ortega commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. William Lilly, Director, Community and Human Development
- 3. Ms. Lupe Cuellar, Assistant City Attorney gave legal advice
- 4. Mr. Ted Marquez, Deputy Director, Department of Transportation

The following members of the public commented:

- 1. Mr. Gilberto G. Morales, Sr.
- 2. Mr. Gilberto G. Morales, Jr.

Motion duly made by Representative Niland, seconded by Representative Ortega, 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, Noe, Ortega and Niland

NAYS: None

ABSTAIN: Representative Holguin

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

6E.

ORDINANCE 17737

The City Clerk read an Ordinance entitled: **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**

Mr. Mathew McElroy, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Motion duly made by Mayor Pro Tempore Lilly, seconded by Representative Niland, 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, Noe, Holguin, Ortega and Niland
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**.

.....
6F, 6H , 6I, 6J and 6K Taken together

6F.

ORDINANCE 17738

The City Clerk read an Ordinance entitled: **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.**

Mr. Mathew McElroy, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Niland commented.

Motion duly made by Representative Niland, seconded by Representative Byrd, 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, Noe, Holguin, Ortega and Niland
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**.

.....
6G.

ORDINANCE 17739

The City Clerk read an Ordinance entitled: **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.**

Mr. Mathew McElroy, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office)

Representatives Byrd, Robinson, and Niland commented.

Mr. Ted Marquez, Deputy Director, Transportation Department, commented.

Motion duly made by Representative Byrd, seconded by Representative Niland, 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, Noe, Holguin, Ortega and Niland
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**.

.....
6F, 6H, 6I, 6J and 6K Taken together

6H.

ORDINANCE 17740

The City Clerk read an Ordinance entitled: **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.**

Motion duly made by Representative Niland, seconded by Representative Byrd, 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, Noe, Holguin, Ortega and Niland
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**.

6I.

ORDINANCE 17741

The City Clerk read an Ordinance entitled: **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.**

Motion duly made by Representative Niland, seconded by Representative Byrd, that the Ordinance be **ADOPTED**. Whereupon the 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, Noe, Holguin, Ortega and Niland
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**.

6J.

ORDINANCE 17742

The City Clerk read an Ordinance entitled: **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.**

Motion duly made by Representative Niland, seconded by Representative Byrd, 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, Noe, Holguin, Ortega and Niland
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**.

6K.

ORDINANCE 17743

The City Clerk read an Ordinance entitled: **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.**

Mr. Mathew McElroy, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Niland commented.

Motion duly made by Representative Niland, seconded by Representative Byrd, 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, Noe, Holguin, Ortega and Niland
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**.

.....

7.

ORDINANCE 17744

The City Clerk read an Ordinance entitled: **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.**

1st MOTION

Motion made by Representative Byrd, seconded by Representative Niland, and unanimously carried to **SUSPEND THE RULES** of Council to allow for additional speakers after the sign up period.

2nd MOTION

Motion made by Representative Noe, seconded by Representative Acosta, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 10:37 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

3rd MOTION

Motion made by Representative Byrd, seconded by Representative Acosta, and unanimously carried to **ADJOURN** the Executive Session at 10:50 a.m. and **RECONVENE** the meeting of the City Council.

4TH MOTION

Motion duly made by Representative Niland, seconded by Representative Noe, to **APPROVE** change of meetings from three to one annually.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Ortega and Niland

NAYS: Representative Robinson and Holguin

5TH MOTION AND FINAL MOTION

Motion duly made by Representative Byrd, seconded by Representative Niland, that the Ordinance be **ADOPTED AS REVISED.**

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland

NAYS: Representative Holguin

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.**

Mr. Mark Weber, Community Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. William Lilly, Director, Community and Human Development
- 3. Ms. Sylvia Firth, City Attorney, gave legal advice.
- 4. Ms. Marie Taylor, Assistant City Attorney, gave legal advice and read revisions into the record.

The following members of the public commented.

- 1. Mr. David Cooper, citizen
- 2. Mr. Mark Benitez, President, Cielo Vista Neighborhood Association

.....

8.

ORDINANCE 17745

The City Clerk read an Ordinance entitled: **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)**

Representative Holguin commented.

Ms. Mirian Spencer, Department of Transportation commented.

Motion duly made by Representative Byrd, seconded by Representative Niland, 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, Holguin, Ortega and Niland
- NAYS: None
- NOT PRESENT FOR THE VOTE: Representative Noe

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

.....

9.

ORDINANCE 17746

The City Clerk read an Ordinance entitled: **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.**

Representatives Byrd, Acosta, and Robinson commented.

Ms. Ellen Smyth, Director, Environmental Services, commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

Mr. Charles Hooten, citizen, commented.

Motion duly made by Representative Acosta, seconded by Representative Byrd, and unanimously carried 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, Noe, Holguin, Ortega and Niland

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**.

.....
10A AND 10B TAKEN TOGETHER

10A AND 10B TAKEN TOGETHER

10A.

ORDINANCE 17747

The City Clerk read an Ordinance entitled: **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).**

Motion duly made by Representative Niland, seconded by Mayor Pro Tempore Lilly, that the Ordinance be **ADOPTED, as revised**. The three revisions were 1) to move the sentence about probationary employees to eliminate confusion; 2) to allow for reinstatement from military duty within 90 days and; 3) that any city-wide Human Resource policy currently in the Civil Service Rules that is being removed and replaced as a policy that is amended, added, or deleted will subsequently be posted on both the CSC and City Council agendas for notation.

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, Noe, Holguin, Ortega and Niland

NAYS: Representative Robinson

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

10B.

ORDINANCE 17748

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (CLASSIFICATION AND COMPENSATION PLAN), TO AMEND THE ORDINANCE IN ITS ENTIRETY.**

Ms. Linda B. Thomas, Director, Human Resources, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Lilly, Acosta, Robinson, Holguin, Ortega and Niland commented.

Ms. Joyce Wilson, City Manager commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. William Ellis, Labor Attorney
2. Mr. Fernando Chacon, Former Civil Service Commissioner
3. Mr. David Guzman, AFSME
4. Ms. Rosa Acosta, AFSME President
5. Mr. Ron Martin, El Paso Police Officer's Association
6. Mr. Joe Acosta, City Employee
7. Ms. Lilia Fierro, City Employee
8. Ms. Amy Morales, City Employee

Motion duly made by Representative Niland, seconded by Mayor Pro Tempore 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, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

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**.

.....
11A. ENGINEERING AND CONSTRUCTION MANAGEMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks 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

.....
11B.

ORDINANCE 17749

The City Clerk read an Ordinance entitled: **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.**

Mr. Victor Morrison-Vega, Deputy Director, Engineering and Construction Management, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Acosta commented.

Mr. R. Alan Shubert, City Engineer, commented.

Mr. Robert Levy, citizen, commented.

Motion duly made by Representative Byrd, seconded by Representative Niland, 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, Noe, Holguin, Ortega and Niland
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**.

.....
11C 1 through 11C4 TAKEN TOGETHER

ORDINANCE 17750

The City Clerk read an Ordinance entitled: **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.**

Motion duly made by Representative Niland, seconded by Mayor Pro Tempore 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, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
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**.

11C 2

RESOLUTION

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

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 portion of Lots 21, 22, 23, and 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.

11C 3

RESOLUTION

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

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.

11C 4

RESOLUTION

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

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.

Mr. R. Alan Shubert, City Engineer, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Byrd, Acosta, Holguin, Ortega, and Niland commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Debbie Hamlyn, Deputy City Manager
- 3. Mr. R. Alan Shubert, City Engineer
- 4. Ms. Sylvia Firth, City Attorney, gave legal advice
- 5. Ms. Ellen Smyth, Director, Environmental Services

The following members of the public commented:

- 1. Mr. Risher Gilbert, Outside Counsel
- 2. Mr. Eric Pearson, El Paso Community Foundation

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Motion made by Representative Niland, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **APPROVE** the Resolutions.

.....
12 MAYOR AND COUNCIL

Update and discussion on current status of vacant building ordinance and its success.

NO ACTION was taken on this item.

.....
13.

ORDINANCE 17751

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE CITY OF EL PASO'S COMPREHENSIVE PLAN, "THE PLAN FOR EL PASO," AND THE YEAR 2025 GENERAL LAND USE MAP.**

Mr. Victor Dover, Dover Kohl & Partners presented a PowerPoint presentation (copy on file in City Clerk's office).

The following members of Dover Kohl commented.

1. Mr. Jason King
2. Mr. Jacob Riger
3. Mr. Bill Spikowski

The following members of the public commented.

1. Ms. Chris Goodwin, Save the Valley
2. Mr. Richard Dayoub, President, El Paso Chamber of Commerce
3. Ms. Pat Adulto, El Paso Water Utilities – Public Service Board
4. Mr. Robert Andron, General Council, El Paso Water Utilities
5. Mr. Tom Poland, Delgado, Acosta, Spencer Linebarger Heard & Perez
6. Ms. Katy Updike
7. Dr. Rick Bonart
8. Mr. Al Soto

1st MOTION

Motion duly made by Representative Byrd, seconded by Representative Ortega, that the Ordinance be **ADOPTED, AS REVISED** except smart code and attach Judge Escobar's letter to the minutes.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

2nd MOTION

Motion duly made by Representative Byrd, seconded by Representative Ortega, that the Ordinance be **ADOPTED** and continue to request smart growth principles on new annexation.

AYES: Representatives Lilly, Byrd, Acosta, Ortega and Niland

NAYS: Representative Robinson, Noe and Holguin

3rd AND FINAL MOTION

Motion duly made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, to **ADOPTED AS REVISED** the Comprehensive Plan.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
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.**

March 6, 2012

City Manager Joyce Wilson
2 Civic Center Plaza
El Paso, TX 79901

Ms. Wilson:

I'd like to share my sincere appreciation to Dover Kohl & Partners and the City, specifically the Planning and Economic Development Department, for making "Plan El Paso" a regional document for the future success of our entire community. Because of its regional approach, I support the bold and ambitious agenda that Plan El Paso sets out for all of us to achieve.

Last year, representatives from the City, County and Dover Kohl traveled to the Mission Valley where planners were given a tour of the gems found outside the City limits. They ate in the valley, shopped and visited each of the missions. We are proud of the history and culture found in El Paso County, from the Upper Valley to the Lower Valley and know that its success is to the benefit of all within the City and County.

Since this tour, over the last 18 months, the County has engaged with the City in including important County initiatives in Plan El Paso. This plan has gone through a very vigorous vetting process and because of its inclusion of citizens and all sectors of our community, its future success looks promising.

Plan El Paso serves as a guide for the future of all aspects of our community moving forward. There are particular pieces of the plan that El Paso County advocated for and supports, such as:

- Coordinating progress of the City's ETJ and in turn helping development of the rural communities in El Paso County. Although we don't have the statutory authority to engage in this type of collaboration, we are willing to work together in making that possibility a reality.
- The economic development strategies found in Plan El Paso will make us much more competitive and attractive to those seeking to do business in our region. These include downtown revitalization, which I have been a part of as past chair of the Downtown Tax Increment Reinvestment Zone and further developing our mission trail to better showcase the vast history of our region.
- Eco/Nature tourism should be an important part of our community's future. Hence I advocated that the plan include information on revitalizing the Rio Grande corridor, which I am working on via our Eco-tourism committee. I am also in support of conserving natural open space whenever possible.

500 E. San Antonio, Suite 301, El Paso, TX 79901

Phone: 915-546-2098 · Fax: 915-543-3888 · countyjudge@epcounty.com · www.epcounty.com

Page 2

March 6, 2012
Letter of Support – Plan El Paso

These are only a few of the examples by which Plan El Paso will help secure the health and vitality of our region.

As a native El Pasoan, I am proud of my community. El Paso should no longer sell itself short of the ability to be a leading American city. That is why I support the Comprehensive Master Plan and stand ready to serve as a partner in helping implement its goals.



Sincerely,

Veronica Escobar
El Paso County Judge

- CC: The Honorable Mayor John Cook
- The Honorable Ann Morgan Lilly, City Representative, Pct. 1
- The Honorable Susie Byrd, City Representative, Pct. 2
- The Honorable Emma Acosta, City Representative, Pct. 3
- The Honorable Carl L. Robinson, City Representative, Pct. 4
- The Honorable Michiel Noe, City Representative, Pct. 5
- The Honorable Eddie Holguin Jr., City Representative, Pct. 6
- The Honorable Steve Ortega, City Representative, Pct. 7
- The Honorable Cortney Niland, City Representative, Pct. 8

.....
Motion made by Representative Noe , seconded by Representative Acosta , and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:37 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.

Motion made by Representative Noe, seconded by Representative Niland, and unanimously carried to adjourn the Executive Session at 10:50 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

.....

EX1. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.102 (Neighborhood Association Recognition) of the El Paso City Code. (551.071)

NO ACTION was taken on this item.

.....
Motion made by Representative Robinson, seconded by Representative Niland, and unanimously carried to
ADJOURN this meeting at 5:49 p.m.
.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk