

**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 8, 2011  
9:00 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:04 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Carl Robinson, Rachel Quintana, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrival: Emma Acosta, at 9:05 a.m. The invocation was given by Border Patrol Chaplain Jesse Alvarez, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**MAYOR'S PROCLAMATIONS**

- 1. INTELLECTUAL DISABILITIES AWARENESS MONTH**
- 2. OPERA MONTH**
- 3. MODEL QUEST DAY**

**RECOGNITION:**

**5TH 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.

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. Jerry Thiedt
2. Ms. Lisa Turner
3. Mr. Roberto Castor
4. Mr. David Welsh

- 5. Mr. Timothy West
- 6. Mr. Gabriel Chavez
- 7. Ms. Denise Chavez
- 8. Mr. Steve Strumer

Mayor Cook and Representative Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

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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 March 1, 2011 and the Revised Minutes 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.**

**\*RESOLUTION**

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

THAT the City Manager be authorized to sign a Second Amendment to the Industrial Site Lease by and between the City of El Paso and EAN Holdings, LLC d/b/a National Car Rental and Alamo Rent A Car which allows for Lessee to construct a vehicular access opening in the rock wall on the southern lot line of the following described property:

Lots 1, Block 1B, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas and municipally known as 6500 Convair Road, El Paso, Texas.

Representatives Acosta and Holguin, commented.

Ms. Monica Lombrana, Director of Aviation, commented

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**3B.**

**\*RESOLUTION**

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

THAT the City Manager is hereby authorized to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso (the "City") and the Ysleta Independent School District (the "District"),

for the purpose of the development and joint use of parks and recreational facilities including a public pathway on District lands, with the improvements being a part of a District project funded by a Community Development Block Grant.

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**3C.**

**\*RESOLUTION**

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

THAT the City Manager be authorized to sign a License Agreement by and between the City of El Paso and Carlos Narvaez d/b/a Los Colorines for the use of a portion of City-owned property located at City Hall, 2 Civic Center Plaza, El Paso, Texas, as a food and beverage café for the benefit of City employees, visitors, and the general public in El Paso, Texas.

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**3D.**

**\*RESOLUTION**

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

THAT the City Manager be authorized to sign the Lease Agreement by and between the City of El Paso and the Texas Historical Commission for the lease of office and storage space at the City's Union Plaza Transfer Terminal.

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**4A. BOARD RE-APPOINTMENT**

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

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**5A. BOARD APPOINTMENT**

\*Motion made, seconded, and carried to **APPOINT** Angel Miguel Ochoa to the Building and Standards Commission by Representative Rachel Quintana, District 5.

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**5B. BOARD APPOINTMENT**

\*Motion made, seconded, and carried to **APPOINT** Romaree Friedman Herbert to the Committee on Border Relations by Representative Eddie Holguin, Jr., District 6.

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**6. REQUEST TO ISSUE PURCHASE ORDERS**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue Purchase Order to Advanced Security Contractors, Inc., a contractor under the Region 19 Cooperative Purchasing Program Contract No. 09-6356 (Electronic Surveillance & Locking Systems), for the purchase and installation of the i3DVR video security camera systems and Hirsch Access Control System at the South Stanton and South Santa Fe Street Bridges in order to upgrade the present video security camera and access control systems to the newest standards used by the City of El Paso. 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 Region 19 Cooperative Purchasing Program was approved by Mayor and City Council on March 4, 2008.

Department: Information Technology  
Award to: Advanced Security Contractors, Inc.  
El Paso, TX  
Total Estimated Award: \$383,708.71  
Funds Source: State Infrastructure Bank (SIB) Loan  
Reference No.: 2011-187

This is a Cooperative, service-materials contract.

Representative Ortega commented.

The following City Staff commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Said Larbi-Cherif, Director of International Bridges

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**7. BEST VALUE PROCUREMENT**

\*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2011-053 (Sports Officials) to El Paso Southwest United States Sports Specialty Association Umpire Softball Association and Texas Amateur Softball Association – District 4 for an initial term (three-year) estimated award of \$433,980.

Department: Parks and Recreation  
Award to: Vendor 1: El Paso Southwest United States Sports Specialty Association  
Umpire Softball Association  
El Paso, TX  
Items: 7a, 7b, 7c, and 7d  
Initial Term: 3 years  
Option: 2 years  
Annual Estimated Award: \$111,800  
Initial Term Estimated Award: \$335,400 (3 years)  
Total Estimated Award: \$559,000 (5 years)

Award to: Vendor 2: Texas Amateur Softball Association – District 4  
El Paso, TX  
Items: 6a, 6b, and 6c  
Initial Term: 3 years  
Option: None  
Annual Estimated Award: \$32,860  
Total Estimated Award: \$98,580 (3 years)  
Funding Source: FY11 Parks and Recreation Operating Budget

This is a Best Value, services contract.

The cost under this requirements 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.

The Financial Services - Purchasing Division and Parks and Recreation recommend award as indicated to El Paso Southwest United States Sports Specialty Association Umpire Softball Association and Texas Amateur Softball Association – District 4, the bidders offering the best value bids.

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**8A. – 8 E. INTRODUCTIONS**

Motion made by Representative Ortega, seconded by Representative Byrd, 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 authorizing the City Manager to execute a quitclaim (Tax Resale) deed conveying all right, title and interest in Real Property located at 6107 Laguna Vista Dr., to City of El Paso, in accordance with Section 34.05 (H) of the Tax Code.

**PUBLIC HEARING WILL BE HELD ON MARCH 15, 2011, FOR ITEM 8A.**

**8B.** An Ordinance granting Special Permit No. ZON10-00101, to allow for infill development and a 35% parking reduction on the property described as Lots 52, 53, 54, 55, and 56, Block B, Bassett Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 parking reduction and 20.10.280 infill development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code.

**8C.** An Ordinance creating uniform grading requirements by amending Title 18 (Building and Construction), Chapter 18.44 (Grading) in its entirety to provide for grading permits, fees, insurance, bonds, indemnification and enforcement requirements; and Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management), Section 9.04.860, by prohibiting erosion and Section 9.04.870, exempting land that has never been graded; the penalty being as provided in sections 9.04.630, 18.02.107 and 18.44.210 of the El Paso city code.

**8D.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.08 (Subdivision Improvement Plans), Section 19.08.020D (Grading Permits) and Chapter 19.50 (Definitions), Section 19.50.030 (Definitions) of the El Paso City Code to amend the provisions for grading permits and borrow or waste permits and to change the definition of grading. The penalty as provide for in Chapter 19.42 of the El Paso City Code.

**8E.** An Ordinance amending Title 20 (Zoning), Chapter 20.16 (Screening and Fencing) and Section 20.16.020 (Mandatory Walls), of the El Paso City Code to amend the certain mandatory wall requirements along drainage structures and canals. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON MARCH 29, 2011, FOR ITEMS 8B. – 8E.**

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**9. CITY ATTORNEY’S OFFICE**

**1ST MOTION**

Motion made by Representative Quintana, seconded by Representative Holguin, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION**.

**2ND MOTION**

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **ADJOURN** the Executive Session and **RECONVENE** the meeting of the City Council.

**3RD MOTION**

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

**4TH MOTION**

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Acosta, to **DELETE** the Public Hearing on 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.

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

NAYS: None

Mayor Cook and Representative Quintana, and Acosta commented

The following City Staff commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Richarda Momsen, Municipal Clerk
- 3. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services
- 4. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 5. Commander Zina Silva, El Paso Police Department

Mr. Joe Oliver Border Taxi Cab Company, commented.

Mr. Ivan Garza, Sun City Cab Company, commented.

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**10.**

**ORDINANCE 17506**

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 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.**

Motion duly made by Representative Quintana, 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, 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**.

Mr. William Lilly, Director of Community and Human Development, commented. ....

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**11A AND 11B TAKEN TOGETHER**

11A.

**ORDINANCE 17507**

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

11B.

**ORDINANCE 17508**

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

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

Mr. Michael Hill, Director of Public Health, commented

The following citizens commented:

- 1. Ms. Julie Rutledge
- 2. Mr. Charlie Hooten

Motion duly made by Representative Byrd, seconded by Representative Holguin, that the Ordinances be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances which when so done resulted as follows:

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

NAYS: Representative Quintana

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

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12.

**ORDINANCE 17509**

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

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

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

Mr. Rudy Valdez, El Paso Water Utilities, commented.

Mr. Gonzalo Cedello, El Paso Water Utilities, commented

Mr. Pat Goff, citizen, commented.

Motion duly made by Representative O'Rourke, seconded by Representative Ortega, 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, Holguin, Ortega and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Quintana

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**.

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**13A THROUGH 13D TAKEN TOGETHER**

**13A.**

**ORDINANCE 17510**

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

**13B.**

**ORDINANCE 17511**

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

**13C.**

**ORDINANCE 17512**

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

**13D.**

**ORDINANCE 17513**

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

Motion duly made by Representative Byrd, seconded by Representative Lilly, that the Ordinances be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances 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 Ordinances, the same be and the same are hereby **ADOPTED**.

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**14A. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **DELETE** the item regarding the progress on Southloop Park.

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**14B. MAYOR AND COUNCIL**

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **APPROVE, AS REVISED** a Resolution that the City Council declares the expenditure of discretionary funds to support the Police Explorer Scout program run by the El Paso Police Department serves a municipal purpose and is authorized.

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

Mayor Cook and Representatives Byrd, Quintana, and Ortega, commented.

The following City Staff members commented:

1. Officer Cruz Morales, El Paso Police Department
2. Assistant Police Chief, Eric Shelton, El Paso Police Department
3. Ms. Josette Flores, Assistant City Attorney, gave legal advice

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**14C. MOVED TO BEGINNING OF REGULAR AGENDA**

**14C. MAYOR AND COUNCIL**

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Ortega, and carried to **APPROVE** the item regarding City Council's action to limit polling sites to public spaces, to restate Councils previous motion on mobile voting and move forward to have all polling places at public places.

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

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

The following City Staff members commented:

1. Ms. Richarda Momsen, Municipal Clerk

2. Mr. Charlie McNabb, gave legal advice.

The following citizens commented:

1. Mr. Wayne Kendrick
2. Mr. Eloiso de Avila
3. Ms. Kathy Staudt
4. Mr. Arturo Huerta
5. Ms. Josephine Bosley
6. Ms. Lisa Turner

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Motion made by Representative Robinson, seconded by Representative Ortega, and unanimously carried to  
**ADJOURN** this meeting at 12:01 p.m.

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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk