

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

AGENDA FOR REGULAR CITY COUNCIL MEETING

**March 23, 2010
Council Chambers, City Hall
8:30 a.m.**

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

Roll call and Executive Session*
Invocation and Pledge of Allegiance
Ceremonial items followed by all other items posted on the Agenda

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

**Invocation – Police, Fire, & CIMA Chaplain Sam Faraone
Pledge of Allegiance**

MAYOR'S PROCLAMATIONS

- 1. WORLD TB DAY**
- 2. EL PASO COMMISSION FOR WOMEN'S HALL OF FAME
INDUCTION DAY**
- 3. UNITED STATES BOWLING CONGRESS WOMEN'S
CHAMPIONSHIP MONTHS**
- 4. DEVELOPMENTAL DISABILITIES AWARENESS MONTH**

RECOGNITION

**Gene Colabro - Spirit Of Amigo Award
El Paso Convention and Visitors Bureau**

CALL TO THE PUBLIC – PUBLIC COMMENT

**This time is reserved for members of the public who would like to address the
City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp
for those who wish to sign up in advance of the meeting date and a sign-up form is available
outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day
of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

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

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of March 16, 2010.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager is authorized to execute standard contracts and agreements between Department approved contractors and eligible applicants to perform eligible weatherization and energy conservation improvements through the Weatherization Assistance Program. **(All Districts)**
[Community and Human Development, William Lilly, (915) 541-4643]

3B. That the Mayor be authorized to sign the First Amendment to the Rio Grande Project Implementing Third-Party Contract among the United States of America Department of the Interior Bureau of Reclamation, the El Paso County Water Improvement District No. 1, and the City of El Paso joined by its Public Service Board for conversion of Rio Grande Project water to municipal use; delivery of district water to the Jonathan Rogers Water Treatment Plant; and delivery by the City of El Paso of usable sewage effluent to the El Paso County Water Improvement District No. 1. **(All Districts)**
[El Paso Water Utilities Public Service Board, Robert Andron, (915) 594-5607]

3C. That the Purchasing Manager is authorized to notify Sanchez & Sons Trucking Inc. d/b/a Edge Kawasaki, that the City is terminating Contract No. 2006-040 pursuant to the provisions and requirements of Section C 18A of the Contract Clauses due to convenience and that the termination shall be effective as of March 23, 2010. **(All Districts)**
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[General Services, Stuart Ed, (915) 621-6822]

THIS IS A COMPANION ITEM TO ITEM 10D

3D. That the Mayor be authorized to sign an Interlocal Agreement (the "Agreement") between the City of El Paso, Texas ("City") and the Ysleta del Sur Pueblo ("Pueblo") to facilitate fire and emergency response during emergency conditions occurring within the City or the Pueblo, to expire on August 31, 2010, or as extended by the Parties. **(All Districts)** [Fire Department, Otto Drozd, (915) 771-1000]

- 3E.** That the Mayor be authorized to sign an Interlocal Agreement (the “Agreement”) between the City of El Paso, Texas (“City”) and the El Paso County Emergency Services District No. 1 (“District”) to provide fire and emergency response during emergency conditions occurring within the City or the District, to expire on September 30, 2010, or as extended by the Parties. **(All Districts)**
[Fire Department, Otto Drozd, (915) 771-1000]
- 3F.** That the Mayor be authorized to sign an Interlocal Agreement (the “Agreement”) between the City of El Paso, Texas (“City”) and the El Paso County Emergency Services District No. 2 (“District”) to provide fire and emergency response during emergency conditions occurring within the City or the District, to expire on September 30, 2010, or as extended by the Parties. **(All Districts)**
[Fire Department, Otto Drozd, (915) 771-1000]
- 3G.** That the City Manager be authorized to sign an Automatic Aid Agreement between the City of El Paso and the Fort Bliss Fire & Emergency Services allowing the El Paso Fire Department to respond to emergencies at the National Guard Reserve Center, 11701 Montana Avenue, Ft. Bliss, Texas, and allowing the Fort Bliss Fire & Emergency Services to respond to emergencies at Spur 601 and portions of Loop 375 between Spur 601 and Sergeant Majors Boulevard. **(All Districts)** [Fire Department, Otto Drozd, (915) 771-1000]
- 3H.** That the City Council ratifies and concurs with the submission of the application to the Federal Emergency Management Agency’s U.S. Fire Administration 2009 Staffing for Adequate Fire and Emergency Response (SAFER) Part of the Assistance to Firefighters Grant Program, for a total amount not to exceed \$1,632,809 for hiring firefighters to enhance the safety of the Fire Department to protect the community from fire and fire-related hazards; matching funds required from a recipient city in order to qualify for the award in the amount necessary to fully fund the retention of the SAFER-funded fire fighters for one full year after the end of the period of performance. **(All Districts)**
[Fire Department, Ralph Johnson, (915) 838-3263]
- 3I.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of Rate Analyst is hereby created as specified in the duties and responsibilities attached hereto. The Code is 20430. The Grade is PM 128. This position will be in the El Paso Water Utilities and funding was budgeted. Salary Range: \$45,788.24 - \$67,788.24. **(All Districts)** [Human Resources, Linda Ball Thomas, (915) 541-4509]
- 3J.** That the City Manager be authorized to sign the Multiple Use Agreement for Sharing Fiber Optic Related Infrastructure with the Texas Department of Transportation. **(All Districts)**
[Information Technology and Special Projects, John Neal, (915) 541-4285]
- 3K.** That the City Manager be authorized to sign an Interlocal Agreement between the City of El Paso and the Ysleta Independent School District for the joint development and use of recreational improvements to be located on District property located at Escobar Road. **(District 6)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4283]
- 3L.** That the City Manager be authorized to sign an Interlocal Agreement between the City of El Paso and the El Paso Independent School District for the joint

development and use of recreational improvements to be located on the Guillen Middle School campus. **(District 8)**

[Parks and Recreation, Nanette Smejkal, (915) 541-4283]

3M. That the City Manager be authorized to sign an Interlocal Agreement between the City of El Paso, County of El Paso, Socorro Police Department, and Horizon Police Department to submit a joint application to the U.S. Department of Homeland Security – Operation Stonegarden 2010, in the amount of \$5,098,225. The funds received under the Operation Stonegarden 2010 program will be shared proportionally. The funding agency requires an Interlocal Agreement to be submitted. No cash match is required. **(All Districts)**

[Police Department, Eric Shelton, (915) 564-7357]

3N. That the Mayor be authorized to sign an Interlocal Cooperation Agreement by and between the City of El Paso ("City") and the El Paso County Community College District ("EPCC") allowing the City to facilitate certain sidewalk improvements along part of the EPCC Transmountain campus perimeter in exchange for EPCC's payment for the full cost of those improvements.

(District 4) [Street Department, Daryl Cole, (915) 621-6750]

4. BOARD APPOINTMENTS:

4A. Gilbert Guillen to the Empowerment Zone Advisory Board by Representative Carl Robinson, District 4. [Representative Carl Robinson, (915) 541-4400]

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

4C. Ira L. "Joe" Barbe to the Animal Shelter Advisory Committee by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

4D. Francisco J. Ortega to the Art Museum Advisory Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

5. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

5A. Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to PlayPower LT Farmington, Inc./All Play, Inc., under Texas Association of School Boards, Inc., Cooperative Purchasing Buyboard Contract #269-07, for playground equipment for Modesto Gomez Park, Pebble Hills Park, Tierra del Este #50A Park, Tierra del Este #50B Park, Indian Heights Park, and Tierra del Este #44. Total estimated expenditures are \$229,857.78. The participation by the City of El Paso, in the Texas Association of School Boards, Inc., Cooperative Purchasing Buyboard, was approved by Mayor and City Council on August 21, 2007.

Department: Engineering
Funding Source: Parkland Dedication, 2008 Reprogramming Parks Proportionality, and other funding sources

Total Estimated Amount: \$229,857.78

Reference No.: 2010-184

Districts: 5 and 8

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[Engineering, R. Alan Shubert, (915) 541-4423]

5B. Request that Financial Services, Purchasing Division, be authorized to issue a purchase order to Allen Vanguard Technologies, Inc. to purchase two EOD 9 Bomb Suit and Helmet Ensembles and two SRS 5 Suit and Helmet Ensembles under Cooperative Purchasing Program GSA Contract, Schedule 84, GS-07F-0207M for El Paso Police Bomb Squad. Total estimated amount of \$65,996.15.

Department: Police
Funding Source: Urban Area Security Initiative (UASI) Program FY08
Total Estimated Amount: \$65,996.15
Reference No.: 2010-140

Districts: All
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Police Department, Gregory Allen, (915) 564-7302]

6. BEST VALUE PROCUREMENT:

The award of Solicitation No. 2010-095 (Disposal of Waste Tires) to Chaparral Sand & Gravel, LLC for a total estimated award of \$108,000.

Department: Environmental Services
Award to: Chaparral Sand & Gravel, LLC
Chaparral, NM
Items: Group A, Item 1
Annual Estimated Amount: \$36,000
Funding Source: Environmental Services Operating Account
Total Estimated Award: \$108,000 (3 years)
Districts: All

This is a 36-month requirements type 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 Departments of Financial Services, Purchasing Division, and Environmental Services recommend award to Chaparral Sand & Gravel, LLC, the vendor offering the best value bid.

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

7. BID:

The award of Solicitation No. 2010-109 (Detroit Diesel Proprietary Parts and Service) to Stewart and Stevenson, LLC for a total estimated award of \$240,000.

Department: Fire
Award to: Stewart and Stevenson, LLC
El Paso, TX
Items: Part A (Parts) and Part B (Service)
Option: 2 years
Annual Estimated Amount: \$80,000
Funding Source: General Fund
Total Estimated Award: \$240,000 (3 years)
Districts: All

This is a low bid, price-list contract. This is a 36-month requirements type 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 Departments of Financial Services, Purchasing Division, and Fire recommend award as indicated, to the sole, responsive, responsible bidder. [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Fire Department, Manuel Chavira, (915) 771-100]

REGULAR AGENDA - INTRODUCTIONS

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

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

- 8A.** An Ordinance vacating to public vehicular traffic a portion of River Bend between Little Lane and the Montoya Lateral, within Los Paseos Replat A Subdivision, City Of El Paso, El Paso County, Texas **(District 8)**
[Development Services/Planning, Frank Delgado, (915) 541-4238]
- 8B.** An Ordinance vacating to vehicular traffic a 20.00 foot alley within Block 47, Campbell Addition, amending Subdivision, City of El Paso, El Paso County, Texas. Applicant: City of El Paso. SUB10-00011 **(District 8)**
[Development Services/Planning, Michelle Padilla, (915) 541-4903]
- 8C.** An Ordinance vacating to vehicular traffic a portion of 8th Avenue between Stanton Street and Mesa Street, within Campbell Addition, amending Subdivision, City of El Paso, El Paso County, Texas. Applicant: City of El Paso. SUB10-00012 **(District 8) THIS IS AN APPEAL CASE.**
[Development Services/Planning, Michelle Padilla, (915) 541-4903]
- 8D.** An Ordinance authorizing the City Manager to sign a lease agreement between the City of El Paso and El Paso Tennis and Swim Club for the lease of a portion of Arroyo Park totaling 9.212 acres, El Paso, Texas, for a term of twenty years and canceling the lease agreement approved by Ordinance No. 2872, 4559, 5826, 6868, and 14092. **(District 1)**
[Financial Services, Liza Ramirez-Tobias, (915) 541-4074]

PUBLIC HEARING WILL BE HELD ON MARCH 30, 2010, FOR ITEMS 8A – 8D

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

REGULAR AGENDA – OTHER BUSINESS

9. FINANCIAL SERVICES:

Discussion and action regarding Texas Gas Service's, a division of ONEOK, Inc., Statement of Intent to Increase Rates filed December 3, 2009. **(All Districts)**
[Financial Services, Liza Ramirez-Tobias, (915) 541-4074]

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

10. FINANCIAL SERVICES:

10A. Discussion and action on a request that the Purchasing Manager of Financial Services, Purchasing Division, be authorized to issue a purchase order to ExerPlay, Inc., under Texas Association of School Boards, Inc., Cooperative Purchasing Buyboard Contract #269-07, for playground equipment for Valley Creek Park, Van Buren Park, Green Lilac Park, Borderland Village #1 Park, Esmeralda Park, Franklin Hills #8 Park, Hueco Club Estates #1 Park, Tierra del Este #18 Park, Tierra del Este #30 Park, Tierra del Este #27 Park, Montwood Heights Park, Pecan Grove Park, Father Pete Martinez Park, Little River Park, Summit Heights/Fillmore Park, McArthur Park, Milagro Park, Hueco Mountain Park, Paseos del Sol Park, Sandstone Ranch Estates Park, Sandstone Ranch Park, and Tierra del Este #56. Total estimated expenditures are \$850,098.25. The participation by the City of El Paso in the Texas Association of School Boards, Inc., Cooperative Purchasing Buyboard was approved by Mayor and City Council on August 21, 2007.

Department: Engineering
Funding Source: Parkland Dedication, 2008 Reprogramming Parks Proportionality, Community Development Block Grant (CDBG), and Neighborhood Improvement Program (NIP) and other funding sources
Total Estimated Award: \$850,098.25
Reference No.: 2010-186
Districts: 1, 2, 3, 4, 5, 6, and 7
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Engineering, R. Alan Shubert, (915) 541-4423]

10B. Discussion and action that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue purchase orders to Checkpoint Services Inc., a State Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-890, for a total amount not to exceed \$600,000 for Dell branded hardware and related services for various City Departments as the need arises. Participation by the City of El Paso in the DIR Program was approved by City Council on February 27, 2007.

Department: Financial Services – Purchasing Division
Funding Source: Various
Total Estimated Award: \$600,000
Reference No.: 2010-183
Districts: All
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

- 10C.** Discussion and action that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to The Playwell Group, Inc., under Texas Association of School Boards, Inc., Cooperative Purchasing Buyboard Contract #269-07 for playground equipment for Franklin Park, Thorn Park, Pebble Hills Park, Cimarron #4 Park, Cimarron #1 Park, Esmeralda Park, Hueco Club Estates #1 Park, Hueco Club Estates #2 Park, Tierra del Este #50A Park, Tierra del Este #50B Park, McArthur Park, Colonia Verde Park, Pecan Grove Park, Percy Gurrola Park, Hidden Valley Park, De Vargas Park, Pueblo Viejo Park, Father Pete Martinez Park, Summit Heights/Fillmore Park, Todd Ware Park, Little River Park, Franklin Heights #8 Park, Sandstone Ranch Estates Park, Sandstone Ranch Park, Milagro Park, and Riverbend. Total estimated expenditures are \$1,332,154. The participation by the City of El Paso, in the Texas Association of School Boards, Inc., Cooperative Purchasing Buyboard, was approved by Mayor and City Council on August 21, 2007.

Department: Engineering
 Funding Source: Parkland Dedication, Community Development Block Grant (CDBG), Neighborhood Improvement Program (NIP), and other funding sources
 Total Estimated Award: \$1,332,154
 Reference No.: 2010-185
Districts: All
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [Engineering, R. Alan Shubert, (915) 541-4423]

- 10D.** Discussion and action on the award of Solicitation No. 2010-120 (Police Motorcycles Parts, Service, and Maintenance) to Sanchez & Sons Trucking, Inc. d/b/a Edge Kawasaki for a total estimated amount of \$606,000.

Department: General Services
 Award to: Sanchez & Sons Trucking, Inc. DBA Edge Kawasaki
 El Paso, TX
 Items: All Items: Part A, Part B, and Part D
 Option: 1 year
 Annual Estimated Amount: \$202,000
 Funding Source: Internal Service Fund
 Total Estimated Award: \$606,000 (3 years)
Districts: All

This is a 36-month requirements type 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 Departments of Financial Services, Purchasing Division, and General Services recommend award as indicated to the sole responsive, responsible bidder.

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [General Services, Stuart Ed, (915) 621-6822]

REGULAR AGENDA – PUBLIC HEARINGS**11. DEVELOPMENT SERVICES:**

- 11A.** An Ordinance changing the zoning of Lot 17, Block 258, Vista Del Sol Unit 45, City of El Paso, El Paso County, Texas, from A-O/C (Apartment/Office/Conditions) to C-1/C (Commercial/Conditions) and modifying Condition No. 1 placed on the property by Ordinance No. 9955, and adding two conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 1900 Amy Sue Drive. Applicant: VAA Developing & Construction LP. ZON09-00088 **(District 5)**
[Development Services/Planning, Andrew Salloum, (915) 541-4027]
- 11B.** An Ordinance changing the zoning of a portion of Lots 1–7, Block 229, Alexander Addition, City of El Paso, El Paso County, Texas, from R-4 (Residential) to C-1 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 2904 Stanton Street. Applicant: Nicolas Rich. ZON09-00080 **(District 1)**
[Development Services/Planning, Andrew Salloum, (915) 541-4027]
- 11C.** An Ordinance changing the zoning of Lots 17-20, Block 121, amended map of Morningside Heights Addition, City of El Paso, El Paso County, Texas, from R-5 (Residential) to A-2 (Apartment) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 3830 Johnson Avenue. Applicant: TVP Non-Profit Corporation. ZON09-00090 **(District 2)** [Development Services/Planning, Andrew Salloum, (915) 541-4027]
- 11D.** An Ordinance granting Special Permit No. ZON09-00075 to allow for infill development on the property described as Lots 17-20, Block 121, Morningside Heights Addition, 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: 3830 Johnson Avenue. Applicant: TVP Non-Profit Corporation. ZON09-00075 **(District 2)**
[Development Services/Planning, Andrew Salloum, (915) 541-4027]
- 11E.** An Ordinance changing the zoning of the following real property described as: Parcel 1: a portion of Tracts 3 and 8, Section 44, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, be changed from Q (Quarry) to A-O (Apartment/ Office); and, Parcel 2A: a portion of Tract 8, Section 44, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, be changed from Q (Quarry) to C-2/C (Commercial/Condition), and imposing conditions; and, Parcel 2B: a portion of Tracts 5 and 8, Section 44, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, be changed from Q/SC (Quarry/Special Contract) to C-2/C (Commercial/Condition), and imposing conditions; and, Parcel 3A: a portion of Tract 8, Section 44, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, be changed from Q (Quarry) to C-4/C (Commercial/Condition), and imposing conditions; and, Parcel 3B: a portion of Tracts 5 and 8 and all of Tract 5a, Section 44, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas; be changed from Q/SC (Quarry/Special Contract) to C-4/C (Commercial/Condition), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject

property: south of Pebble Hills Boulevard and west of Joe Battle Boulevard.
 Property owner: Joe Battle Partners, L.P. ZON09-00064 **(District 6)**
 [Development Services/Planning, Esther Guerrero, (915) 541-4720]

11F. Approval of a detailed site development plan for all of Tracts 4B and 4D, M.J. McKelligon Survey No. 270, City of El Paso, El Paso County, Texas, pursuant to a condition Imposed by Ordinance No. 011247. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 3900 block of Piedmont Drive. Property owner: Piedmont Group, LLC. ZON09-00089. **(District 1)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

11G. A Resolution approving a detailed site development plan for a portion of Lot 11, Block 5, Hueco View Acres, City of El Paso, El Paso County, Texas, pursuant to a condition imposed by City of El Paso Ordinance No. 9146. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 3320 George Dieter Drive. Applicant: Kingdom Hall of Jehovah's Witnesses. ZON09-00086 **(District 5)**
 [Development Services/Planning, Andrew Salloum, (915) 541-4027]

12. EL PASO WATER UTILITIES:

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, to convey to the State of Texas, approximately 3.304 acres of land known as Parts 1, 2, 3, 6, 7, and 9 of Parcel 4 along and adjacent to Fred Wilson Road at Marshall Road and being portions of Section 17, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, for the Spur 601 Highway Project. **(District 2)**
 [El Paso Water Utilities Public Service Board, Jim Shelton, (915) 594-5511]

13. ENGINEERING:

13A. An Ordinance granting a Special Privilege to Texas Tech University Health Sciences Center El Paso permitting the construction, regulation, installation, and maintenance of one emergency telephone on a portion of public right-of-way at Alberta Avenue and the regulation and maintenance of fiber optic telecommunications cable within four 1.25" subsurface conduits along portions of public right-of-way at Raynolds Street, Concepcion Street, and Alberta Avenue. SPL09-00018 & SPL09-00022 **(District 3)**
 [Engineering/Traffic Division, Mirian Spencer, (915) 541-4482]

13B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III – Parking Prohibited at all Times on Certain Streets), of the El Paso City Code to delete the prohibition of parking on Mills Avenue between Ochoa Street and Virginia Street, south side; the penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 8)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

14. ENVIRONMENTAL SERVICES:

An Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) to delete references to the El Paso Downtown Management District and to address solid waste collection and related service in a designated required commercial collection zone; to clarify Class B Generators in Section 9.04.040; adding requirements for the use of Class C-1 Containers in Section 9.04.050; adding requirements for certain

temporary events and activities in Section 9.04.190; to clarify the frequency of collection services in Section 9.02.220, the penalty in Section 9.04.390 and the adoption of fees in Section 9.04.400A and 9.04.400C; the penalty as provided in Section 9.04.390 of the El Paso City Code. **(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]
POSTPONED FROM 03-09-10

REGULAR AGENDA – OTHER BUSINESS

15. ENVIRONMENTAL SERVICES:

15A. Discussion and action on a Resolution to designate a Required Commercial Collection Area #1. **(District 8)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

15B. Discussion and action on a Resolution authorizing the Mayor to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso (the "City") and the El Paso Downtown Management District (the "DMD"), for the purpose of cleaning the sidewalks, alleys and storefronts located within the DMD geographic area in downtown El Paso for the period of three years. **(District 8)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

15C. Discussion and action on Resolution amending Schedule C for the City of El Paso Fiscal Year 2010 Budget Resolution, to add the formula for calculating the monthly fee and base fee for the service provided in Required Commercial Collection Area #1, for April 1, 2010, through August 31, 2010. **(District 8)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

16. MAYOR AND COUNCIL:

16A. Legislative Review Committee Report:

1. For notation: Formal report of the Environmental Services Legislative Review meeting held on February 25, 2010, as submitted by Representative Susie Byrd; and,
2. Discussion and action pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
 - A) Discussion and action on proposed revisions to Chapter 9.04 (Solid Waste Management) to impose flow control and provide for franchise agreements with private waste haulers.
 - B) Discussion and action on LRC direction regarding clean up requirements of vacant lots larger than 2 acres, Chapter 9.04.360.
 - C) Discussion and action of Section 20.02.1136 to discuss flea market vendors.
 - D) Discussion and action on Texas Bottle Bill and other environmental recycling initiatives.
 - E) Presentation and discussion on Environmental Assistance Network to provide assistance to city facilities and city departments related to environmental compliance with applicable regulations and permit requirements.

[Environmental Services, Ellen A. Smyth, (915) 621-6719]

- 16B. Report by Mayor John Cook regarding trip to Washington D. C., March 7, 2010 - March 15, 2010, as part of Team El Paso, Texas Border Coalition, Tex-21 and National League of Cities. [Mayor John F. Cook, (915) 541-4145]
- 16C. Update by the City Manager's office on the sidewalk food-vending proposal. [Representative Steve Ortega, (915) 541-4108]

EXECUTIVE SESSION

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

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

Discussion and action on the following:

- EX1. Claim of Richard Gallegos; Our File No. 10-C-033. (551.071) [City Attorney's Office, Kenneth Krohn, (915) 541-4550]
- EX2. Discussion and action on negotiations regarding parcels on the east side of the mountain owned by Daniel T. Knapp, R. E. Knapp, Palo Verde Properties LP, R.E., and R.A. Knapp . (551.071 and 551.072) [City Attorney's Office, Charlie McNabb, (915) 541-4550]
- EX3. Claim of Francisco Ramirez d/b/a Flamingo Motors; Our File No. 10-C-001. (551.071) [City Attorney's Office, Karla M. Nieman, (915) 541-4550]
- EX4. Texas Gas Service Statement of Intent to Increase Rates within El Paso Service Area. (551.071) [City Attorney's Office, Bertha A. Ontiveros, (915) 541-4550]

NOTICE TO THE PUBLIC:

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

Hearing Assistance Devices are available upon request.

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