

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**

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**March 29, 2011  
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 Chaplain Cliff Barnes  
Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. DROWNING PREVENTION COALITION - APRIL POOLS DAY**
- 2. A DOLLAR TO DEFEAT LEUKEMIA WEEK**
- 3. AMERICAS HIGH SCHOOL MOCK TRIAL TEAM DAY**
- 4. PURCHASING MONTH**

### **RECOGNITION**

**MARK M. ALVARADO**

### **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.

## 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 22, 2011.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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

#### 3. RESOLUTIONS:

**3A.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(All Districts)**  
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

**3B.** That the City Manager be authorized to sign a Services Agreement between the City of El Paso and Staff Care, Inc. for temporary dental staffing services in an amount not to exceed \$25,690.02. **(All Districts)**  
[Department of Public Health, Michael Hill, (915) 771-5702]

**3C.** A Resolution of City Council amending the Park Facilities Standards in order to be consistent with revisions to the park provisions of Title 19. **(All Districts)**  
[Parks and Recreation, Nanette Smejkal (915) 541-4283]

**3D.** That the Mayor be authorized to sign an amendment to the Resolution appointing the election officials for the 2011 General Election to revise the list of Presiding Judges and Alternate Presiding Judges, respectively, for each of the regular election precincts of the City. **(All Districts)**  
[Municipal Court, Richarda Duffy Momsen, (915) 541-4128]

**3E.** A Resolution that City Council authorize to accept the donation of \$250,000 from the El Paso Zoological Society for the purpose of funding and supporting the construction of an interactive water play feature know as a splash pad. **(All Districts)**  
[Zoo, Steve Marshall, (915) 521-1855]

#### 4. BOARD RE-APPOINTMENTS:

- 4A. Michael PleTERS to the Civil Service Commission by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]
- 4B. Alma Miller to the Fair Housing Task Force by Representative Steve Ortega, District 7. [Representative. Steve Ortega, (915) 541-4124]

**REGULAR AGENDA - INTRODUCTIONS**

**5. 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.**

- 5A. An Ordinance amending Ordinance No. 017109 which vacated a portion of Boston Avenue to allow a one year extension to complete improvements on the pedestrian walkway and to revise the quitclaim deed to reflect the extended time for completion. **(District 1)**  
[Planning and Economic Development, Raul Garcia, (915) 541-4935]

**PUBLIC HEARING WILL BE HELD ON APRIL 5, 2011, FOR ITEM 5A**

- 5B. An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Chapter 20.10 (Supplemental Use Regulations) and Appendix A (Table of Permissible Uses) of the El Paso City Code to add a definition of Accessory Dwelling Units and to add standards for Accessory Dwelling Units. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)** [Planning and Economic Development, Mathew McElroy, (915) 541-4193]
- 5C. An Ordinance changing the zoning of a portion of Lot 6, Block 5, Stiles Gardens, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7122 North Loop Drive. Applicant: Fidel and Isabel Guerrero. ZON10-00114 **(District 3) THIS IS AN APPEAL CASE.**  
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 5D. An Ordinance changing the zoning of a portion of Lot 4, Block C, Collingsworth Subdivision Supplemental Map, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6111 Alameda Avenue. Applicant: Maria L. Munoz. ZON10-00115 **(District 3)**  
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 5E. An Ordinance changing the zoning of Lots 1-13, Block 1, San Angelino Estates; formerly Lots 1-11, Block 1, Amado Urbina; formerly Lots 5 & 6 and a portion of Lot 7, Block 8, Alameda Acres, City of El Paso, El Paso County, Texas from R-3A (Residential) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Glenwood Street at Flower Drive. Property Owner: The House Developer Group, LLC. ZON10-00108 **(District 3)** [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

- 5F.** An Ordinance changing the zoning of a portion of Yucca Village Replat A, and a portion of Tract 10A Parkland Addition, City of El Paso, El Paso County, Texas from A-M/sc (Apartment/Mobile Home Park/special contract) to A-O/sc (Apartment/Office/special contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 10333 Grouse Road. Property Owner: Blue Flamingo IV, LP. ZON10-00094 **(District 4)**  
[Planning and Economic Development, Esther Guerrero, (915) 541-4720]
- 5G.** An Ordinance granting Special Permit No. ZON10-00095, to permit an Adult Day Care on the property described as being a portion of Yucca Village Replat A, and a portion of Tract 10A Parkland Addition, 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 in Chapter 20.24 of the El Paso City Code. Subject Property: 10333 Grouse Road. Property Owner: Blue Flamingo IV, LP. ZON10-00095  
**(District 4)** [Planning and Economic Development, Esther Guerrero, (915) 541-4720]
- 5H.** An Ordinance changing the effective date of Ordinance No. 017504, which will change 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) from April 26, 2011 to May 25, 2011. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Stahala Drive, East of Kenworthy Street.  
**(District 4)** [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

**PUBLIC HEARING WILL BE HELD ON APRIL 19, 2011, FOR ITEMS 5B – 5H**

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 Thursday, 7:00 a.m. to 6:00 p.m.

**REGULAR AGENDA – PUBLIC HEARINGS**

**6. ENGINEERING AND CONSTRUCTION MANAGEMENT / PLANNING AND ECONOMIC DEVELOPMENT:**

- 6A.** 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.  
**(All Districts)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 6B.** 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. **(All Districts)**  
[Planning and Economic Development, Mathew McElroy, (915) 541-4056]

- 6C.** 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. **(All Districts)** [Planning and Economic Development, Mathew McElroy, (915) 541-4056]

**7. ENVIRONMENTAL SERVICES:**

An Ordinance amending Ordinance No. 017471, Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) to amend the effective date of the Franchise Agreement requirements; the penalty being as provided in Section 9.04.630 of the El Paso City Code. **(All Districts)**  
[Environmental Services, Ellen Smyth, (915) 621-6719]

**8. PLANNING AND ECONOMIC DEVELOPMENT:**

**8A.** 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. Subject Property: 2101 Central Avenue. Applicant: Pedro de Jesus Licon Gonzalez. ZON10-00101 **(District 8)**  
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

**8B.** An Ordinance vacating a portion of Frankfort Street Right-Of-Way, within Blocks 91 & 92, Grandview Addition, an addition to the City of El Paso, El Paso County, Texas. **(District 2)** [Planning and Economic Development, Raul Garcia, (915) 541-4935]

**8C.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.20 (Parks and Open Space), Section 19.20.030 (Parkland Calculation) and Section 19.20.050 (Standards for Deeded Parkland), Chapter 19.23 (Lots-Determination and Regulation of Size) and Chapter 19.50 (Definitions) of the El Paso City Code to amend the park size requirements for residential development and parkland characteristics and improvements, to require front build-to lines on plats and to add definitions for build-to line, green, plaza, pocket park, and square. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)** [Planning and Economic Development, Kathryn Dodson, (915) 541-4872]

**9. TAX OFFICE**

**9A.** An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and the El Paso Collaborative for Community and Economic Development which will allow the City to convey:

Lot 5, Block 98, Sun Valley Addition, an addition to the City of El Paso, El Paso County, Texas, being more particularly described in Volume 1178, Page 362, Deed Records of El Paso County, Texas; also known and numbered as 5629 Hemmingway Drive, El Paso, Texas. **(District 4)**  
[Tax Office, Juan Sandoval, (915) 541-4476]

- 9B.** An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and the El Paso Collaborative for Community and Economic Development which will allow the City to convey:

Lot 2071, Block 85, Mountain View Addition, an Addition to the City of El Paso, El Paso County, Texas, being more particularly described in Volume 2, Page 23, Plat Records of El Paso County, Texas; also known and numbered as 4903 Wichita Circle, El Paso, Texas to the El Paso Collaborative for Community and Economic Development. **(District 2)** [Tax Office, Juan Sandoval, (915) 541-4476]

### **REGULAR AGENDA – OTHER BUSINESS**

**10. MAYOR AND COUNCIL:**

Discussion and action regarding amendment to City of El Paso State Legislative Agenda and staff report regarding status of work on priority initiatives.

**(All Districts)** [Mayor's Office, Sylvia Borunda Firth (915) 541-4656]

**11. PLANNING AND ECONOMIC DEVELOPMENT:**

**11A.** Discussion and action on a Resolution approving a detailed site development plan for Lots 52, 53, 54, 55, and 56, Block B, Basset Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2101 Central Avenue. Applicant: Pedro de Jesus Licon Gonzalez. ZON10-00102 **(District 8)**  
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

**11B.** Discussion and action on a Resolution adopting “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach” as a recommended design guideline for the use in the design and construction of new thoroughfares and redesign and reconstruction of existing thoroughfares on all city projects within the City of El Paso. **(All Districts)**  
[Planning and Economic Development, Daryl Cole, (915) 621-6750]

**12. DEPARTMENT OF TRANSPORTATION:**

Discussion and action on directing the City Manager to have city staff revise the City Code and the City of El Paso’s Design Standards for Construction Manual to adopt the “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach” as a standard for constructing thoroughfare projects. **(All Districts)**

[Department of Transportation, Daryl Cole, (915) 621-6750]

**ITEMS 13, 14, 15 AND 16 WILL BE HEARD AFTER 11:00 A.M.**

### **REGULAR AGENDA – PUBLIC HEARINGS/OTHER BUSINESS**

**13. PLANNING AND ECONOMIC DEVELOPMENT:**

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). The penalty being as provided in Section 19.42 of the El Paso City Code.  
**(All Districts)**

[Planning and Economic Development, Justin Bass, (915) 541-4930]

**14. DEPARTMENT OF TRANSPORTATION:**

**14A.** 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. **(District 1)**

[Department of Transportation, Teresa Quezada, (915) 621-6750]

POSTPONED FROM 3-1-11 AND 3-22-11

**14B.** A Resolution that the Mayor be authorized to sign an Agreement to Contribute Funds with the Texas Department of Transportation (TXDOT) for the acquisition of right-of-way and adjustment of utilities for a highway project on Highway No. Loop 375 from 0.038 miles west of Interstate Highway 10 to 0.479 miles east of the Franklin Mountains State Park. The City's contribution is estimated to be \$91,200, which is 4.8 percent of the estimated total of the cost of the right-of-way. The City's contribution may be satisfied by the donation of 12.080 acres of land to TXDOT. TXDOT has appraised the 12.080 acres at a value of \$184,177. **(District 1)**

[Department of Transportation, Daryl W. Cole, (915) 621-6750]

**15. CITY MANAGER:**

City Manager's report of current events and issues:

Discussion and action on the proposed West Transmountain Loop 375 Project by the Texas Department of Transportation:

- 1) Presentation by TxDOT staff of any changes to the forecasted traffic volumes on Transmountain utilizing the Mission MTP model.  
 [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]  
 [Planning and Economic Development, Matthew McElroy, (915) 541-4193]  
 [Department of Transportation, Daryl Cole, (915) 621-6750]
- 2) Formulation of formal City of El Paso position regarding the proposed West Transmountain Loop 375 design recommendations as analyzed and presented in the environmental assessment as prepared by TxDOT.  
 [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]  
 [Planning and Economic Development, Matthew McElroy, (915) 541-4193]  
 [Department of Transportation, Daryl Cole, (915) 621-6750]
- 3) Directing the City Manager to add Plexxar to the Master Thoroughfare Plan.  
 [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]  
 [Planning and Economic Development, Matthew McElroy, (915) 541-4193]  
 [Department of Transportation, Daryl Cole, (915) 621-6750]

- 4) Directing the City Manager to amend the Master Thoroughfare Plan to remove the Paseo del Norte arterial at Transmountain.  
[Representative Susie Byrd, (915) 541-4416]
- 5) Directing the City Manager to work with TxDOT to remove the Paseo del Norte overpass from the Transmountain Freeway design.  
[Representative Susie Byrd, (915) 541-4416]

### **EXECUTIVE SESSION**

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

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

Discussion and action on the following:

- EX1.** City lease of a 24,660 square foot portion of Lot 15, Block 8, El Paso International Airport Tracts, Unit 1, El Paso County, Texas, sometimes municipally referred to as 7619 Lockheed, El Paso County, Texas. (551.071 and 551.072)  
[City Attorney's Office, Theresa Cullen, (915) 541-4550]
- EX2.** Michael Graniczny, et al v. City of El Paso, et al; Cause No. EP-10-CV-0156-PM (551.071) [City Attorney's Office, Karla M. Nieman (915) 541-4550]

### **NOTICE TO THE PUBLIC:**

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

Hearing Assistance Devices are available upon request.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:**

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