

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
VACANT, DISTRICT 3
MELINA CASTRO, 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

April 1, 2008
Council Chambers, City Hall
9:00 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.

- 9:00 a.m.: Roll call and Executive Session*
- 9:00 a.m.: Invocation and Pledge of Allegiance
- 9:00 a.m.: 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 – Reverend Lisle Davis
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. NATIONAL AUTISM AWARENESS MONTH**
- 2. NATIONAL OCCUPATIONAL THERAPY MONTH**
- 3. JUNIOR LEAGUE OF EL PASO "FIELD OF MIRACLES" WEEK**
- 4. CHILD ABUSE PREVENTION AND AWARENESS MONTH**
- 5. APRIL POOLS MONTH**

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 25, 2008.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign the First Amendment to the Airline Operating Agreement and Terminal Building Lease by and between the City of El Paso and American Airlines, Inc., for the purpose of extending the term to August 31, 2009, and replacing Exhibits A, B-1, and B-2.
(District 3) [Airport, Patrick T. Abeln, (915) 780-4724]

3B. That the City Manager be authorized to sign a Fourth Amendment to an Agreement for Engineering Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., for a project known as "Closure of Clint Landfill Permit 1482" to increase the contract amount from \$1,023,170 to \$1,296,989, for a net increase not to exceed \$273,819. **(All Districts)**
[Engineering, R. Alan Shubert, (915) 541-4423]

3C. That the City Manager be authorized to sign an agreement granting an underground electrical easement to the El Paso Electric Company for the purpose of providing electrical service to the El Paso International Airport property at 19 Founders Drive, lease holder Camilla Nut Company L.P. Said property being more particularly described as a portion of Lot 8, Block 3, Butterfield Trail Industrial Park, Replat A, City of El Paso, El Paso County, Texas.
(District 2) [Engineering, R. Alan Shubert, (915) 541-4423]

3D. That the City Manager be authorized to sign a Local Project Advance Funding Agreement (LPAFA) between the City of El Paso ("City") and the State of Texas, acting by and through the Texas Department of Transportation ("State"). The scope of work for this Agreement is described as the rehabilitation and upgrade to Oregon Street from Glory Road to San Jacinto Plaza.
(Districts 1 and 8) [Engineering, R. Alan Shubert, (915) 541-4423]

4. BOARD RE-APPOINTMENT:

Esther Perez to the Retired and Senior Volunteer Program Advisory Council by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

5. APPLICATIONS FOR TAX REFUND:

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment A) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

6. BEST VALUE PROCUREMENT:

The award of Solicitation No. 2008-098 (Animal Shelter Software) to HLP, Inc., for a total estimated award of \$98,700.

Department: Health
 Award to: HLP, Inc.
 Lakewood, CO
 Items: Parts 1 & 2
 Option: Five years (years 6 – 10 Support Maintenance)
 Account No.: 04250201 – 508010 – 27203 – PMB0002130
 Funding Source: FY01 Certificates of Obligation
 Total Estimated Award: \$98,700 (includes years 2 – 5 Maintenance)
Districts: All

The Departments of Financial Services, Purchasing Division, and Health recommend the award of Part 1 (Animal Shelter Management Software), and Part 2 (Microchip/Vaccination Database Software) as indicated to the vendor offering the best value bid. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

7. REQUEST FOR PROPOSAL:

The award of Solicitation No. 2008-030R (Learning Management System) to Meridian Knowledge Solutions, LLC for a total estimated award of \$198,750.

Department: Police
 Award to: Meridian Knowledge Solutions, LLC
 Chantilly, VA
 Items: All
 Account No.: 21150060 – 508010 – 16371 – Project 500231
 Funding Source: Police Confiscated Funds
 Total Estimated Award: \$198,750
Districts: All

The Departments of Financial Services, Purchasing Division, and Police recommend award as indicated. The review committee, based on evaluation factors established for this procurement, recommend award to the highest ranked proposer as indicated. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

8. BID:

The award of Solicitation No. 2008-100 (Shuttle Buses, 13-Passenger) to Capital Bus Sales and Service of Texas, Inc. for a total amount of \$214,720.

Department: Aviation
 Award to: Capital Bus Sales and Service of Texas, Inc.
 Leander, TX
 Items: All
 Account No.: 62620020 – 508029 – 41022 – P500004
 Funding Source: Airport Enterprise Fund
 Total Estimated Award: \$214,720
District: 3

This is a fixed-price, single (one-time) purchase to purchase four 13-Passenger Shuttle Buses with an ADA wheelchair lift.

The Departments of Financial Services, Purchasing Division, and Aviation recommend award as indicated to the lowest responsive, responsible bidder.
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA - INTRODUCTIONS

9. 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.**

9A. 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 add a new location on the alley between Crosby Avenue and River Avenue, both sides. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 8)**
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

9B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I – One Way Streets), of the El Paso City Code to delete Paragraph 87. The penalty is provided in Section 12.84.010 of the El Paso City Code. **(District 8)**
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

9C. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of the El Paso City Code to amend Zone E: No Parking 8:00 a.m. – 4:00 p.m., Monday through Friday. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 4)**
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

9D. 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 add a new location on Third Avenue between Virginia Street and Park Road, south side only. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 8)**
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

9E. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.85 (Parking Violations Bureau), Section 12.85.020 (Hearing Officers), of the El Paso City Code to amend the process for the appointment of the Hearing Officer.
(All Districts) [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

9F. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.21 (Photographic Traffic Signal Enforcement System), of the El Paso City Code to amend the chapter title, definitions, and processes; and to make appropriate references to State statutes regarding the City's existing Photographic Traffic Signal Enforcement System. **(All Districts)**
 [Police Department, Diana Kirk, (915) 564-7000]

PUBLIC HEARING WILL BE HELD ON APRIL 8, 2008, FOR ITEMS 9A – 9F

Public Hearings will be held as part of the regular City Council meeting which 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 – PUBLIC HEARINGS

10. DEVELOPMENT SERVICES:

10A. An Ordinance granting Special Permit No. ZON07-00165 to allow for an infill development to permit a duplex on the property described as Lot 23, Block 5, Pacific Park, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 265 Atlantic Road. Applicant: David A. Aber. ZON07-00165 **(District 8)**
 [Development Services/Planning, Mirian Spencer, (915) 541-4192]

10B. An Ordinance amending Title 18 (Building and Construction), Chapter 18.10 (Residential Code), Section 18.10.310 (Appendix G, Swimming Pools, Spas, and Hot Tubs), of the El Paso City Code by adding barrier requirements for residential swimming pools, spas, and hot tubs and entrapment protection for residential swimming pool and spa suction outlets; providing for a one year period to bring existing swimming pools, spas, and hot tubs into compliance; with penalties not to exceed \$2,000 per day per violation as provided in Section 18.02.107 of the El Paso City Code. **(All Districts)**
 [Development Services, Larry F. Nichols, (915) 541-4557]

10C. An Ordinance amending Title 19 (Subdivisions), Chapter 19.16 (Improvement Standards and Design Principles), Section 19.16.130 (Postal Delivery Service), of the El Paso City Code to establish the responsibilities for mail receptacles; the penalty is as provided in Chapter 19.04.090 of the City of El Paso City Code. **(All Districts)** [Development Services/Planning, Eddie Garcia, (915) 541-4638]
 POSTPONED FROM 03-18-08

REGULAR AGENDA – OTHER BUSINESS

11. MAYOR AND COUNCIL:

- 11A.** Discussion concerning a rental inspection program to promote health, safety, and welfare in rental housing. [Representative Steve Ortega, (915) 541-4124]
POSTPONED FROM 03-04-08 AND 03-18-08
- 11B.** Presentation and discussion of the results of the affordable housing gap analysis, presented by Community Development. [Representative Susie Byrd, (915) 541-4416]
- 11C.** Discussion and action asking El Paso Water Utilities to hold public informational meetings in order to explain to the citizens of El Paso how the new water rates are calculated. The public meetings should be held throughout the City in order to assure accessibility to the public.
[Representative Eddie Holguin, (915) 541-4178]

12. ENGINEERING:

Discussion and action on the funding process for Neighborhood Traffic Management Program applications. **(All Districts)**
[Engineering/Traffic Division, Kimberly Forsyth, (915) 541-4631]

13. FINANCIAL AND ADMINISTRATIVE SERVICES:

Discussion and action regarding a Resolution that the City Council approve a revised list of Tier I and Tier II underwriters from which the City Manager, or designee, may select to perform underwriter services related to the authorization and issuance of future debt instruments or other securities. **(All Districts)**
[Financial and Administrative Services, William F. Studer, Jr., (915) 541-4215]
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

14. PARKS AND RECREATION:

Discussion and action to determine the site for the tournament-grade soccer complex and direct the City Manager to proceed with the development of design and improvements utilizing \$4,499,001 from the 2000 Quality of Life general obligation bonds. **(All Districts)** [Parks and Recreation, Nanette Smejkal, (915) 541-4283]
POSTPONED FROM 03-25-08

15. POLICE DEPARTMENT:

Discussion and action to approve a Resolution creating the Photographic Traffic Signal Enforcement System Advisory Board. **(All Districts)**
[Police Department, Diana Kirk, (915) 564-7000]

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

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 FRIDAY AT THE ADDRESS BELOW:

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