

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

AGENDA FOR REGULAR COUNCIL MEETING

**April 3, 2012
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.**

AND

**LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
April 2, 2012
9:00 a.m.**

NOTICE: 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.

PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.

ROLL CALL

INVOCATION BY Police Chaplain Lisle Davis

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

1. Fair Housing Month
2. National Community College Month
3. Zuill Bailey Day
4. National Public Health Week
5. Municipal Court Distracted Driving Awareness Month
No Talking/No Texting Campaign

PRESENTATION

State Traffic Safety Initiatives Award To Municipal Court

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.

NOTICE:

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.

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 27, 2012, the Special City Council Meeting of March 27, 2012 and the Legislative Review Meeting of the Whole of March 19, 2012.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Representative Emma Acosta

3. BOARD RE-APPOINTMENT:

Alma Miller to the Fair Housing Task Force by Representative Steve Ortega, District 7.
[Representative Steve Ortega, (915) 541-4124]

4. BOARD APPOINTMENTS:

4A. Michael Schwartz as an alternate to the Zoning Board of Adjustment, by Representative Michiel R. Noe. [Representative Michiel R. Noe, (915) 541-4701]

4B. Wayne Brock to the Empowerment Zone Advisory Board, by Representative Michiel R. Noe. [Representative Michiel R. Noe, (915) 541-4701]

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 Title 12 (Vehicles and Traffic), Chapter 12.85 (Parking Violations Bureau), of the El Paso City Code by adding Section 12.85.065 (Final Judgments); and amending Section 12.85.070 (Enforcement), to clarify the procedure for enforcement; the penalty is as provided in Section 12.84.010 of the El Paso City Code. **(All Districts)**
 [City Attorney's Office, Elaine S. Hengen, (915) 541-4550]

PUBLIC HEARING WILL BE HELD ON APRIL 10, 2012, FOR ITEM 5A

- 5B.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.08 (Excavations). Section 13.08.040 (Fees, Bonds and Insurance), of the El Paso City Code, to lower the bond amount required for a permit to cut or excavate any street, alley, sidewalk, parkway or driveway within the City Right of Way from \$50,000 to \$10,000, the penalty being as provided in Section 13.08.140 (Violation-Penalties) of the El Paso City Code. **(All Districts)**
 [Engineering and Construction Management, R. Alan Shubert (915) 541-4423]
- 5C.** An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and Paisano Housing Redevelopment Corporation which will allow the City to convey Tracts 7-K, 7-K-1, 7-L-1-A, and 7-L-1-B, Block 35, Ysleta Grant, in the City of El Paso, El Paso County, Texas (located near the intersection of Elvin Way and Independence Drive), to Paisano Housing Redevelopment Corporation. **(District 6)**
 [Community and Human Development, William L. Lilly (915) 541-4697]

PUBLIC HEARING WILL BE HELD ON APRIL 17, 2012, FOR ITEMS 5B – 5C

- 5D.** An Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations) of the El Paso City Code, to add a section establishing standards for an environmental and wildlife research conservancy overlay. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**
 [Planning and Economic Development, Arturo Rubio (915) 541-4633]
- 5E.** An Ordinance amending Title 20 (Zoning), Chapter 20.22 (Nonconforming Situations), Section 20.22.030 (Nonconforming Uses), Section 20.22.040 (Nonconforming Structures), and (Section 20.22.070 (Registration and Certificate of Occupancy Required) of the El Paso City Code, to revise the registration procedures for a non-conforming building or use. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**
 [Planning and Economic Development, Linda Castle, (915) 541-4029]
- 5F.** An Ordinance granting special permit No. PZST12-00001, to allow for a planned residential development overlay with reduced cumulative setbacks on Lots 4 through 24, Block 36, Sandstone Ranch #8, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.270 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Northtowne Village Joint Venture. Subject Property: North of Marcus Uribe Drive and West of Sean Haggerty Drive. PZST12-00001 **(District 4)**
 [Planning and Economic Development, Michael McElroy, (915) 541-4238]
- 5G.** An Ordinance changing the zoning of Tracts 9A1, 9A1A and 9A2, Block 79, Section 32, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject

Property: South of Montana Avenue and West of Dominican Street. Property Owner: Acala Investments, LLC. PZRZ12-00001 (**District 5**) [Planning and Economic Development, Michael McElroy, (915) 541-4238]

PUBLIC HEARING WILL BE HELD ON MAY 1, 2012, FOR ITEM 5D –5G

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 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: DISCUSSION AND ACTION

6. PLANNING AND ECONOMIC DEVELOPMENT:

6A. An Ordinance to preserve in its natural state and in perpetuity acreage legally described as Parcel 1, Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas; Parcel 2, A portion of S.J. Larkin Survey, Abstract 10070, Tract 1, City of El Paso, El Paso County, Texas and Parcel 3, A portion of S.J. Larkin Survey, Abstract 10070, Tract 1-A, City of El Paso, El Paso County, Texas.
(All Districts) [Planning and Economic Development, Arturo Rubio, (915) 541-4633]
POSTPONED FROM 9-20-11, 12-20-11 AND 1-24-12

6B. An Ordinance to preserve in its natural state and in perpetuity acreage legally described as Parcel 1, Nellie D. Mundy Survey 246, City of El Paso, El Paso County Texas; Parcel 2, a portion of S. J. Larkin Survey, Abstract 10070, Tract 1, City of El Paso, El Paso County Texas and Parcel 3, a portion of S. J. Larkin Survey, Abstract 10070, Tract 1-A, City of El Paso, El Paso County Texas.
(All Districts) [Planning and Economic Development, Mathew McElroy, (915) 541-4663]
POSTPONED FROM 9-20-2011, 12-20-11 AND 1-24-12

6C. 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 (**District 2**)
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]
POSTPONED FROM 3-6-2012

6D. 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 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3329 Montana Avenue. Property Owner: Dr. Rafael Armendariz. PZST11-00016 (**District 8**) [Planning and Economic Development, Andrew Salloum, (915) 541-4633]

6E. An Ordinance changing the zoning of Tracts 7K, 7K1, 7L1, 7L1A, and 7L1B, Block 35, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to PR-I (Planned Residential I) and approving a Detailed Site Development Plan to allow the development of a Senior Housing Living Community. The penalty is as provided for in Chapter 20.24 of the El Paso City

Code. Subject Property: Independence Drive and Elvin Way. Property Owner: City of El Paso. PZRZ12-00002 **(District 6)**
 [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

- 6F. An Ordinance amending Title 20 (Zoning), Chapter 20.18 (Sign Regulations) Section 20.18.410 (R-F, R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, RMH, PR-II and PMD Districts) of the El Paso City Code to add school and church monument signs and requirements. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**
 [Planning and Economic Development, Arturo Rubio, (915) 541-4633]
- 6G. An Ordinance changing the zoning of a portion of Tract 3, Block 10, Boothville Subdivision, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-2 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8623 North Loop Drive. Applicant: Aseo, Inc. PZRZ11-00059 **(District 7)**
 [Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 6H. An Ordinance granting Special Permit No. PZST11-00017, to allow a ballroom on the property described as a portion of Tract 3, Block 10, Boothville Subdivision, 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: 8623 North Loop Drive. Property Owner: Aseo, Inc. PZST11-00017 **(District 7)**
 [Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 6I. An Ordinance amending Ordinance No. 017524 which amended Ordinance No. 017109 which vacated a portion of Boston Avenue, to allow another 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, Kimberly Forsyth, (915) 541-4668]
- 6J. An Ordinance amending Title 19 (Subdivisions), Chapter 19.10 (Dedication, Construction Requirements and City Participation), Section 19.10.050 (Roadway Participation Policies-Improvement of Adjacent Perimeter Roads and Utilities) and Chapter 19.15 (Roadways), Section 19.15.050 (General Requirements) of the El Paso City Code to allow for the waiver of the dedication or improvements of adjacent substandard roads when specific criteria are met. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)**
 [Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]

REGULAR AGENDA – OTHER BUSINESS: DISCUSSION AND ACTION

7. PLANNING AND ECONOMIC DEVELOPMENT:

Discussion and action that the City initiate an application to change the name of Alberta Avenue (east of Reynolds) to “Regent Brown Avenue,” and that the City provide funding for the application to be processed. **(District 3)**
 [Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]

8. MAYOR AND COUNCIL:

8A. Discussion and action regarding a Resolution creating the Ports of Entry Task Force for the purpose of addressing issues affecting the efficient operation of the international ports of entry in the El Paso/Juárez Borderplex. **(All Districts)**
 [Mayor John F. Cook, (915) 541-4145]

- 8B. Discussion and action on the process for determining locations for citywide park activities. [Representative Michiel R. Noe, (915) 541-4189]

- 8C. Discussion and action on the El Cruzero Smart Growth Project.
[Representative Michiel R. Noe, (915) 541-4189]

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.

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| 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 THURSDAY AT THE ADDRESS BELOW:

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