

**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

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
APRIL 1, 2008  
9:00 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:06 a.m. Mayor Pro Tempore Susannah M. Byrd present and presiding and the following Council Members answered roll call: Melina Castro, Rachel Quintana, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrival: Ann Morgan Lilly at 9:07 a.m. Absent: Mayor John F. Cook requested to be excused. The invocation was given by Reverend Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**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](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. Eddie Sanchez
2. Ms. Lisa Turner
3. Mr. Jerry Thiedt

Representatives Quintana and Byrd commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

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**CONSENT AGENDA**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, 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, Castro, 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 25, 2008.

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

\*Motion made, seconded, and unanimously carried to **EXCUSE** Mayor John F. Cook from the Regular Council Meeting of April 1, 2008.

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**3A.**

**\*RESOLUTION**

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.

Representative Ortega commented.

Mr. Patrick Abeln, Director of Aviation, commented.

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**3B.**

**\*RESOLUTION**

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.

Representatives Ortega and Byrd commented.

Ms. Joyce Wilson, City Manager, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

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**3C.**

**\*RESOLUTION**

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 Dr., 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.

**3D. RESOLUTION**

\*Motion made, seconded, and unanimously carried to **POSTPONE** one week the Resolution authorizing the City Manager 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.

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**4. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Esther Perez to the Retired and Senior Volunteer Program Advisory Council by Representative Susie Byrd, District 2.

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**5. APPLICATION FOR TAX REFUND**

\*Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**:

- A. Rasette Capital LLC in the amount of \$7,789.22 overpayment of 2007 taxes. (PID #C102-000-0010-1800).
- B. Taylor Bean & Whitaker in the amount of \$2,732.30 overpayment of 2007 taxes. (PID #C340-999-062A-1500).
- C. Charter Bank in the amount of \$3,446.80 overpayment of 2007 taxes. (PID #C742-999-0010-2900).
- D. Rasette Capital, LLC, amount of \$3,440.36 overpayment of 2007 taxes. (PID #L197-000-0020-0500).
- E. Citi Mortgage in the amount of \$2,558.13 overpayment of 2007 taxes. (PID #L447-999-0170-0100).
- F. Charter Bank in the amount of \$9,551.07 overpayment of 2007 taxes. (PID #L777-999-0030-1700).
- G. Country Wide Tax Services in the amount of \$3,665.26 overpayment of 2007 taxes. (PID #S380-999-0220-2300).
- H. Jones Apparel Group in the amount of \$292,120.34 overpayment of 2007 taxes. (PID #2002-000-2217-0059).
- I. WFRETS in the amount of \$2,940.69 overpayment of 2007 taxes. (PID #S917-999-002D-2600).
- J. Monica Ojeda Hajjar in the amount of \$14,457.61 overpayment of 2007 taxes. (PID #T262-999-0020-0200).
- K. Lone Star Title Company in the amount of \$4,817.42 overpayment of 2007 taxes. (PID #W092-999-1320-4100).

L. Hunt Communities Holding, L.P. in the amount of \$6,191.20 overpayment of 2007 taxes. (PID #X578-000-3430-2000).

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**6. BEST VALUE PROCUREMENT**

**1<sup>ST</sup> MOTION**

\*Motion made, seconded, and unanimously carried to **MOVE TO THE REGULAR AGENDA**.

**2<sup>ND</sup> MOTION**

Motion made by Representative O'Rourke, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Dr. Bonart an additional minute to address the Council.

**3<sup>RD</sup> MOTION**

Motion made by Representative O'Rourke, seconded by Representative Ortega, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 10:12 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

**4<sup>TH</sup> MOTION**

Motion made by Representative O'Rourke, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 10:21 a.m. and **RECONVENE** the meeting of the City Council.

**5<sup>TH</sup> AND FINAL MOTION**

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried to **POSTPONE** one week 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)

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.

Representatives O'Rourke, Castro, Ortega, and Byrd commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Ray Sim, Deputy Director of Animal Services
3. Mr. Terrence Freiburg, Purchasing Manager
4. Mr. Charlie McNabb, City Attorney, gave legal advice.
5. Mr. Gerald Gordier, Chief Information Officer and Information Technology Director

Dr. Rick Bonart, Danart Software, commented.

Ms. Lisa Turner, citizen, commented.

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**7. REQUEST FOR PROPOSAL**

\*Motion made, seconded, and unanimously carried to **AWARD** 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

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.

Representative Byrd commented.

Assistant Police Chief Tom Whitten commented.

Ms. Lisa Turner, citizen, commented.

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**8. BID**

\*Motion made, seconded, and unanimously carried to **AWARD** 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

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.

Representative Quintana commented.

Mr. Patrick Abeln, Director of Aviation, commented.

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**9A. – 9F. INTRODUCTIONS**

\*Motion made by Representative Ortega, seconded by Representative Lilly, 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:

- A. 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.
- B. 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.
- C. 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.
- D. 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.
- E. 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.
- F. 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.

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

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**10A.**

**ORDINANCE 168666**

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

Motion duly made by Representative O’Rourke, seconded by Representative Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro Tempore 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, Castro, Quintana, Holguin, Ortega, and O’Rourke  
NAYS: None

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

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**10B.**

**ORDINANCE 168667**

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

Mr. Larry Nichols, Deputy Director of Building Permits and Inspections, presented a PowerPoint presentation (on file in the City Clerk’s office).

Representatives Holguin, Byrd, Ortega, Lilly, O’Rourke, and Castro commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 3. Assistant Fire Chief Manuel Chavira

The following members of the public commented:

- 1. Mr. Patrick Tarwater
- 2. Ms. Julie Tarwater
- 3. Ms. Lisa Turner
- 4. Mr. Eddie Castle
- 5. Mr. Larry Davidian
- 6. Mr. James Larkin
- 7. Mr. Jerry Thiedt
- 8. Dr. Carlos Gutierrez
- 9. Mr. Juan Carlos Rodriguez
- 10. Mr. Frank Wells
- 11. Mr. Larry Arciniaga
- 12. Ms. Janet Eschenbrenner

**1<sup>ST</sup> MOTION**

Motion made by Representative O’Rourke, seconded by Representative Castro, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow additional speakers to address the Council after the sign-up period.

**2<sup>ND</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Davidian an additional minute to address the Council.

**3<sup>RD</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Arciniaga an additional minute to address the Council.

**4<sup>TH</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Davidian an additional minute to address the Council.

**5<sup>TH</sup> MOTION**

Motion made by Representative Quintana, seconded by Representative Holguin, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 12:13 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

**6<sup>TH</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 12:19 p.m. and **RECONVENE** the meeting of the City Council.

**7<sup>TH</sup> MOTION**

Motion made by Representative Ortega and seconded by Representative Holguin to **POSTPONE** the item for two weeks and direct the City Attorney to amend the Ordinance with the following changes.

1. No change to the requirements for the primary perimeter fencing.
2. Exempt existing homes from new regulation unless there is modification.
3. Require a five-foot secondary interior fence for all new homes or modified pools with the option of the netting or pool cover.

**THE MOTION FAILED.**

AYES: Representatives Castro, Holguin, and Ortega  
NAYS: Representatives Lilly, Byrd, Quintana, and O'Rourke

**8<sup>TH</sup> AND FINAL MOTION**

Motion duly made by Representative O'Rourke, seconded by Representative Lilly, that the Ordinance be **ADOPTED, WITH THE FOLLOWING REVISIONS:**

1. Existing pools are grandfathered except in three cases:
  - a. There is a change in the existing use.
  - b. Changes are made to an existing pool or spa or an addition is made to an existing pool or spa.
  - c. One or more children under 6-years of age become an occupant of the home.

Whereupon the Mayor Pro Tempore 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, Quintana, and O'Rourke  
NAYS: Representatives Castro, Holguin, and Ortega

Whereupon the Mayor Pro Tempore 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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**10C. PUBLIC HEARING – DEVELOPMENT SERVICES**

\*Motion made, seconded, and unanimously carried to **DELETE** the public hearing on 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.

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**11A. MAYOR AND COUNCIL**

\*Motion made, seconded, and unanimously carried to **DELETE** the item for discussion concerning a rental inspection program to promote health, safety, and welfare in rental housing.

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**11B. MAYOR AND COUNCIL**

Presentation and discussion of the results of the affordable housing gap analysis, presented by Community Development.

Mr. William Lilly, Director of Community Development, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Byrd commented.

Ms. Lisa Turner, citizen, commented.

**NO ACTION** was taken on the item.

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**11C. MAYOR AND COUNCIL**

Motion made by Representative Holguin, seconded by Representative Castro, and unanimously carried to **POSTPONE** one week the item on 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 and request the public meetings be held throughout the City in order to assure accessibility to the public.

Representatives Holguin and Byrd commented.

Ms. Lisa Turner, citizen, commented.

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**12. ENGINEERING**

Motion made by Representative Quintana and seconded by Representative Holguin that the \$1 million capital fund money for Neighborhood Traffic Management Program applications **BE EQUALLY SPLIT** among all districts. **THE MOTION FAILED.**

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

Ms. Kimberly Forsyth, Engineering Senior Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Quintana, Byrd, and Castro commented.

Ms. Joyce Wilson, City Manager, and commented.

Ms. Lisa Turner, citizen, commented.

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13.

**R E S O L U T I O N**

**WHEREAS**, in February 2007, the City of El Paso (the "City") solicited proposals for professional underwriting services through the City's request for qualifications ("RFQ") No. 2007-120R; and

**WHEREAS**, on April 17, 2007, the City Council approved ten firms to perform underwriting services, which were categorized as either Tier I or Tier II and are listed in Exhibit 1, attached hereto (the "Original Underwriting List"); and

**WHEREAS**, the City desires to amend the Original Underwriting List for purposes of deleting one firm from Tier I, deleting one firm from Tier II, and reassigning one firm from Tier II to Tier I in order to continue to provide underwriting services for future City debt issuances or other financings; and

**WHEREAS**, the City also desires to amend the Original Underwriting List to reflect the merger of A.G. Edwards and Wachovia Securities and hereafter designate that the underwriting firm engaged to do business with the City is Wachovia Securities.

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

**THAT**, the Original Underwriting List is modified as set forth in Exhibit 2 (the "Amended Underwriting List") which is attached hereto and incorporated herein by reference, and the City Manager, or her designee is authorized to select the appropriate underwriting syndicate to provide underwriting services for future City debt issuances or other financings the from the Amended Underwriting List. Said list shall remain in effect from the date this resolution is adopted through April 19, 2012.

**THAT**, the firms selected from the Amended Underwriting List shall rotate within each category, after each issuance of debt instruments or other financings as recommended by the City Manager, or designee. This selection and rotation will depend on the number of firms necessary for a particular issuance that will vary depending on size and complexity of each issuance.

**THAT**, although the City anticipates using this Amended Underwriting List as the basis for selecting underwriters for future debt issuances for general obligation, contractual obligations, revenue bonds and other such type debt, the City reserves the right to solicit underwriters for certain future debt instruments that, in the sole opinion of the City, require additional consideration or specialty such as pension obligation debt issuances.

Representatives Castro and Byrd commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Officer, commented.

Motion made by Representative Lilly, seconded by Representative O'Rourke, and unanimously carried to **APPROVE** the Resolution.  
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**14. PARKS AND RECREATION**

Motion made by Representative Ortega, seconded by Representative Lilly, and carried to **ACCEPT** the Parks Department's recommendation to construct new fields in Northwest El Paso and add additional lighting to the fields in Northeast El Paso.

AYES: Representatives Lilly, Byrd, Ortega, and O'Rourke

NAYS: Representatives Castro, Quintana, and Holguin

Representatives Byrd, Ortega, O'Rourke, Castro, Holguin, and Lilly commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Nanette Smejkal, Director of Parks & Recreation
- 3. Mr. Sam Rodriguez, Engineering Division Manager
- 4. Mr. Pat Abeln, Director of Aviation
- 5. Mr. Charlie McNabb, City Attorney, gave legal advice.

Mr. Gus Haddad, Bond Oversight Advisory Committee member, commented.

Ms. Lisa Turner, citizens, commented.

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**15.**

**RESOLUTION**

1. There is hereby established the Photographic Traffic Signal Enforcement System Advisory Board ("the PTSES Advisory Board"). The PTSES Advisory Board shall receive the reports of traffic engineering studies in accordance with Section 707.003(e), Texas Transportation Code, and advise City staff, as designated by the City Manager, on the installation and operation of photographic traffic signal enforcement systems in the City, as may be appropriate under state law.

2. The PTSES Advisory Board shall consist of nine regular members who shall be appointed by the Mayor and City Council. The nine members of the Information Technology Advisory Board are hereby designated to serve to June 1, 2008, as the initial members of the PTSES Advisory Board. Replacement members of the PTSES Advisory Board shall be appointed effective June 1, 2008, to serve staggered terms: five members who shall serve for an initial term of two years and four members who shall serve for an initial term of one year. The initial terms shall be established by lot at the first meeting of the PTSES Advisory Board following June 1, 2008, and thereafter, the terms shall run from June 1<sup>st</sup>. After the initial term beginning on June 1, 2008, successors shall be appointed for two year terms. Each term shall commence on the expiration date of the term of the immediate predecessor; provided, however, that appointments to vacancies occurring other than by expiration of a member's term of office (such as upon a member's death, resignation, or removal from the PTSES Advisory Board) shall be filled by appointment by City Council for the remainder of the unexpired term.

3. Except as provided in this resolution, the qualifications, appointment and conduct of the members of the PTSES Advisory Board and the organizational structure of the PTSES Advisory Board shall be governed by Title 2 of the El Paso City Code.

4. Members shall receive no compensation and shall have advisory powers only.

5. The PTSES Advisory Board shall select from among its members a Chair and a Vice-Chair. The PTSES Advisory Board shall hold meetings, as called by the City Manager or her designee at such

times as necessary in the process of the installation and operation of photographic traffic signal enforcement systems in the City.

6. The City Manager shall designate appropriate City staff to shall keep a record of the meetings of the PTSES Advisory Board and provide the PTSES Advisory Board with all information necessary to perform its duties, as set forth herein and as may be required by state law.

7. The duties of the PTSES Advisory Board are limited to receiving reports of traffic engineering studies in accordance with Section 707.003(e), Texas Transportation Code, and advising City staff, as designated by the City Manager, on the installation and operation of photographic traffic signal enforcement systems in the City, as may be appropriate under state law.

8. In the event that Section 707.003(e), Texas Transportation Code, is repealed then the PTSES Advisory Board will cease to exist and no further action will be required by the City to repeal this resolution.

Representatives Byrd, O'Rourke, Quintana, Holguin, and Castro commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Police Sergeant Jack Matthews
- 3. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 4. Ms. Jennifer Callan, Assistant City Attorney, gave legal advice.

Motion made by Representative Lilly, seconded by Representative Castro, and unanimously carried to **APPROVE** the Resolution.

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Motion made by Representative Ortega, seconded by Representative Castro, and unanimously carried to **ADJOURN** this meeting at 2:28 p.m.  
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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk