

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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**April 13, 2010  
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.

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. DROWNING PREVENTION COALITION PRESENTS APRIL POOLS DAY 2010**
- 2. ARBOR DAY**
- 3. MONEY SMART WEEK**
- 4. NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK**
- 5. FOOD FROM THE EL PASO WOMEN'S BAR ASSOCIATION DAYS**

### **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 April 6, 2010.

[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 a Contract of Sale between the City of El Paso and Sun World Investments, L.P., a Texas Limited Partnership, for the purchase of the following parcel for the Upper Valley Improvements Phase III Project, Redd Road System, for \$12,000 a portion (2,234 square feet, more or less) of a 40.00 ft. wide road as shown on the Plat of Block 6, Upper Valley Surveys and all of Tract 4-A, Block 6, Upper Valley Surveys, City of El Paso, El Paso County, Texas. **(District 1)** [Engineering, R. Alan Shubert, (915) 541-4423]

**3B.** That the City Manager be authorized to sign an agreement granting two underground electrical easements, to the El Paso Electric Company for the purpose of providing electrical service to the Westside Sports Complex. Said property being more particularly described as a portion of Tract 1A, Nellie D. Mundy Survey No. 240, City of El Paso, El Paso County, Texas. **(District 1)**

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

**3C.** Approve a Resolution committing to provide resources to support the bid for the 2013 Texas Recreation and Park Society Institute and Trade Show in cooperation with the Texas Park and Wildlife Department and Southwest Region of the National Recreation and Park Association submitted by City of El Paso and providing an effective date. **(All Districts)**

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

**3D.** Approve a Resolution that the City Manager is hereby authorized to sign, on behalf of the City of El Paso, a Parksite Maintenance Contract among the City of El Paso (the "City"), Texas Industries for the Blind and Handicapped ("TIBH") and Border<sup>TM</sup> Industries, Inc. d/b/a Xceed Resources ("Border<sup>TM</sup>") for the purpose of parksite maintenance in various parks within the city limits for an amount not to

exceed \$205,000 per year for a primary term of three years to be automatically extended for two additional one year terms. **(All Districts)**  
[Parks and Recreation, Joel McKnight, (915) 541-4354]

**4. BOARD RE-APPOINTMENT:**

Paul E Harrington to the Ethics Review Commission by Representative Eddie Holguin Jr., District 6. [Representative Eddie Holguin Jr., (915) 541-4182]

**5. BOARD APPOINTMENTS:**

**5A.** Larry Medina to the Ethics Review Commission by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4572]

**5B.** Cecilia A. Rios to the City Employees Pension Fund Board of Trustees, to fill the position designated for a City retiree, effective May 1, 2010, by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

**5C.** Linda R. Krasowski to the Animal Welfare Advisory Committee by Representative Rachel Quintana, District 5. [Representative Rachel Quintana, (915) 541-4701]

**5D.** Maria Guadalupe Hammer to the Animal Shelter Advisory Committee by Representative Rachel Quintana, District 5.  
[Representative Rachel Quintana, (915) 541-4701]

**5E.** Robert G. Melson to the Animal Shelter Advisory Committee by Representative Rachel Quintana, District 5.  
[Representative Rachel Quintana, (915) 541-4701]

**6. REQUEST TO ISSUE PURCHASE ORDERS, ETC.:**

Request that the Purchasing Manager of Financial Services, Purchasing Division, be authorized to exercise the City's option to extend current Contract 2007-064R, Benefit Consulting Services with the Hay Group Inc. for one additional year pursuant to the provisions of an award approved by the City Council on April 17, 2007. Contract period will be from April 16, 2010 to April 15, 2011.

Department: OMB-Insurance and Benefits Division  
Option: One [of Two]  
Estimated Amount: \$80,000  
Funding Source: Health Benefit Fund  
**Districts: All**

[Financial Services, Carmen Arrieta-Candelaria; (915) 541-4293]  
[Office of Management and Budget, David Almonte, (915) 541-4350]

**7. BID:**

The award of Solicitation No. 2010-142 (Train Crossing Signal Equipment and Accessories) to Dennis Evers Enterprises LLC for a total award of \$74,995.

Department: Zoo  
Award to: Dennis Evers Enterprises LLC  
Bayfield, CO

Items: All  
 Funding Source: FY06 Certificates of Obligation (FY08 Reprogramming)  
 Total Award: \$74,995  
**District: 3**

This is a fixed-price, single (one-time) purchase.

The Departments of Financial Services, Purchasing Division, and Zoo recommend award as indicated to the lowest responsive, responsible bidder.

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

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

### 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 changing the zoning of Lot 14 and the East 6 feet of Lot 13, Block 7, North Loop Gardens, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7821 North Loop Drive. Property Owner: Eutimio Barrio. ZON09-00095 **(District 7) THIS IS AN APPEAL CASE** [Development Services/Planning, Esther Guerrero, (915)541-4322]
- 8B.** An Ordinance changing the zoning of Lots 13 and 14, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas from C-1/SC (Commercial/Special Contract) to C-3/SC (Commercial/Special Contract), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9435 Dyer Street. Property Owner: Juan Gandara. ZON09-00087 **(District 4)** [Development Services/Planning, Esther Guerrero, (915)541-4322]
- 8C.** An Ordinance releasing conditions placed on property by Ordinance No. 6245 which changed the zoning of Lots 13 and 14, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas, and which imposed conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9435 Dyer Street. Property Owner: Juan Gandara. ZON09-00092 **(District 4)** [Development Services/Planning, Esther Guerrero, (915)541-4322]
- 8D.** An Ordinance amending Title 20 (Zoning) Chapter 20.18 (Sign Regulations) of the El Paso City Code to amend Articles I, II, and III, to establish revised regulations for signs; to add definitions; to continue the prohibition of converting billboards to changeable electronic variable message (CEVM) displays; to continue the prohibition on CEVM billboards; to extend the sign regulations to the City's extraterritorial jurisdiction; to amend provisions for construction of new, static, non-CEVM billboards; to remove exemptions for governmental entities, and to establish appeal procedures. The penalty is as provided in Section 20.24 of the El Paso City Code. **(All Districts)** [Development Services/Planning, Fred Lopez, (915) 541-4322]

- 8E.** An Ordinance amending Title 20 (Zoning) Chapter 20.02 (General Provisions and Definitions), Article II, (Definitions) of the El Paso City Code to revise all the definitions related to signs. The penalty is as provided in Section 20.24 of the El Paso City Code. **(All Districts)**  
[Development Services/Planning, Fred Lopez, (915) 541-4322]
- 8F.** An Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.680 (Temporary Uses) to allow for a fair, festival, carnival or concert as a temporary use within an area zoned commercial or R-F (Ranch and Farm). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**  
[Development Services/Planning, Fred Lopez, (915) 541-4322]

**PUBLIC HEARING WILL BE HELD ON MAY 4, 2010, FOR ITEMS 8A –8F**

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. PARKS AND RECREATION:**

Discussion and action on Halff Associates Inc. recommendations for the roles and responsibilities of the Open Space Advisory Board. **(All Districts)**  
[Parks and Recreation, Nanette Smejkal, (915) 541-4283]

**REGULAR AGENDA – PUBLIC HEARINGS**

**10. DEVELOPMENT SERVICES:**

An Ordinance changing the zoning of a portion of Lots 1 and 15, save and except two portions thereof, Block 3, Lots 2 through 14, Block 3, WFF Industries Park Unit One Replat A, City of El Paso, El Paso County, Texas, from M-1/SC (Manufacturing/Special Contract) to C-3/SC (Commercial/Special Contract), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: Railroad Drive, north of Deer Avenue. Property owner: DBB Holdings, Inc. ZON09-00094 **(District 4)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]  
POSTPONED FROM 04-06-10

**11. ENGINEERING:**

An Ordinance amending Ordinance No. 013980, as amended by Ordinances 014787, 015374 and 016006 which granted a Special Privilege to Keller & Azar Joint Venture, Inc. (Owner), and Boeing North American, Inc. (Lessee), as assigned to and transferred to Wes Uhlman & Associates, Inc./Mallard El Paso Limited Partnership (Owners) and The Boeing Company (Lessee) to permit the temporary use of a portion of Threadgill

Avenue for security purposes, by extending the term through November 30, 2014. SP-98143 **(District 4)** [Engineering/Traffic Division, Mirian Spencer, (915) 541-4482]

### **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/>