

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 22, 2008
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.

8:30 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 – Fire Chaplain Ed Sinke
Pledge of Allegiance

AWARD

**THE STAR ON THE MOUNTAIN AWARD TO THE
UTEP WOMEN'S BASKETBALL TEAM**

MAYOR'S PROCLAMATIONS

- 1. TOASTMASTERS WEEK**
- 2. THE ANNUAL SALE OF BUDDY POPPIES**
- 3. NATIONAL REBUILD DAY**
- 4. THE VACCINATION WEEK IN EL PASO**

RECOGNITIONS

**RESIDENTS, AGENCIES, AND VOLUNTEERS FOR THE LOWER DYER
NEIGHBORHOOD REVITALIZATION CLEAN UP AND NEIGHBORHOOD PICNIC**

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 { HYPERLINK "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 15, 2008, and the Special City Council Work Sessions of April 15, 2008 (Subdivision Code), April 16, 2008, April 22, 2008, and April 23, 2008 (cancelled Subdivision Code Work Sessions). [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Representative Melina Castro

3. RESOLUTIONS:

3A. Resolution authorizing the City Manager to execute an addendum to the Municipal Maintenance Agreement between the City of El Paso and the State of Texas amending the responsibilities for the maintenance, control, supervision, and regulation of certain State Highways and/or portions of State Highways in the City of El Paso. **(All Districts)**
[Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

3B. That the City Manager be authorized to sign a Second Amendment to an Agreement for Architectural Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., for a project known as "Paso Del Norte Facility Improvements", to increase the contract amount from \$479,757 to \$509,704 for a

net increase not to exceed \$29,947. Funding: 32000080-508016-43005 & 43013-PBR06004. **(District 8)** [Engineering, R. Alan Shubert, (915) 541-4423]

3C. That the City expend additional available funding in the amount of \$81,075 to Blair-Hall Company, Inc. to fund additional labor and materials for Contract Number 2006-186, Westside Sports Complex Project, to provide lighting to additional sports fields. Funding: 14101001-508027-60172-PQLPA172. **(District 1)** [Engineering, R. Alan Shubert, (915) 541-4423]

3D. That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and North Cotton Associates, L.L.C., for the purchase of

Lots 3 through 15, Block 29, Highland Park Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map or plat thereof on file in Volume 13, Page 8, Real Property Records, El Paso County, Texas; and

Lots 21 through 29, Block 29, Highland Park Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map or plat thereof on file in Volume 13, Page 8, Real Property Records, El Paso County, Texas.

(District 1) [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

3E. That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of Transit Safety Manager is hereby created as specified in the duties and responsibilities attached hereto. The Code is 14345. The Grade is PM 132. Salary Range: \$54,542.78 - \$81,814.17. Fund Source: 60600001-01101-60000.

(All Districts) [Human Resources, Linda B. Thomas, (915) 541-4509]

3F. That the City Council approve a Resolution and the submission to the United States Department of Justice for the Bulletproof Vest partnership grant program; and that the City Manager be authorized to sign grant related documents including all understandings and assurances contained therein, and apply for, accept, reject, alter, or terminate the grant in the amount of \$106,000 with a local cash match of \$106,000, for a total of \$212,000. The Bulletproof Vest partnership program is a two-year grant. **(All Districts)**

[Police, Tom Whitten, (915) 564-7304] [Police, George Acosta, (915) 564-7119]

4. BOARD APPOINTMENT:

Eileen Karlsruher to the Civil Service Commission by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]

5. PURCHASING REQUESTS TO ISSUE PURCHASE ORDER:

Request that the Purchasing Manager of Financial Services be authorized to issue a Purchase Order to eCivis, the creator and sole provider of eCivis Grants Research and Grants Tracking and Reporting software. The estimated annual amount of the contract is \$169,500 and consists of various components and the terms of the contract varies per component as follows:

Departments: Financial Services, Police, and Information Services

Component A: eCivis Research
Estimated Amount: \$52,000 (Annual Estimated Amount: \$39,000)
Contract Term: June 1, 2008 – September 30, 2009 (16 months)
Account No.: 39010351 – 502202 – 01101
Funding Source: Operating Account, Computer Related Leases

Component B-1: eCivis Tracking and Reporting (Police Department Only)
Estimated Amount: \$37,500 (Annual Estimated Amount: \$25,000)
Contract Term: April 22, 2008 – September 30, 2009 (17 months)
Account No.: 21150060 – 500231 – 508010 – 16371
Funding Source: Police Confiscated Funds

Component B-2: eCivis Tracking and Reporting (Organization-wide)
Annual Estimated Amount: \$80,000
Contract Term: October 1, 2008 – September 30, 2009 (12 months)
Account No.: 39010351 – 502202 – 01101 – 39001
Funding Source: Operating Account, Computer Related Leases

Total Estimated Award: \$169,500
Sole Source No.: 2008-193

Districts: All

In addition, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary during the contract.

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

REGULAR AGENDA - INTRODUCTIONS

6. 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.

6A. An Ordinance granting a Special Privilege to Crawford Texas Properties, LTD permitting the encroachment onto a portion of Sunglow Avenue, Cielo Vista Replat of Block 1 and a portion of Blocks 2 and 4, City of El Paso, El Paso County, Texas, to allow parking, signage, landscaping, vehicular, and pedestrian traffic. Applicant: Crawford Texas Properties, LTD. SPL07-00008

(District 3) [Development Services/Planning, Miriam Spencer, (915) 541-4192]

6B. An Ordinance amending the El Paso City Code by amending Title 19 (Subdivisions) in its entirety in order to establish Subdivision Regulations to include Platting Procedures, Parkland Dedication, Improvement Standards and Design, and provide for enforcement including criminal and civil penalties for every offense; provide for civil remedies; and provide for the following: Findings of Fact; Repealer; Severability; Effective Date; and Proper Notice and a Hearing.

(All Districts) [Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

PUBLIC HEARING WILL BE HELD ON APRIL 29, 2008, FOR ITEMS 6A – 6B

- 6C.** An Ordinance amending the boundaries of the Downtown 2015 Plan to include property approved by Council for inclusion into the Tax Increment Reinvestment Zone and that the City's Comprehensive Plan, "The Plan for El Paso 2025", and the General Land Use Map be amended to incorporate the modification. Applicant: City of El Paso **(District 8)**
[Development Services/Planning, Ernesto Arriola, (915) 541-4723]
- 6D.** An Ordinance granting Special Permit No. ZON08-00002 to allow for a Personal Wireless Telecommunication Facility and equipment shelter on the property described as a portion of Lot 8, Block 8, Butterfield Trail Industrial Park, Unit 2, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: #15 Leigh Fisher Boulevard. Applicants: City of El Paso and Verizon Wireless. ZON08-00002 **(District 2)** [Development Services/Planning, Arturo Rubio, (915) 541-4633]
- 6E.** An Ordinance changing the zoning of a portion of Tracts 18, 19, 20, 21, 22, 23, 24, and all of Tracts 25, 26, 27, and 28 Palmdale Acres, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of North Loop Drive and west of Hawkins Boulevard. Applicants: Farmers Select, LLC. ZON07-00124 **(District 3)** [Development Services/Planning, Arturo Rubio, (915) 541-4633]
- 6F.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.16 (Zoning Board of Adjustment), of the El Paso City Code, in its entirety, to update and clarify the code; to delete obsolete special exceptions; to add conditions to other special exceptions; and to amend the administrative process. Applicant: City of El Paso. **(All Districts)** [Development Services/Planning, Linda Castle, (915) 541-4029]
- 6G.** An Ordinance granting a franchise to American Medical Response to operate a non-emergency ambulance transfer service. **(All Districts)**
[Fire Department, Manuel Chavira, (915) 771-1000]

PUBLIC HEARING WILL BE HELD ON MAY 13, 2008, FOR ITEMS 6C – 6G

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

7. DEVELOPMENT SERVICES

- 7A.** An Ordinance granting a Special Privilege to ONIHC, L.L.C. permitting the encroachment of a sidewalk café onto a portion of public right-of-way located at 504 West San Antonio Avenue. SPL07-00018 **(District 8)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 7B.** 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; changing the May 1, 2008, effective date to July 1, 2008, and changing the extended period of compliance for existing swimming pools in certain circumstances from May 1, 2009, to July 1, 2009, by amending section 18.10.310 Appendix G 2003, Section 18.10.310.1 Appendix G 2008, and Section 18.10.310.105 AG 105.5; 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]

REGULAR AGENDA – OTHER BUSINESS

8. MAYOR AND COUNCIL:

Discussion and action on a Resolution that the City of El Paso supports and approves working toward facilitating shared services within the County of El Paso. **(All Districts)**
[Representative Susie Byrd, (915) 541-4416]

9. CITY MANAGER:

City Manager's report of current events and issues:

Quarterly Financial Report: 2nd Quarter Financial Report for Fiscal Year 2008.
[Financial and Administrative Services, William F. Studer, Jr., (915) 541-4215]

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

Discussion and action on the following:

- EX1.** Claim of Michael Prangner, Our File No. 07-C-224. (551.071)
[City Attorney's Office, Jennifer F. Callan, (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 FRIDAY AT THE ADDRESS BELOW:

{ HYPERLINK "http://www.elpasotexas.gov/" }