

**JOHN F. COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **AGENDA FOR SPECIAL CITY COUNCIL MEETING**

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**May 8, 2006**  
**Council Chambers, City Hall**  
**4:00 p.m.**

**AGENDA:** Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, May 9, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

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**May 9, 2006**  
**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
- 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 – Police Chaplain Carlos Flores**  
**Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. NATIONAL PET WEEK**
- 2. NATIONAL ASSOCIATION OF LETTER CARRIERS**
- 3. THE ANNUAL SALE OF BUDDY POPPIES**
- 4. SAM'S CLUB TEACHER OF THE YEAR DAY IN EL PASO**
- 5. NURSES' WEEK**

**RECOGNITIONS**

1. HONORARY CITIZENSHIP PLAQUE TO MR. HOLGER QUITZSCH
2. STAR ON THE MOUNTAIN AWARD TO FORMER MAYOR RALPH E. SEITSINGER

**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/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_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:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of May 2, 2006 and Special City Council Meeting Minutes of May 1, 2006.

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

3. **RESOLUTION:**

That the Mayor be authorized to sign an Amendment to the Interlocal Agreement (the "Amendment") by and between the City of El Paso with the El Paso County Community College District and the Canutillo Independent School District, passed and approved August 3, 2004, providing for access by the City during grading and construction, to the Westside Sports Complex, located on a portion of Tract 1A, Nellie Mundy Survey No. 240, El Paso, El Paso County, Texas, to provide for the City to contribute one-third of the cost of constructing the roadway identified in the Amendment, which contribution shall not exceed ninety thousand dollars (\$90,000.00). [Project # PST06001; Funds 26136, 27081 and 27136; account 508027]. **(District 1)**

[Engineering Services, Teresa Quezada, (915) 541-4771]

4. **REINSTATEMENT(S):** Request for name(s) to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:

Ayers, Celia – Secretary I  
[Development Services, R. Alan Shubert, (915) 541-4557]

5. **BOARD APPOINTMENTS:**

Robert McGregor to the Art Museum Advisory Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

6. **ENGINEERING:**

Approve Change Order No. Four (Construction Change) to Silverton Construction Co., Inc., for Contract No. 2004-078, Street Resurfacing 2004-2005 project. Due to extraordinary increases in the global oil market, contract unit prices are hereby adjusted. Item 6 Performance Grade H.M.A.C. price changed from \$30.40 per ton to \$38.00 per ton. Estimated quantities remain at 23,730 tons for a total increase of \$180,348.00. Item 7, Performance Grade Seal Coat is being decreased 5,400 tons at price of \$33.40 per ton for a total decrease of \$180,348.00. **(All Districts)**  
[Engineering Department, Rick Conner, (915) 541-4423]

7. **BEST VALUE PROCUREMENT:**

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Solicitation No.	2006-095	Janitorial Services for the Museum of Art
Award to:		Total Cleaning Services El Paso, TX
Item(s):		1 and 2
Amount:		\$38,899.44 (estimated yearly)
Department:		Museum of Art
Funds available:		54010249-01101-502206
Funding source:		Operating Account, Service Contracts
Total award:		\$116,698.32 (estimated)
<b>District (s):</b>		<b>3</b>

Museum of Art and Financial Services, Purchasing Division, recommend award under its best value criterion to the above-listed responsive vendor.

This is a thirty-six month contract with no option to renew. Total Cleaning Service offers a 1% -10 Days, Prompt Payment Discount. [Financial Services, Ray Heredia, (915) 541-4316]

### **REGULAR AGENDA**

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 amending Title 6 (Vehicles for Hire), Chapter 6.16 (Taxicabs), of the El Paso City Code to amend the provisions relating to rate schedules.  
**(All Districts)** [Development Services, R. Alan Shubert, (915) 541-4557]

- 8B.** An Ordinance granting a Special Privilege to S & V Entertainment, LLC to temporarily close a portion of San Antonio Avenue between Stanton Street and Kansas Street for various street festivals on the following dates: May 27, 2006; June 3, 10, 17, and 24, 2006; July 1, 8, 15, 22, and 29, 2006; September 16, 2006; October 31, 2006; and December 31, 2006. (Fee: \$650.00, SP-06005) **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 8C.** An Ordinance amending Title 19 (Subdivisions) of the El Paso City Code by amending Chapter 19.12 (Parkland Dedication) by adding Subsection 19.12.030.A.3 (Parkland Calculation) in order to provide an exception for the dedication of parkland required to be deeded to the City for multi-family developments of ten or less units; amending Section 19.12.090 (Bonus Reductions for Recreational Improvements) in order to allow for up to a one hundred percent bonus reduction for private amenities provided within multi-family development and open space amenities in general; amending Subsection 19.12.090.B (Bonus Reductions for Recreational Improvements) to revise the calculation formula; and amending Subsection 19.12.100.B.1 (Fee in Lieu of Parkland Dedication) in order to revise the time at which fees in lieu of parkland dedication are calculated for certain applications and decrease the park fee to be paid to the City in lieu of parkland dedication. The penalty being as provided in Section 19.04.190 of the El Paso City Code. **(All Districts)** [Development and Infrastructure Services, Patricia D. Aauto, (915) 541-4853]
- 8D.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.04 (General Provisions), of the El Paso City Code by amending Subsection 19.04.170.A (Modifications of Conditions) in order to clarify the authority and scope of the City Plan Commission in granting modifications to the Subdivision Regulations of Title 19; and amending Subsection 19.04.170.C (Modifications of Conditions) in order to allow a request for modification to be submitted at any time prior to the recording of the plat. The penalty being as provided in Section 19.04.190 of the El Paso City Code. **(All Districts)** [Development and Infrastructure Services, Patricia D. Aauto, (915) 541-4853]

**PUBLIC HEARING WILL BE HELD ON MAY 23, 2006, FOR ITEMS 8A - 8D**

- 8E.** An Ordinance amending Title 20 (Zoning) of the El Paso City Code by amending Chapter 20.67 (Historic Landmark Preservation) in order to establish the procedure for the administration and preservation of Historic Landmarks in the City; provide for the procedure for the designation of Historic Property; and further provide for the application process to make alterations, demolition and removal of property that is designated Historic. The Penalty is as provided in 20.68 of the City of El Paso City Code. **(All Districts)** [Development Services, Kimberly Forsyth, (915) 541-4631]

**PUBLIC HEARING WILL BE HELD ON MAY 30, 2006, FOR ITEM 8E**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. 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, 8AM to 5PM.

**9. DEVELOPMENT SERVICES:**

**9A.** Discussion and action on policy direction for administration of Taxi Stands.  
**(All Districts)** [Development Services, R. Alan Shubert, (915) 541-4557]

**9B.** Discussion and action on proposed text revisions to Title 20 (Zoning) of the El Paso Municipal Code as recommended by the Building & Zoning Advisory Committee: Chapter 20.16 (Screening & Fencing Regulations) and Chapter 20.22 (Nonconforming Situations). **(All Districts)**  
[Development and Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

**10. FINANCIAL SERVICES:**

Solicitation No.	2006-066	Ground Maintenance-City Medians
Award to:	Vendor 1:	H. Repair Solutions El Paso, Texas
Item(s):		I and IV
Amount:		\$302,650.00 (estimated yearly)
Award to:	Vendor 2:	Ledesma's El Paso, Texas
Item(s):		II
Amount:		\$28,080.00 (estimated yearly)
Award to:	Vendor 3:	New Age Grass, LLC El Paso, Texas
Item(s):		III
Amount:		\$16,999.99 (estimated yearly)
Total Yearly Award:		\$347,729.99 (estimated yearly)
Department:		Streets
Funds available:		32010155-01101-502221
Funding source:		Operating Funds, Groundkeeping/Horticultural Contracts
Total award:		\$1,043,189.97 (estimated)
<b>District (s):</b>		<b>All</b>

Street Department and Financial Services, Purchasing Division, recommends award under its best value criterion to the above-listed responsive vendors.

This is a thirty-six (36) month contract with no option to extend the term of this contract.  
[Financial Services, Ray Heredia, (915) 541-4316]

**11. PUBLIC HEARINGS – COMMUNITY AND HUMAN DEVELOPMENT:**

An Ordinance to repeal Ordinances 7573, 10118, and 11469 for the purpose of abolishing the Mayor's Advisory Board on Aging. **(All Districts)**  
[Community and Human Development, Winifred Dowling, (915) 541-4375]

**12. PUBLIC HEARINGS – DEVELOPMENT SERVICES:**

**12A.** An Ordinance repealing Ordinance Number 16290, which changed the zoning of a portion of Tracts 181 and 183, Sunrise Acres, El Paso, El Paso County, Texas, from R-4 (Residential) to C-2/C (Commercial/Condition) and imposing certain conditions, due to an incorrect legal description. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8625 Gateway South. **(District 2)** [Development Services/Planning, Christina Valles, (915) 541-4930]

- 12B.** An Ordinance changing the zoning of A portion of Tracts 181 and 182, Sunrise Acres, El Paso, El Paso County, Texas, from R-4 (Residential) to C-2/C (Commercial/Condition) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8625 Gateway South. Applicant: Robert L. Martinez. ZON05-00139. **(District 2)**  
[Development Services/Planning, Christina Valles, (915) 541-4930]
- 12C.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.60 (Flood Damage Prevention) of the El Paso City Code to revise the Chapter in its entirety to comply with changes in the Federal regulations and to clarify department responsibilities. The penalty being as provided in Sections 1.08.010 - 1.08.030 of the City Code. **(All Districts)**  
[Development Services, R. Alan Shubert, (915) 541-4557]
- 12D.** An Ordinance granting a Special Privilege to O.P.E.P. Incorporated to temporarily close a portion of Ochoa Street between First Avenue and Paisano Drive for various block parties on the following dates: May 28, 2006; June 25, 2006; July 2, 2006; September 3, 2006; and October 31, 2006. Fee: \$687.50, SP-06004. **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 12E.** Discussion and action on a resolution that the City Manager be authorized to sign and accept on behalf of the City a Storm Drain Easement and Dedicatory Certificate from the El Paso Electric Company granting to the City an easement and dedication of real property for use of the installation of storm drain infrastructure and public right-of-way located within Sandstone Ranch Unit One Subdivision, a portion of Section 22, Block 81, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas. **(District 4)**  
[Development Services, Fred Lopez, (915) 541-4925]
- 13. PUBLIC HEARINGS – ENGINEERING:**
- 13A.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII, Restriction on Parking in Residential Districts), of The El Paso City Code, to revise Subsection Zone M (No Parking 7:00 A.M. to 4:00 P.M., Monday through Friday, School Days only) to include the North side of Cosmos Drive between McRae Blvd. and Catnip Street. The Penalty as Provided In Section 12.84.010 of the El Paso City Code. **(District 3)** [Engineering Department, Traffic Division, Ted Marquez, 541-4035] **POSTPONED**  
FROM 2-7-06, 2-21-06, 2-28-06, and 04-11-06
- 13B.** 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 Lionel Drive from Wilkinson Drive to a point 100' north thereof and on Allen Bradley Drive from Wilkinson Drive to a point 100' south thereof. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 7)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**14. COMMUNITY AND HUMAN DEVELOPMENT:**

Resolution that the City Council, having conducted a Public Hearing and received comment, hereby adopts the Proposed Budgets for the 32nd Year (2006-2007) Community Development Block Grant Program, the FY 2006 Emergency Shelter Grant Program, and the FY 2006 HOME Investment Partnerships Program, and hereby directs that the Proposed Budgets for the 32nd Year (2006-2007) Community Development Block Grant Program, the FY 2006 Emergency Shelter Grant Program, and the FY 2006 HOME Investment Partnerships Program, be published in the El Paso Times on Sunday, May 14, 2006, to provide the public with an opportunity to review the Proposed Budgets, as part of the summary of the Proposed Annual Action Plan for 2006-2007, and submit comments to the City Council or the Department of Community and Human Development. The deadline for submission of written comments will be 5:00 p.m., on Friday, June 16, 2006. The City Council will conduct a public hearing in City Council Chambers at the City Council meeting on Tuesday, June 27, 2006, for the purpose of receiving comments from the public and adopting the 2006-2007 Annual Action Plan, including the 32nd Year (2006-2007) Community Development Block Grant Program Budget, the FY 2006 Emergency Shelter Grant Program Budget and the FY 2006 HOME Investment Partnerships Program Budget, for submission to the U.S. Department of Housing and Urban Development. **(All Districts)** [Community and Human Development, Nathalie Prise, (915) 541-4341]

**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 CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

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