

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

**May 18, 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 Chaplain Clift Barnes
Pledge of Allegiance**

MAYOR'S PROCLAMATIONS

- 1. THE ANNUAL SALES OF BUDDY POPPIES DAY**
- 2. NATIONAL PUBLIC WORKS WEEK**
- 3. INTERNATIONAL MUSEUM DAY**
- 4. FARAH MANUFACTURING COMPANY DAY**
- 5. DR. RICHARD M. RHODES DAY**

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.

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 May 11, 2010 and the Special City Council meeting of May 7, 2010 (in conjunction with the Transportation Policy Board meeting). [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**3. RESOLUTIONS:**

3A. That the City Manager is authorized to sign a Wireline Crossing Agreement with the Union Pacific Railroad Company for the installation of fiber optic lines across railroad company right-of-way near Zaragoza between Billy the Kid Street and Roseway Drive, El Paso, Texas. The one time license fee cost to the city is \$1,500. **(District 6)** [Engineering, R. Alan Shubert, (915) 541-4423]

3B. That the City Manager be authorized to sign a City Landfill Litter Control Contract among the City of El Paso and TIBH Industries, Inc. ("TIBH"), and Border TM Industries, Inc. d/b/a Xceed Resources to provide litter control services for the City's Department of Environmental Services **(District 4)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

4. BOARD RE-APPOINTMENT:

Mark Hedrick to the Art Museum Advisory Board by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

5. BOARD APPOINTMENT:

Maria Teresa Ramirez to the Civil Service Commission by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

6. APPLICATIONS FOR TAX REFUNDS:

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment A) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

REGULAR AGENDA - INTRODUCTIONS**7. 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.**

- 7A.** An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to delete the extension of Stanton Street, as a minor arterial, north of the existing terminus located north of Excalibur Drive. Applicant: Brock & Bustillos, Inc. **(District 1)** [Development Services/Planning, Melissa Granado, (915) 541-4029]
- 7B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso City Code by amending Subsection G, forty miles per hour, Number 12: Socorro Road from 400 feet southeast of Southside Road and 450 feet southeast of Avenue of the Americas to 400 feet southeast of Southside Road and the southeast city limits; and to delete Number 2 in Subsection H, forty-five miles per hour, Socorro Drive between a point 450 feet southeast of Avenue of the Americas and the southeast city limits; the penalty being as provided in Section 12.84.010 (Violation--Penalty) of the El Paso City Code. **(District 6)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4050]
- 7C.** An Ordinance amending Ordinance No. 017298 relating to the collection of commercial solid waste in required commercial collection areas, to change the effective date. **(District 8)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 7D.** An Ordinance repealing Ordinance number 017042 (Transportation Reinvestment Zone Number One for El Paso, Texas): Declaring Ordinance number 017042 void. **(All Districts)** [Financial and Administrative Services, William F. Studer Jr., (915) 541-4215]
- 7E.** An Ordinance designating Transportation Reinvestment Zone Number Two for El Paso, Texas; describing the boundaries of the zone; providing for an effective date and a termination date for the zone; naming the zone "Transportation Reinvestment Zone Number Two, City of El Paso, Texas"; establishing a tax increment fund for the zone; and containing other provisions related thereto. **(All Districts)** [Financial and Administrative Services, William F. Studer Jr., (915) 541-4215]
- 7F.** An Ordinance designating Transportation Reinvestment Zone Number Three for El Paso, Texas; describing the boundaries of the zone; providing for an effective date and a termination date for the zone; naming the zone "Transportation Reinvestment Zone Number Three, City of El Paso, Texas"; establishing a tax increment fund for the zone; and containing other provisions related thereto. **(All Districts)** [Financial and Administrative Services, William F. Studer Jr., (915) 541-4215]

- 7G.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.02 (Department of Public Health), Section 9.02.040 (Fees – Clinics and Laboratory) by adding subsection D, to allow for a sliding fee. **(All Districts)**
[Public Health, Michael Hill, (915) 771-5702]

PUBLIC HEARING WILL BE HELD ON MAY 25, 2010, FOR ITEMS 7A – 7G

- 7H.** An Ordinance changing the zoning of a portion of Lot 1, Block 42, Ridge View Estates Unit Sixteen, City of El Paso, El Paso County, Texas from R-3A/SC (Residential/Special Contract) to C-1/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: 1451 Redd Road. Property Owner: MS Property, LLC. ZON10-00010 **(District 1)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON JUNE 8, 2010, FOR ITEM 7H

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 BIDS, CONTRACTS, PROCUREMENTS

8. FINANCIAL SERVICES:

Discussion and action on the award of Solicitation No. 2010-187 (Towing, Storage and Sale of Motor Vehicles) to Sun City Towing and Recovery for a total estimated amount of \$1,500,000.

Department:	Police
Award to:	Sun City Towing and Recovery El Paso, TX
Items:	All
Options:	(1) Extend 6 month period if the option is exercised prior to the expiration of the original contract term. (2) Extend 6 month <u>or</u> 1 year period if option is exercised prior to the expiration of the first 6 month option.
Funding Source:	Abandoned Auto – Restricted Fund
Total Estimated Award:	\$1,500,000
Districts:	All

This is a twelve month requirements type contract for Towing, Storage and Sale of Motor Vehicles.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and Police recommend award as indicated to the lowest responsive, responsible bidder.
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Police Department, Eric Shelton, (915) 564-7357]

REGULAR AGENDA – PUBLIC HEARINGS

9. DEVELOPMENT SERVICES:

An Ordinance granting Special Permit No. ZON10-00008, to allow for infill development on the property described as Lots 1-6, Block G, D. M. Payne's 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: 3501 and 3505 San Antonio Avenue. Property Owners: Project Vida Community Development Corporation. ZON10-00008 **(District 8)**
[Development Services/Planning, Andrew Salloum, (915) 541-4027]

10. POLICE DEPARTMENT:

An Ordinance to amend Title 5 (Business Taxes, Licenses and Regulations), Chapter 5.80 by adding Section 5.80.120 (Authority to Issue Citations); the penalty being as provided in Chapter 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**
[Police Department, Michelle Gardner, (915) 564-7270]

REGULAR AGENDA – OTHER BUSINESS

11. MAYOR AND COUNCIL:

11A. Discussion and action regarding amending the City Code to allow use of electric perimeter fencing within the city limits of El Paso and presentation by Michael Pate, Director of Business Development for Sentry Security Systems, LLC.
[Mayor John F. Cook, (915) 541-4015]

11B. Discussion and action on a Resolution that the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for the terms indicated:

Richard Fleager	Term Expiring March 2013
Trista Fox	Term Expiring March 2013
Paul Gilcrease	Term Expiring March 2013
T. J. Karam	Term Expiring March 2013

Paul Gilcrease, Secretary	Term Expiring March 2013
[Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]	

12. COMMUNITY AND HUMAN DEVELOPMENT:

12A. Discussion and action on a Resolution approving the Neighborhood Action Plan Guidelines, to include selection criteria for neighborhoods, the neighborhood planning process, and plan implementation. **(All Districts)**
[Community and Human Development, Mark Alvarado, (915) 541-4918]
POSTPONED FROM 05-11-10

- 12B.** Discussion and action on a Resolution that City Council approve the Montoya Heights Neighborhood Action Plan, as the neighborhood action plan for Montoya Heights neighborhood as identified therein. **(District 1)**

[Community and Human Development, Olivia Montalvo, (915) 541-4721]
POSTPONED FROM 05-11-10

- 12C.** Discussion and action on a Resolution that Council approves the Cielo Vista Neighborhood Action Plan, as the neighborhood action plan for the Cielo Vista neighborhood as identified therein. **(Districts 3 and 7)**

[Community and Human Development, Mark Weber, (915) 541-4932]
POSTPONED FROM 05-11-10

13. ECONOMIC DEVELOPMENT:

Discussion and action on a Resolution that the City Manager be authorized to sign the First Amendment to Chapter 380 Economic Development Program Agreement, between the City of El Paso and Hawkins Center, LP, successor-in-interest to Hawkins Regency, LLC, ("Applicant"), regarding applicant's redevelopment of the approximately 55-acre property located at 8877 and 8889 Gateway Boulevard in El Paso, Texas (Farah property) and the City financial incentives for economic development related thereto. **(All Districts)** [Economic Development, Kathryn B. Dodson, (915) 541-4872]

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/>