

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
MAY 21, 2013
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:39 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Carl Robinson, Michiel R. Noe, and Eddie Holguin, Jr. Late arrival: Steve Ortega at 8:47 a.m. Absent: Emma Acosta and Cortney Carlisle Niland requested to be excused. The invocation was given by CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. NATIONAL MISSING CHILDREN'S DAY**
- 2. DR. JOSE MANUEL DE LA ROSA DAY**
- 3. NATIONAL PUBLIC WORKS WEEK**

RECOGNITION

MAJOR GENERAL DANA J.H. PITTARD – CONQUISTADOR AWARD

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 8:30 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. Joe Fierro
2. Ms. Aurea F. Maldonado
3. Ms. Susan Clemons
4. Ms. Wally Cech
5. Ms. Linda Senchoway

Mayor Cook commented.

Motion made by Representative Noe, seconded by Representative Robinson, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

NO ACTION, other than the above procedural Motion, was taken on the item.

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Robinson, 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, Robinson, Noe, Holguin, and Ortega

NAYS: None

ABSENT: Representatives Acosta and Niland

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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 May 14, 2013.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Representatives Emma Acosta and Cortney Carlisle Niland from the Regular Council Meeting of May 21, 2013.

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3A. – 3C. INTRODUCTIONS

Motion made by Representative Robinson, seconded by Representative Byrd, 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:

ABSENT: Representatives Acosta and Niland

3A. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.16 (Zoning Board of Adjustment), Section 2.16.050 (Special Exceptions), of the El Paso City Code to clarify first floor area of the dwelling in the requirements for the Special Exception for Carport over a Driveway. The penalty is as provided in Chapter 20.24 (Enforcement-Penalty) of the El Paso City Code.

3B. An Ordinance amending Title 18 (Building and Construction), Chapter 18.46 (Landscape) of the El Paso City Code, by repealing Chapter 18.46 (Landscape) in its entirety and adopting a new Chapter 18.46 (Landscape) in its place, the penalty being as provided in Section 18.46.320 (Violations-Penalty) of the El Paso City Code. **(District 8)**

PUBLIC HEARING WILL BE HELD ON JUNE 4, 2013, FOR ITEMS 3A- 3B

3C. An Ordinance changing the zoning of a Portion of Tracts 12 and 13, J.M. Jett Survey 155, City of El Paso, El Paso County, Texas from R-5 (Residential) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 4864 Doniphan Drive. Property Owner: El Paso Independent School District. PZRZ13-00003 **(District 8)**

PUBLIC HEARING WILL BE HELD ON JUNE 18, 2013, FOR ITEM 3C

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4A. CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance changing the zoning of the following legally described 586.04 acre tract of land including all of the Alamo Heights Subdivision; a portion of Blocks 70 and 71, and closed street between Blocks 73 through 101 of the Bassett Addition; all of Memorial Park; all of the Castle Heights Subdivision; Blocks 5, 7, 8, 16, 17, 19 and 20 of the Cotton Addition; all of the Supplemental Map of the Cotton Place Addition Replat 2, except Blocks 22, 23, and 31 through 35; Blocks 33 through 35, 45 through 48, 60 through 69, 76 through 85, 92 through 107, 120 through 123, 132 through 134, and 141 through 144 of Supplemental Map No. 1 of East El Paso; Blocks 21½ through 26, 35 through 40, 50 through 55, and 64 through 66 of the Highland Park Addition; Blocks 25 through 39 of the Manhattan Heights Addition; and all streets, alleys, highway and railroad right of ways located within these limits, all being located within the corporate limits of the City of El Paso, El Paso County, Texas from their current zoning district to SCZ (SmartCode Zone). The penalty is as provided for in Chapter 21.60 of the El Paso City Code. Property Owner: Multiple. PZRZ13-00004

Representative Byrd commented.

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4B. CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance changing the zoning of the following legally described 528.58 acre tract of land including Kennedy Brothers Memorial; Gall Subdivision; Tracts 16A, 16B, 16C, 16D, 20, 20A, 21A, 21A1, 21B, 21B1, 21C, 21C1, 21C1C1, 21C1D, 21C1C2, 21C1B, 21C1B1, 21D, 21D1, 21E, 21E1, 21F, 21F1, 22A, 22B, 22B1, 22B1A, 23A, 23B, 23B1, 23B2, 23C, 23D, 28A, 28A1, 28B, 28C, 28D, 30B, 30C, Block 8, Ysleta Grant; Tracts 13A, 13B, 13D, Block 35 Ysleta Grant; Tract 26, Block 36, Ysleta Grant; Tracts 2, 3A, 3C, 3D, 3E, 4A, 5, 6A, 6B, 7A, 7B, 8A, 8B, 8C, 8D, 8E, 8F, 8F1, 8G, 8H, 8J, 8K, 10, 11A, 11B, 11B1, 11C, 11D, 11E, 11E1, 11E2, 11E1A, 11E1B, 11F, 11G, 11J, 11K, 11L, 11M, 11N, 11P, 11P1, 11R, 11S, 11T, 11U, 12, 12A, 13A, 13C, 13H, 14, 15, 16, 17, 17A, 18, 19, 19A, 20, 21A, 21B, 22B, 29A, 29B, 29B1, 29B1A, 29B1B, 29B1C, 29B1D, 29C, 30A, 30B, 30C, 32B, 32D, 33A, 33B, 34A, 34B, 35A, 35B, 37A, 38, 39A, 39B, 39C, 40, 41, 43, 44, 45, 46A, 46B, 46C, 46C1, Block 37, Ysleta Grant; Tracts 1, 2A, 2B1, 2B2, 2B3, 2B4, 2B5, 3A, 3B, 3C, 4A, 4C, 4C3, 4C4, 4C5, 4D, 4D1, 4D1A, 4D2, 4D2A, 4D3, 4D3A, 4D4, 4D4A, 4D5, 4D5A, 5, 18A, 18E, 18G, 18H, 19B, 19C, 19D, 19E, 19F, 19G, 19G1, 19G1B, 19H, 23A, 23B, 23B1, 23C, 23C1, 23D1, 24, Block 38, Ysleta Grant; Tracts 2, 3A, 3B, 3D, 4A, 4B, 4C, 4CA, 4C1B, 4D, 4D1, 4E, 4E1, 4F, 5C, 5C6, 6A, 6B, 6C1, 6C2, 7A, 8A, 8B, 9A, 9B, 10A, 10B, 10C, 10C1, 10C2, 10D, 10E, 10F, 10G, 10H, 11A, 11B, 12A, 12B, 12C, 13A, Block 39, Ysleta Grant; Tracts 3C, 3C1, 5B, 5C4, 5C6, Block 40, Ysleta Grant; Tracts 1, 2A, 2B, 3A, 3B, 3B1, 3B2, 3B3, 4B, 4D, 5, 6A, 6B, 7A2, 7B, 7C, 7D1, 7D, 7D2, 8A, 8A7, 8A9, 8A1, 8A1A, 8A2, 8A2A, 8A3, 8A4, 8A5, 8A6, 8A10, 8A11, 8K, 8M, 8O, 8S, 8V, 8U, 8Z, 8Y, 8W, 8W1, 8X, 8X1, 8X2, 8X5, 8X6, 8X3, 8X4, 9A, 9B, 9B1, 9B1B, 9B2, 9B3, 8B, 8B1, 8C, 8E, 8F, 8G, 8H, 8I, 8J, 8P, 8Q, 8T, 10C, 10C1, 10D, 10E, 11A, 11B, 12A, 12B, 12C1A, 12C1B, 12C3, 13, 14, 15, 16, 17A, 17B, 22F, Block 42, Ysleta Grant; Tracts 1A, 1B, 1C, 1D, 1D1, 1D2, 1D2A, 1D2C, 1E, 2, 3, 4, 5A, 5B1, 6A, 6B, 6C, 6D1, 6F, 6H, 6K, 6K1, 6J, 6I, 6L, 7A, 7C, 8, 9, 10, 12, 14A, 15, Block 43, Ysleta Grant; Tracts 1A, 1B1, 1C, 1D, 2A, 2B, 3, 4, 5, 6, 6A, 6B, 6C, 7A, 7B, 11B, 12, 13B, 13C, 13D, 15, 16, 17, 18, 19A, 19B, 19B1, 19C, 20, Block 44, Ysleta Grant; Tracts 1, 2A, 2B, 3, 5, 6, 7, 9B, 9B1, 9B2, 9B3, 9C, 10A, 10B, 10D, 10C, 10E, 11, 12A, 12B, 12C, 13, 14A, 14B, 15A, 15B1, 15B3, 16B, 16D, 16E, 16F, 16G, 16J, 23A, 23B, 24, 25A, 25B, 26, 27A, 28, 30A, 31, 32, 33A, 33C, 33B, Block 45, Ysleta Grant; Tracts 1A, 2A, 2C, 3A, 3B, 3D, 3E, 3F, 3F1, 3F2, 3F3, 3J, 3G, 3H, 5, 5A, 6, 7, 8A, 9B, 9C, 10B, 10B1, 10C1, 10C1A, 10C1B, 10C, 10C2, 10C3, 10C3A, 10C4, 10C5, 10C6, 10C7, 10C8, 10C8A, 10C9, 10C10, 10C11, 10C11A, 10C12, 10C12A, 10C13, 10C14, 10C14A, 10D, 10D1, 10D3, 10E, 10J, 10I, 10F, 10F1, 10G, 10H, 10I1, 10L, 10L1, 11, 12A, 12A1, 12A1A, 12B, 12C, 12C1, 12C1A, 12C2, 12C4, 12C5, 12C6, 12C4A, 12D2, 12D4, 12E, 12E2, 12G1A, 12G2, 12F, 12H, 12H1, 12H4, 12H5, 12H6, 12J, 12K, 12L, 12L1, 12L2, 12N, 12O, 12P, 12Q, 12R, 12R1, 12R1A, 12R2, 12S, 12S1, 12T, 12U, 12U1, 12U2, 12V, 12V1, 13A, 13A1, 14A1, 14B, 15A, 15B, 15B1, 15C, 15D, 16, 17A, 17A1, 18A, 18B, 18B1, 18C, 19, 20, 21, 22, 23A, 23A1, 23B, 23B1, 24, 24A, 25, 26, 27A, 27A1, 27C, 27D, 27D1, 28A, 28B, 28C, 29, 30, Block 46, Ysleta

Grant; Tracts 6E, 6F, 6F1A, 6F1B, 6F2, 6F3, 6F3A, 6F2A, 6F2B, 6F2B1, 6F2B2, 6F2C, 6F4, 6F4A, 6F4B, 6F4B1, 6F5, 6F5A, 7A1, 7A2, 7B, Block 47, Ysleta Grant; Tracts 1B, 2, 2A, 3A, 3B, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4J, 4K, 5B, 7, 8, 9A, 11A, 12, 13A, 13B, 15, 18, 19A, 9A1, 19B, 19B1, 20, 21, 22, Block 48, Ysleta Grant; Tracts 10, 11, 12, 12A, 12A1, 12B, 12D, 13, Block 49, Ysleta Grant; Apodaca Subdivision; Lots 55 through 74, a portion of Lot 1, Lots 2 through 25, and Lots 49 through 54, Alexander Addition to Ysleta; Lone Star Subdivision; Estrada Replat A; Valumbrosa, Lots 1 through 11, Lots 13 through 33, Lots 34 through 42, Block 1, and Lots 12 through 21, Block 2; Valumbrosa Replat; Home Improvement No. 1; Home Improvement No. 2; Indian Town Subdivision; Frymuth Subdivision; J.R. Lopez Subdivision; Lots 1 through 16, Lots 17 through 32, and Lots 33 through 49, North Valumbrosa; Lots 101 through 110, North Valumbrosa No. 2; a portion of Tract 1 and Tracts 2 through 10, Franklin Place; a portion of Tract 11 and Tracts 12 through 22, Franklin Place Replat; Tracts 25 through 31 and Tracts 16 through 24, Sunland Gardens; Tracts 3 through 17 and Tracts 18 through 33, Block B, Spohr Addition; Tract 12 and a portion of Tract 13, Spohr Addition; Arizona Subdivision; Lydia Dixon; Lydia Dixon No. 2; Gemotes; Shanks Carpenter; Shanks Carpenter Replat A; Yoshida Subdivision; Lots 1 through 5, Block 1, and a portion of Lot 25, Block 1, and Lots 4, 5, and 6, Block 2, Frutas Place; Pullman Subdivision; Harris Subdivision; Carpenter & Ammons; Trice; Phelps; Phelps Replat of Lot A; Valle Hermosa; and a portion of Lot 2, Block 24, Capistrano Park Unit Four as described in Volume 1279, Page 1443 and Volume 2379, Page 2053, Real Property Records of El Paso County, Texas, from their current zoning district to SCZ (SmartCode Zone); the penalty is as provided for in Chapter 21.60 of the El Paso City Code. Property Owner: Multiple. PZRZ12-00036

Representative Holguin commented.

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, commented.

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ITEMS TAKEN TOGETHER

4C.

ORDINANCE 18011

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 9-14, BLOCK 25, THIRD AMENDED MAP OF HIGHLAND PARK ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT) AND IMPOSING A CONDITION AND REPEALING ORDINANCE NO. 017892, APPROVED OCTOBER 16, 2012 THAT CHANGED THE ZONING OF LOTS 9-14, BLOCK 25, THIRD AMENDED MAP OF HIGHLAND ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 2413 TREMONT AVENUE. PROPERTY OWNER: HECTOR F. BARRAZA. PZRZ12-00022**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Byrd commented.

Ms. Karla Nieman, Assistant City Attorney, read revision into the record.

The following members of the public commented:

- 1. Mr. Ed Hamlyn, representing applicant
- 2. Mr. Jose Hernandez

Motion duly made by Representative Byrd, seconded by Representative Ortega, that the Ordinance be **ADOPTED, AS REVISED**. Whereupon the Mayor 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, Robinson, Noe, Holguin and Ortega
NAYS: None
ABSENT: Representatives Acosta and Niland

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

4D.

ORDINANCE 18012

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST12-00015, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED FRONT SETBACK, REDUCED REAR SETBACK, REDUCED SIDE SETBACK, A PARKING REDUCTION AND TO ALLOW FOR A 50% INCREASE IN DENSITY ON THE PROPERTY DESCRIBED AS LOTS 9 THROUGH 14, BLOCK 25, THIRD AMENDED MAP OF HIGHLAND PARK ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 2413 TREMONT. PROPERTY OWNER: HECTOR F. BARRAZA. PZST12-00015**

Motion duly made by Representative Byrd, seconded by Representative Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor 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, Robinson, Noe, Holguin, and Ortega
NAYS: None
ABSENT: Representatives Acosta and Niland

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

4E.

ORDINANCE 18013

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST12-00018, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED REAR SETBACK ON THE PROPERTY DESCRIBED AS A PORTION OF LOTS 30 THROUGH 32, BLOCK 117, EAST EL PASO ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 1216 COPIA STREET. PROPERTY OWNER: VICTOR M. OLIVAS AND ESTELA HERRERA. PZST12-00018**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Byrd commented.

Motion duly made by Representative Byrd, seconded by Representative Robinson, that the Ordinance be **ADOPTED**. Whereupon the Mayor 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, Robinson, Noe, Holguin, and Ortega
NAYS: None
ABSENT: Representatives Acosta and Niland

Whereupon the Mayor 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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4F.

ORDINANCE 18014

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING PORTIONS OF TWO EASEMENTS GENERALLY LOCATED ON THE ACCESS ROAD OF LOOP 375 S (JOE BATTLE BOULEVARD) FROM ROJAS DRIVE GOING NORTH 1,950 FEET; AND THE ACCESS ROAD OF LOOP 375 N (AMERICAS AVENUE) TO A POINT GOING 1,000 FEET FROM A&M CIRCLE; AND AUTHORIZING THE CITY MANAGER TO SIGN QUITCLAIM DEEDS AND ANY OTHER DOCUMENTS NECESSARY TO CONVEY THE CITY'S INTEREST TO THE STATE OF TEXAS. SUET13-00002**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Motion duly made by Representative Holguin, seconded by Representative Noe, that the Ordinance be **ADOPTED**. Whereupon the Mayor 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, Robinson, Noe, Holguin, and Ortega
NAYS: None
ABSENT: Representatives Acosta and Niland

Whereupon the Mayor 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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4G.

ORDINANCE 18015

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST12-00024, TO ALLOW FOR A 100% PARKING REDUCTION AND INFILL DEVELOPMENT WITH REDUCED REAR, SIDE, AND SIDE STREET YARD SETBACKS ON THE PROPERTY DESCRIBED AS LOTS 15-16, BLOCK 88, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 SPECIAL PERMIT AND 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 2500 MONTANA AVENUE. PROPERTY OWNER: AVSS TECHNOLOGIES, LLC. PZST12-00024**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Byrd commented.

Motion duly made by Representative Byrd, seconded by Representative Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor 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, Robinson, Noe, Holguin, and Ortega
NAYS: None
ABSENT: Representatives Acosta and Niland

Whereupon the Mayor 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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4H.

ORDINANCE 18016

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00002, TO ALLOW FOR A HELISTOP ON THE PROPERTY DESCRIBED AS LOTS 6-15, BLOCK 91, ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.240 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 1800 N. OREGON STREET. PROPERTY OWNER: HCA HEALTH SERVICE. PZST13-00002**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Motion duly made by Mayor Pro Tempore Lilly, seconded by Representative Noe, that the Ordinance be **ADOPTED**. Whereupon the Mayor 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, Robinson, Noe, and Holguin
NAYS: None
ABSTAIN: Representative Ortega
ABSENT: Representatives Acosta and Niland

Whereupon the Mayor 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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4I.

ORDINANCE 18017

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00006, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED LOT AREA, LOT WIDTH, AND CUMULATIVE FRONT/REAR YARD SETBACKS ON THE PROPERTY DESCRIBED AS LOTS 26-28, BLOCK 3, SAHARA SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 9915, 9919, AND 9923 TAJ MAHAL STREET. PROPERTY OWNER: DAVID VELASCO. PZST13-00006**

Mr. Carlos Gallinar, Deputy Director for Planning, City Development, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representative Robinson commented.

Motion duly made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor 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, Robinson, Noe, Holguin, and Ortega

NAYS: None

ABSENT: Representatives Acosta and Niland

Whereupon the Mayor 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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5.

ORDINANCE 18018

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST IN REAL PROPERTIES DESCRIBED AS LOTS 20 AND 21, BLOCK 50, GRANDVIEW ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, AS DESCRIBED IN VOLUME 321, PAGE 1596, DEED RECORDS OF EL PASO COUNTY, TEXAS, TO MAL DEVELOPMENT, INC., IN ACCORDANCE WITH SECTION 34.05 (H) OF THE TAX CODE.**

Mayor Cook and Representative Byrd commented.

Mr. Jose Padilla, Delgado Acosta Spencer Linebarger & Perez, LLP gave legal advice.

Motion duly made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor 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, Robinson, Noe, Holguin, and Ortega

NAYS: None

ABSENT: Representatives Acosta and Niland

Whereupon the Mayor 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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6. CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the item on a request from Manuel Carrillo and Angelica Medina Carrillo for City Council to grant an exception from the prohibition of the sale of alcoholic beverages within three hundred feet of a school and commercial daycare centers for the property located at 3512 North Yarbrough.

ABSENT: Representatives Acosta and Niland

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7.

RESOLUTION

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

That the KickstArt Downtown Funding Guidelines (attached hereto as Exhibit "A") be approved, as recommended by the Museums and Cultural Affairs Advisory Board and Museums and Cultural Affairs Staff.

Mr. Sean McGlynn, Director of Museums and Cultural Affairs, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Byrd and Robinson commented.

The following members of the public commented:

- 1. Mr. Charles Horak
- 2. Ms. Gina Martinez
- 3. Mr. Eddie Gutierrez

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **APPROVE** a Resolution that the KickstART Downtown Funding Guidelines be approved as recommended by the Museums and Cultural Affairs Advisory Board and Museums and Cultural Affairs Staff and with no limit on years of eligibility.

NOT PRESENT FOR THE VOTE: Representative Holguin
ABSENT: Representatives Acosta and Niland

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Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:41 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- 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 Executive Session items listed on the Agenda.

NOT PRESENT FOR THE VOTE: Representative Holguin
ABSENT: Representatives Acosta and Niland

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Noe, and unanimously carried to adjourn the Executive Session at 10:56 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

ABSENT: Representatives Acosta and Niland

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EX1. Claim of Michael Armstrong and Three Legged Monkey, L.P., Our File No. 13-1001-040 (551.071)

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and carried that the City Attorney's Office be authorized to deny the claim of Michael Armstrong and Three Legged Monkey, L.P., Our File No. 13-1001-040.

AYES: Representatives Lilly, Byrd, Holguin, and Ortega

NAYS: None
ABSTAIN: Representatives Robinson and Noe
ABSENT: Representatives Acosta and Niland

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Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to
ADJOURN this meeting at 10:57 a.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk