

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

## **AGENDA FOR REGULAR COUNCIL MEETING**

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**JUNE 5, 2012  
COUNCIL CHAMBERS, CITY HALL  
8:30 a.m.**

**AND**

**LEGISLATIVE REVIEW MEETING OF THE WHOLE  
10<sup>th</sup> FLOOR CONFERENCE ROOM  
JUNE 4, 2012  
9:00 a.m.**

NOTICE: 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.

***PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.***

### **ROLL CALL**

### **INVOCATION BY POLICE, FIRE AND CIMA CHAPLAIN, SAM FARAONE**

### **PLEDGE OF ALLEGIANCE**

### **MAYOR'S PROCLAMATIONS**

- 1. DAUGHTERS OF THE BRITISH EMPIRE IN EL PASO WEEK**
- 2. ENTERPRISING AND PROFESSIONAL WOMEN FIRST BIENNIAL CONFERENCE AND LEADERSHIP SUMMIT WEEK**
- 3. MONSOON AWARENESS WEEK**

### **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.

**NOTICE**

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.

**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 29, 2012.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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

**3. RESOLUTION:**

A resolution that the City Council ratifies the approval of the expenses for the tenant improvements between the City of El Paso and Madison River Investments, LLC as signed by the City Tax Assessor Collector for additional construction costs in the amount of \$279,430.09, and approves the acquisition for additional furniture and equipment from Business Products and Services, Inc. in the amount of \$121,911.20 because these actions are necessary for the relocation of the Consolidated Tax Office (the "CTO"), at 221 N. Kansas Street, Suite 300, El Paso, Texas. In addition, the City Council authorizes the City Manager to make the appropriate budget transfers in fiscal year 2012 to pay for the identified construction costs, furniture and equipment expenses, monthly lease payments, telephone equipment, and any other necessary costs, which are approximately \$474,000 and which are related to the relocation of the CTO and that the City Manager be authorized to execute any and all documents and accounting entries necessary to recover those costs that can be capitalized over a period not to exceed the life of the assets being acquired. **(All Districts)**

[Financial Services, Carmen Arrieta-Candelaria, 915-541-4011]  
[Consolidated Tax Office, Juan Sandoval, 915-541-4598]

**4. REQUEST TO ISSUE PURCHASE ORDERS**

Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Sigma Solutions, Inc., a contractor under TCPN Cooperative Purchasing Network Contract No. R5011 for Symantec NetBackup Software licenses and associated Technical Support Partner Program (TSPP) support. The City has

made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the TCPN Cooperative Purchasing Network was approved by Mayor and City Council on February 27, 2007.

Department: Information Technology  
 Award to: Sigma Solutions, Inc.  
 San Antonio, TX  
 Total Estimated Award: \$67,927.75 (1 Year)  
 Account No.: 39010351 – 502202 – 01101  
 Funding Source: General Fund  
 Reference No.: 2012-194  
**Districts: All**

This is a Cooperative, service contract.

[Information Technology, Miguel Gamino, (915) 541-4746]  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
POSTPONED FROM 5-22-2012

**5. BOARD APPOINTMENTS:**

- 5A.** E. Anthony Martinez to the Ad Hoc Charter Advisory Committee by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]
- 5B.** Miguel A. Torres to the Ad Hoc Charter Advisory Committee by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

**REGULAR AGENDA – PUBLIC HEARINGS**

**6. PLANNING AND ECONOMIC DEVELOPMENT:**

- 6A.** An Ordinance changing the zoning of the following real property known as: Parcel 1: a portion of Lot 2, Mediterranean Place, City of El Paso, El Paso County, Texas from C-3 (Commercial) to C-4 (Commercial); and, Parcel 2: All of Tract 1-C-14-A, Block 5, Ascarate Grant, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to C-4 (Commercial). The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7642 and 7636 Gateway East Boulevard. Property Owner: EP Summit Investments, L.P. PZRZ12-00003 **THIS IS AN APPEAL CASE (District 3)**  
 [Planning and Economic Development, Andrew Salloum (915) 541-4633]
- 6B.** An Ordinance changing the zoning of a portion of Lot 2, Block 2, Butterfield Trail Aviation Park Unit Two, City of El Paso, El Paso County, Texas from C-4 (Commercial) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 10151 Montana Avenue. Property Owner: City of El Paso. PZRZ12-00006 **(District 2)**  
 [Planning and Economic Development, Andrew Salloum (915) 541-4633]
- 6C.** An Ordinance vacating a 0.068 acre parcel (2,987 sq. ft.) within 70' wide Right-Of-Way of San Antonio Street, Campbell's Addition, City of El Paso, El Paso County, Texas. SUB10-00164 **(District 8)**  
 [Planning and Economic Development, Raul Garcia, (915) 541-4935]

- 6D. An Ordinance vacating a 0.166 acre parcel (7,233 sq. ft.) within 70' wide Right-Of-Way of Magoffin Avenue, Campbell's Addition, City of El Paso, El Paso County, Texas. SUB10-00165 **(District 8)**  
[Planning and Economic Development, Raul Garcia, (915) 541-4935]
- 6E. An Ordinance vacating a 0.217 acre parcel (9,439 sq. ft.) within 70' wide Right-Of-Way of Myrtle Avenue, Campbell's Addition, City of El Paso, El Paso County, Texas. SUB09-00166 **(District 8)**  
[Planning and Economic Development, Raul Garcia, (915) 541-4935]

**7. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

An Ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.070 (Fences), of the El Paso City Code, to amend the requirements and standards for electrified fences, the penalty being as provided in section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**  
[Engineering and Construction Management, R. Alan Shubert (915) 541-4423]

**8. CITY MANAGER:**

- 8A. An Ordinance to amend the El Paso City Code to reflect departmental reorganization by amending Title 20 (Zoning) to amend various sections thereunder pertaining to the duties that had been assigned to the Planning and Economic Development Department, to correctly identify the new department name; and regarding the duties of the City Engineer; the penalty being as provided in section 20.24.020 of the El Paso City Code. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8B. An Ordinance to amend the El Paso City Code to reflect departmental reorganization by amending Title 21 (Smart Code), to amend section 21.70.010 to revise the definition of Planning Division to reflect the change of departmental name to the City Development Department; the penalty being as provided in sections 21.60.010-21.60.030 of the El Paso City Code. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8C. An Ordinance to amend the El Paso City Code to reflect departmental reorganization by amending Title 13 (Streets, Sidewalks and Public Places) to amend various sections thereunder pertaining to the duties which had been assigned to the Engineering and Construction Management Department and the Planning and Economic Development Department, and the staff; the penalty being as provided in sections 1.08.10-1.08.030 of the El Paso City Code. **(All Districts)** [City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8D. An Ordinance to amend the El Paso City Code to reflect departmental reorganization by amending Title 9 (Health and Safety) to amend various sections to eliminate duties which had been assigned to the Engineering and Construction Management Department; the penalty as being provided in sections 1.08.010-1.08.030 of the El Paso City Code. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8E. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.10 (City Development Department) of the El Paso City Code, to change the department name and revise the functions of the department to be known as the City Development Department. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]

- 8F.** An Ordinance to amend the El Paso City Code to reflect departmental reorganization pertaining to the duties assigned to the Planning and Economic Development Department and staff by amending Titles 2 (Administration and Personnel) and 3 (Revenue and Finance) to amend various sections to reflect the name change for this department to City Development Department; the penalty being as provided in sections 1.08.010-1.08.030 of the El Paso City Code. **(All Districts)** [City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8G.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.06 (Engineering and Construction Management Department), of the El Paso City Code, to amend the functions of the department known as the Engineering and Construction Management Department. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8H.** An Ordinance to amend the El Paso City Code to reflect departmental reorganization by amending Title 15 (Public Services) to amend various sections thereunder relating to duties which had been assigned to the Engineering and Construction Management Department and the Department of Transportation, and the staff; the penalty being as provided in sections 15.08.125 and 1.08.010-1.08.030 of the El Paso City Code. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8I.** An Ordinance to amend the El Paso City Code to reflect departmental reorganization by amending Title 18 (Building and Construction), Chapter 18.44 (Grading), of the El Paso City Code; to amend sections thereunder to allow for the reassignment of duties assigned to the Engineering and Construction Management Department; the penalty being as provided in sections 18.44.210 of the El Paso City Code. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8J.** An Ordinance to amend the El Paso City Code to reflect departmental reorganization by amending Title 18 (Building and Construction), Chapter 18.46 (Landscape), of the El Paso City Code; to amend sections thereunder to reassign duties that had been assigned to the Engineering and Construction Management Department; and provide for enforcement and the penalty; the penalty is as provided in section 18.46.320 of the El Paso City Code. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]
- 8K.** An Ordinance to amend the El Paso City Code to reflect departmental reorganization by amending Title 19 (Subdivisions), to amend various sections thereunder pertaining to the duties that had been assigned to the City Engineer, and the Planning and Economic Development Department, and staff; the penalty being as provided in section 19.42.070 of the El Paso City Code. **(All Districts)**  
[City Manager's Office, Deborah Hamlyn, (915) 541-4686]

**9. DEPARTMENT OF TRANSPORTATION:**

- 9A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), of the El Paso City Code, to add Section 12.44.070 (Back-In Angled Parking Only Zone) to clarify the proper way to park in back-in angled parking spaces, the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code. **(All Districts)**  
[Department of Transportation, Keith Bennett, (915) 621-6882]

- 9B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.010 (Where Signs Required) and 12.44.020 (Where No Signs Required), of the El Paso City Code, to clarify where signs are required, the penalty being as provided in section 12.84.010 and Chapter 12.85 of the El Paso City Code. **(All Districts)**  
[Department of Transportation, Keith Bennett, (915) 621-6882]
- 9C. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.180 (Regulations Pertaining to Certain Special Situations), Paragraph B (The Regulations Applicable to Each Such Zone), of the El Paso City Code, to provide for reserved parking spaces for certain Federal GSA employees during such times as signs are posted by the City of El Paso Department of Transportation, the penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 8)**  
[Department of Transportation, Jiann-Shing Yang, (915) 599-6203]

**REGULAR AGENDA – OTHER BUSINESS**

**10. MAYOR AND COUNCIL:**

- 10A. Discussion and action that the Mayor be authorized to send letters on behalf of the El Paso City Council to the President/Chief Executive Officer of El Paso Water Utilities/Public Service Board, (EPWU/PSB) the members of the Public Service Board, the members of the El Paso County Commissioners Court, and the General Manager of El Paso No. 1 expressing the City of El Paso’s appreciation for the efforts of each entity to help find a solution to meeting Rio Bosque’s water needs during the growing season and expressing the City’s strong desire that each continue to work diligently until such a solution is found and fully achieved.  
[Representative Eddie Holguin, Jr., (915) 541-4178]
- 10B. Discussion and action on a presentation by Tyler Rouse from No DUI El Paso, a non-profit organization for Fort Bliss and the El Paso Area.  
[Representative Michiel Noe, (915) 541-4189]

**11. CITY DEVELOPMENT:**

Discussion and action on the Annual Report from the Open Space Advisory Board (OSAB) regarding the Open Space Master Plan and other duties as assigned.  
**(All Districts)** [City Development, Mathew McElroy, (915) 541-4193]

**12. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

Discussion and action on the selection of the El Paso Street Car route. **(Districts 1 and 8)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]  
POSTPONED FROM 5-29-12

**13. INTERNATIONAL BRIDGES:**

Discussion and action that the Mayor be authorized to sign an extension to Lease Agreement GS-07B(S)-1674 between the City of El Paso and the United States of America to extend the Stanton Toll Booth Facilities Ground Lease for an additional forty-nine years until January 1, 2061 in exchange for the City entering into a second agreement to quitclaim certain portions of right-of-way around the Armendariz Federal Courthouse, to reserve certain parking spaces around the Old Federal Courthouse, the

Armendariz Federal Courthouse and the R.C. White Federal Building, and to accept the improvements (resurfacing) completed on Myrtle Avenue. Additionally, that the Mayor be authorized to sign the second agreement. **(District 8)**  
[International Bridges, Said Larbi-Cherif, (915) 533-7428]

### **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 and the Rules of City Council.) 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.** 401 Cinecue Way, El Paso, Texas (551.071 and 551.072)  
[City Attorney's Office, Laura P. Gordon, (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 THURSDAY AT THE ADDRESS BELOW:**

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