

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

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
May 31, 2011
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:32 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, Eddie Holguin, Jr., and Steve Ortega. Late arrivals: Carl Robinson at 8:36 a.m. during Executive Session deliberations, Beto O'Rourke at 8:36 a.m. during Executive Session deliberations and Rachel Quintana at 8:53 a.m. during Executive Session deliberations. The invocation was given by Police Chaplain Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

.....
MAYOR'S PROCLAMATIONS

1. **NAMIWALK EL PASO DAY**
2. **REALIZING INDEPENDENT LIVING FOR ALL IN EL PASO 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.

The following members of the public commented:

1. Mr. James Perry
2. Mr. Richard Schecter
3. Mr. Manny Hinojosa
4. Mr. Steve Strumer
5. Mr. Salvador Gomez

Representative Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

.....

Motion made by Representative Holguin, seconded by Representative Ortega, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:32 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: Representatives Robinson, Quintana, and O'Rourke

Motion made by Representative Ortega, seconded by Representative Robinson, and unanimously carried to adjourn the Executive Session at 9:02 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative O'Rourke

.....
ITEMS EX1. AND 11. TAKEN TOGETHER

EX1. Discussion and action on the May 1, 1994 Commercial Ground Lease and the Feb. 1, 2009 Commercial Site Lease between the City of El Paso and Hawkins Plaza, Ltd. for portions of Lot 1, Block 1, Hawkins Plaza, El Paso, El Paso County, Texas. (551.071)

Mayor Cook commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

NO ACTION was taken on this item.

.....
EX2. Ronald G. Martin, Jr., et. al. vs. The City of El Paso, Texas; Cause No. 2010-4936 (551.071)

NO ACTION was taken on this item.

.....
CONSENT AGENDA

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Quintana, 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, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

.....
1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of May 24, 2011.

2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

.....
3A.

***RESOLUTION**

WHEREAS, in July 1998, a Public Works and Development Facilities grant (Project No. 08-01-03170) was made by the U.S. Department of Commerce, Economic Development Administration ("U.S.D.O.C.-E.D.A.") to the City of El Paso and Centro del Obrero Fronterizo, Inc. ("Grantee"), as co-recipients, with such grant issued for the purpose of Grantee's acquisition and renovation of the property located at 2000 Texas Avenue as an entrepreneurial business incubator and training center ("the project"); and

WHEREAS, on October 13, 1998, the City and Grantee entered into a Forgivable Loan Agreement concerning the administration and implementation of the project; and

WHEREAS, Grantee now desires to lease a portion of the facility to Project Bravo, Inc., a Texas non-profit corporation, that will provide comparable job training and adult basic education services at the facility; and

WHEREAS, Grantee has submitted a request to U.S.D.O.C.-E.D.A. to approve the proposed change in the use of the facility and the agency has confirmed to the City that it approves of the nature of the activity proposed; and

WHEREAS, U.S.D.O.C.-E.D.A. has requested that the City, as co-recipient to the grant, provide a letter of support of the proposed use of the facility, prior to its issuance of final approval and preparation of any amendment to the parties' grant award agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager or her designee be authorized to provide a letter of support to Centro del Obrero Fronterizo, Inc. (Grantee) concerning the proposed change in use of the facility under the U.S. Department of Commerce, Economic Development Administration (U.S.D.O.C.-E.D.A.) Project No. 08-01-3170; and be authorized to execute any amendments to the Project No. 08-01-3170 Grant Award Agreement of 1998 between the City, U.S.D.O.C.-E.D.A., and Grantee, concerning the same, upon approval by the City Attorney's Office.

Representative Holguin commented.

.....
3B.

***RESOLUTION**

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

WHEREAS, O.P.E.P. (hereinafter referred to as "Grantee") is sponsoring a Stonewall Anniversary Block Party (hereinafter referred to as "Event"), from Saturday, June 25, 2011 to Sunday, June 26, 2011; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for less than twenty-four (24) hours on Ochoa Street between First Avenue and

Paisano Drive from 4:00 pm Saturday, June 25, 2011, to 4:00 am Sunday, June 26, 2011, in conjunction with the Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantee desires to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way during the Event;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Grantee be authorized to provide for the sale and service of alcoholic beverages at the Stonewall Anniversary Block Party in the closed portion of City rights-of-way on Ochoa Street between First Avenue and Paisano Drive from 9:00 pm Saturday, June 25, 2011 to 2:00 am Sunday, June 26, 2011.

.....
3C.

***RESOLUTION**

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

WHEREAS, Special Events Management, LLC (hereinafter referred to as "Grantee") is sponsoring the Downtown Street Festival (hereinafter referred to as "Event"), from Thursday, June 30, 2011 to Sunday, July 3, 2011; and

WHEREAS, Bowie Alumni Association and the Bel Air Optimist Club (hereinafter referred to as "Licensees") have been approved by the Grantee to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours for portions of City rights-of-way on Santa Fe Street between Franklin Avenue and San Antonio Street, Main Street between Santa Fe Street and El Paso Street, Sheldon Court between Mills Avenue and Santa Fe Street, Durango Street northbound between San Antonio Street and Missouri Street, in conjunction with the Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, both the Grantee and Licensees desire to provide for the sale and serving of alcoholic beverages on a portion of the City right-of-way during the Event;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Grantee and Licensees be authorized to provide for the sale and service of alcoholic beverages at the Downtown Street Festival in the closed portions of City rights-of-way on Santa Fe Street between Franklin Avenue and San Antonio Street, Main Street between Santa Fe Street and El Paso Street, Sheldon Court between Mills Avenue and Santa Fe Street from 6:00 pm Friday, July 1, 2011 to 2:00 am Saturday, July 2, 2011 and from 6:00 pm Saturday, July 2, 2011 to 2:00 am Sunday, July 3, 2011.

.....
3D.

***RESOLUTION**

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

WHEREAS, El Paso Sun City Pride Organization (hereinafter referred to as "Grantee") is sponsoring the Fourth Annual Pridefest Celebration (hereinafter referred to as "Event"), from Saturday, June 11, 2011 to Sunday, June 12, 2011; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours on portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Oregon Street and El Paso Street between Franklin Avenue and Main Street from 3:00 am Saturday, June 11, 2011, to 8:00 am Sunday, June 12, 2011, in conjunction with the Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantee assumes full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantee desires to provide for the sale and serving of alcoholic beverages on portions of the City rights-of-way during the Event;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Sun City Pride Organization be authorized to provide for the sale and service of alcoholic beverages at the Fourth Annual Pridefest Celebration in the closed portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Oregon Street and El Paso Street between Franklin Avenue and Main Street from 12:00 pm Saturday, June 11, 2011 to 2:00 am Sunday, June 12, 2011.

.....
3E.

***R E S O L U T I O N**

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

That the City Manager be authorized to sign the Agreement for Professional Services by and between the City of El Paso and ASA Architects, P.A. a New Mexico Corporation, for a project known as "FIRE STATION #37" for an amount not to exceed \$266,620.30 and that the City Engineer be authorized to approve up to \$50,000.00 in additional services for a total contract amount not to exceed \$316,620.30.
Representative Steve Ortega commented.

Representative Ortega commented.

The following City Staff members commented:

1. Mr. Charlie McNabb, City Attorney, gave legal advice
2. Mr. R. Alan Shubert, City Engineer
3. Mr. Sam Rodriguez, Engineering Division Manager

.....
3F.

***R E S O L U T I O N**

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

That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso, Texas ("City"), acting in its capacity as the fiscal agent to the Metropolitan Planning Organization for the El Paso

Urban Transportation Study Area (“MPO”), and the University of Texas at El Paso (“UTEP”), whereby UTEP agrees to provide technical support to the MPO in relation to the Rider 8 Texas Commission on Environmental Quality Grant Program.

Representative Byrd commented.

Mr. Michael Medina, Deputy Director of the Metropolitan Planning Organization, commented.

.....
3G. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the Resolutions authorizing

1. The City Manager to sign an Annexation Agreement between the City of El Paso and River Oaks Properties, Ltd., for 7.161 acres of real property located east of Zaragoza Road and south of Gambusino Avenue, which will specify the terms and conditions in which the property will be annexed should the City annex the property. That the Deputy Director of Planning prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code. AN08002
2. The City Manager to sign an Annexation Agreement between the City of El Paso and River Oaks Properties, Ltd., for 7.887 acres of real property located east of Joe Battle Boulevard and south of Windermere Avenue, which will specify the terms and conditions in which the property will be annexed should the City annex the property. That the Deputy Director of Planning prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code. AN08004
3. The City Manager to sign an Annexation Agreement between the City of El Paso and River Oaks Properties, Ltd., for 8.070 acres of real property located north of Zaragoza Road and south of Montana Avenue, which will specify the terms and conditions in which the property will be annexed should the City annex the property. That the Deputy Director of Planning prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code. AN08005
4. The City Manager to sign an Annexation Agreement between the City of El Paso and River Oaks Properties, Ltd., for 42.225 acres of real property located north of Zaragoza Road and south of Montana Avenue, which will specify the terms and conditions in which the property will be annexed should the City annex the property. That the Deputy Director of Planning prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code. AN08006
5. The City Manager to sign an Annexation Agreement between the City of El Paso and River Oaks Properties, Ltd., for 2.054 acres of real property located northwest of Zaragoza Road and south of Edgemere Boulevard, which will specify the terms and conditions in which the property will be annexed should the City annex the property. That the Deputy Director of Planning prepare an annexation service plan in accordance with Section 43.056 of the Local Government Code. AN08008

Representatives Byrd commented. Representative Holguin stated “as per the Ethics Ordinance, I have received a campaign contribution over \$500.00 from Mr. Rubin”.

Mr. Phillip Etiwe, Development Review Manager, commented.

.....
4. REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division to issue a Purchase Order to W. W. Grainger, Incorporated, a contractor under the Texas Multiple Award Schedule (TXMAS) Contract No. TXMAS 2-539030 for Paratech Rescue Trailer Kits. 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 Texas Procurement and Support Services (TPASS), State Contracts Program was approved by Mayor and City Council on February 27, 2007.

Department:	Fire
Award to:	W. W. Grainger, Incorporated Lake Forest, IL
Total Estimated Award:	\$427,722.19
Funding Source:	UASI FY09 Homeland Security Grant Program USAR (Urban Search and Rescue) Project
Reference No.:	2011-275

This is a Cooperative, unit price contract.

.....
5. INTRODUCTIONS

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

- 5A.** 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 1 thru 40, Block 70; Lots 13 thru 18, Block 71; and Lots 28 thru 32, Block 71, Wilco Subdivision Unit No. 2, El Paso County, Texas, to H. Daniel Pettit and Kimberly Keeton-Pettit. In accordance with the section 34.05 (h) of the tax code.
- 5B.** An Ordinance amending Title 5 (Business Taxes, Licenses and Regulations) of the El Paso City Code by adding Chapter 5.47 (Boarding Home Facilities) in order to set forth the requirements and standards for permits, fees, inspections and revocation of such permits of boarding home facilities and providing for a criminal penalty.
- 5C.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.20 (Parks and Open Space), Section 19.20.060 (Exclusions from dedication requirement) and Chapter 19.26 (Alternative Subdivision/Smart Code Designs), Section 19.26.020 (Infill Development) of the El Paso City Code to allow for certain exclusions from the parkland dedication requirements for certain replats meeting specific criteria and to allow for the reduction of park fees on certain infill developments and adding an appendix to designate the reduction of such fees. The penalty is as provided for in Section 19.42 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JUNE 7, 2011, FOR ITEMS 5A –5C

- 5D.** An Ordinance changing the zoning of the following legally described parcel of land being Lots 1 through 12, 13, 14, 22 through 24, Block 2, Lots 1 through 16, 19 through 24, and a portion of Lot 17, Block 3, Lots 9 and 10, Block 5, Lots 1 through 9, 13 through 24 and portions of Lots 10 through

12, Washington Park Addition, Lots 11 through 15, 8 through 10 and portion of Lots 6 and 7, Block 4, portion of Lots 8, 9 and 10, Block 3 ½, Woodlawn, portion of Lot 1 and Lots 2 through 30, Block 2, and Block 3, Tobins Washington Park, Lots 1 through 30, Block 1, Lots 1 through 54, Block 2, Lots 1 through 26, Block 3, Lots 1 through 17, Block 5, Lots 1 through 5, Block 6, Tobins Second, Block 1, Martinez Homestead Addition, Orchard Park Subdivision, Hadlock Subdivision, Val Verde Subdivision, Block 11, tracts 1, 2, 2a, 2d1, 6 through 24, 25a, 25b, 25d, 26, 26a, 26b, 27b, 33a, 34, 34a, 35a, 35b, 36, 37b, 37b1, 37b2, 37c, 38c, 38c2, 39a1, E. Bennett Survey no. 11, Gateway Subdivision, Wilkins Replat, portion of E.R. Talley Surveys 6 and 7 (El Paso Zoo), Block 9, Lots 8 through 25 and portion of Lots 5, 6, 7, 26 and 27, Block 10, Blocks 13 through 24, Lincoln Park Addition, portion of Lots 1 and 2, Blocks 16, 17 and 32, French Addition, Block 3 and a portion of Block 4, Chula Vista Addition, Tobins fourth Addition, Lots 67 through 77, Block 5, Lots 81 through 91, Lots 100 through 109, Block 6, Lots 111 through 122, Block 7, El Valle Addition, F. Neve Survey no. 8, portion of Block 3, portion of Lot 6 and Lots 7 through 41 and a portion of 42, Block 6, portion of Lot 1 and Lots 2 through 44, Block 9, Lots 1 through 56, Block 14, Block 15, portion of Lots 16 and 17, Lots 18 through 23 and a portion of 24, Block 16, portion of Lot 12, Lots 13 through 28 and a portion of Lot 29, Block 17, Block 18, Block 19, Lots 1 through 14 and a portion of 15, Block 20, Lots 1 through 7, Block 21, Lots 1 through 7, Block 22, Lots 1 through 14, Lot 17 through 32, Block 24, Brentwood Heights, Medina Subdivision, portion of all streets, railroads, alleys, laterals within the above described parcels, save and except Lots 1 to 3 and 7 to 11 and the east 18.50 feet of Lot 6, Block 12, Tobins Fourth and a 28.189 acre portion of E.R. Talley Survey no. 6, 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.

5E. An Ordinance changing the zoning of Tract 10, Section 9, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from C-2 (Commercial) to C-3 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JUNE 21, 2011, FOR ITEMS 5D - 5E

Representative Holguin stated “under the same rule in the Ethics Ordinance, for item number 5A, I have received a campaign contribution from Ms. Pettit for \$500.00 or more”.

.....
6. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Ortega, seconded by Representative O’Rourke, and unanimously carried to **AWARD** Solicitation No. 2011-211 for the Clint Cell Lining Cells 7-10 Re-Bid M Lee Corp., Inc. for a total estimated amount of \$3,693,865.18.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O’Rourke
NAYS: None

Department: Engineering and Construction Management
Award to: M Lee Corp.
Base Bid: \$3,693,865.18
Total Estimated Completion: \$3,693,865.18
Funding Source: Environmental Services Fund

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-priced contract. The Engineering and Construction Management Department recommends the low bidder, Saab Site Contractors, L.P., be deemed non-responsible because the company has repeatedly violated provisions of the Cone of Silence as referenced in attached letters (March 16, 2009, February 23, 2011, April 25, 2011 and May 5, 2011). Additionally, on May 4, 2011, Saab Site Contractors, L.P. was notified that the company has been deemed in default of its contract on a separate construction project.

M Lee Corp. is the lowest responsible, responsive bidder. It is requested that the City Manager be authorized to sign the reference contract.

Representatives Ortega and Byrd commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Ellen Smyth, Environmental Services Director
- 3. Mr. Sam Rodriguez, Engineering Division Manager

.....
7.

ORDINANCE 17572

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO SELL APPROXIMATELY 2,420 SQUARE FEET, SITUATED IN BLOCK 4, OF THE SOCORRO GRANT, EL PASO COUNTY, TEXAS AND BEING A PORTION OF LOT 6 AND LOT 7, BLOCK 1, DELIP SUBDIVISION, COMMONLY KNOWN AS 10039 NORTH LOOP DRIVE, EL PASO COUNTY, TEXAS (PARCEL 19), TO THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, SAID PARCEL TO BE INCLUDED IN A HIGHWAY CONSTRUCTION PROJECT FOR FM HIGHWAY 76.**

Motion duly made by Representative Byrd, seconded by Representative Quintana, 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 Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Lilly

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

Ms. Lisa Ramirez-Tobias, Capital Assets Manager, commented.
.....

8A. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the public hearing on an Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), and Chapter 20.18 (Sign Regulations), Sections 20.18.050 (Definitions), Section 20.18.400 (General) and Section 20.18.450 (C-2, C-3, C-4, Q, M-1, M-2 and M-3 Districts) of the El Paso City Code to modify definitions related to signs, to modify monument and pole sign regulations and to modify wall sign regulations. The penalty is as provided in Section 20.24 of the El Paso City Code.

.....
8B. PLANNING AND ECONOMIC DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the public hearing on an Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Chapter 20.10 (Supplemental Use Regulations), Appendix A (Table of Permissible Uses) and Table C (Minimum Parking) of the El Paso City Code to add a definition for boarding home facilities and add standards for boarding home facilities and amend definitions for certain personal care facilities and clarify standards for personal care facilities. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

.....
9.

ORDINANCE 17573

The City Clerk read an Ordinance entitled: **AN ORDINANCE TERMINATING THE FRANCHISE GRANTED BY THE CITY OF EL PASO AND ACCEPTED BY ALTA VISTA CONSTRUCTION GROUP, L.L.C. IN ORDINANCE NO 016926 FOR PLACEMENT OF BENCHES AT BUS STOPS ON CITY RIGHTS OF WAY.**

Motion duly made by Representative Ortega, seconded by Representative Byrd, 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 Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Lilly

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

Representative Byrd commented.

Ms. Joyce Wilson, City Manager, commented.

.....
10A. MAYOR AND COUNCIL

Discussion and action concerning municipal costs associated with illegal dumping and disposal of debris.

Representative Robinson presented a PowerPoint presentation, (copy on file in City Clerk's office).

Representatives Robinson, Holguin, and Acosta, commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Ellen Smyth, Director of Environmental Services

The following members of the public commented:

- 1. Ms. Pam Aquirre, Texas Department of Environmental Quality
- 2. Ms. Christine Montoya, El Paso Water Utilities, PIO
- 3. Mr. Richard Campbell, El Paso Water Utilities

NO ACTION was taken on this item.

.....

10B. MAYOR AND COUNCIL

Motion made by Representative O'Rourke, seconded by Representative Ortega, and carried to **APPROVE** opening up San Jacinto Park to the public, to include removing signing and fencing, and for the City Manager to come back to Council during the budget process with modest improvements to the park, including additional benches and trees.

AYES: Representatives Lilly, Byrd, Acosta, Quintana, Holguin, Ortega, and O'Rourke
 NAYS: Representative Robinson

Representative Ortega presented a PowerPoint presentation, (copy on file in City Clerk's office).

Representatives Ortega, O'Rourke, Quintana, Robinson, and Byrd, commented.

The following City Staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Debbie Hamlyn, Deputy City Manager of Community Services
- 3. Mr. Stuart Ed, Director of General Services

The following members of the public commented:

- 1. Ms. Wally Cech
- 2. Ms. Corrine Boyce

.....

10C. MAYOR AND COUNCIL

Legislative Review Committee Report:

- 1. For notation only: Formal report of the Transportation Legislative Review Committee meeting held on May 5, 2011, as submitted by Representative Ann Lilly; and
- 2. Discussion and action pertaining specifically to the agenda item posted by the Transportation Legislative Review Committee meeting, as follows:
 - a. Discussion and action on making El Paso a more walkable City of El Paso.
 - b. Presentation, discussion and action regarding any potential conflict with the City's transportation strategic goals of being the lowest car dependent city in the Southwest mitigating traffic congestion.

- c. Update from Victor Morrison-Vega on the sidewalks in Alamitos, Tays St., where driveways were installed and interrupted the flow of traffic for this complex.
- d. Discussion and action regarding results, recommendations, process and next steps for the Request for Information/Interest for a City of El Paso International Bridges Private Partnership.

Representatives Lilly and Byrd commented.

Ms. Jane Shang, Deputy City Manager for Mobility Services, commented.

NO ACTION was taken on this item.

.....
ITEMS 11. AND EX1. TAKEN TOGETHER

11. CITY ATTORNEY

Motion made by Representative Lilly, seconded by Representative Robinson, and unanimously carried to **DELETE** a Resolution authorizing the City Manager to notify Hawkins Plaza, Ltd. that the May 1, 1994 Commercial Ground Lease between the City of El Paso and Hawkins Plaza, Ltd. for a portion of Lot 1, Block 1, Hawkins Plaza, El Paso, El Paso County, Texas is cancelled.

NOT PRESENT FOR THE VOTE: Representatives Ortega and O'Rourke

12.

R E S O L U T I O N

WHEREAS, in 2005, the City of El Paso partnered with the El Paso County Commissioners Court and El Paso Sports Commission to financially support the bid for the 2010 United States Bowling Congress Women's Championship;

WHEREAS, the United States Bowling Congress awarded the 2010 Women's Championship to the City of El Paso in March of 2006 and the tournament was held at the El Paso Convention Center from February through July of 2010;

WHEREAS, the 2010 tournament was a success with over 30,000 participants and 10,000 guests visiting El Paso for the tournament with an economic impact of over \$42 million;

WHEREAS, the United States Bowling Congress is requesting bids from cities to host the 2015 United States Bowling Congress Open Championship tournament;

WHEREAS, the 2015 Open Championship tournament is estimated to have over 65,000 participants and 35,000 guests with an economic impact of \$75 million.

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

- 1. **THAT** the City Council supports the submission of a competitive bid for the United States Bowling Congress Open Championship in 2015 and agrees that if the bid is awarded to the City and then subsequent to the bid award, if the El Paso Sports Commission provides \$533,333 and if the El Paso County Commissioners Court provides \$533,333, the City agrees to provide

\$533,334, with these three dollar amounts making up the total site fee of \$1,600,000 for the tournament.

- 2. **THAT** the City acknowledges that should the City be awarded said bid and should the other entities provide the amounts stated in Paragraph 1 above, the City would have to provide support for the operating expenses of the tournament to include the use of City facilities, equipment and personnel at no cost to the tournament by allocating additional operating funds of approximately \$1,000,000 to the Convention and Performing Arts Centers budget in fiscal year 2015.
- 3. **THAT** the City Manager or her designee is authorized to execute all documents, subject to review by the City Attorney's Office, on behalf of the City related to the submission of the bid and hosting the tournament, name the City's Convention and Visitors Bureau as the point of contact, and make all necessary budget transfers and make any fund distributions in accordance with the terms of said documents.

Mayor Cook and Representatives O'Rourke, Byrd, and Acosta commented.

Mr. William Blaziek, Manager, Convention and Visitors Bureau commented.

Mr. Brian Kennedy El Paso Sports Commission, commented.

Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
 NAYS: None

.....
13. ENGINEERING AND CONSTRUCTION MANAGEMENT

Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **AUTHORIZE** the Engineering and Construction Management Department to issue purchase orders to ExerPlay, Inc., PlayWell, and PlayPower Lt, contractors under the Texas Association of School Boards Purchasing Cooperative, Contract #346-10, for playground equipment. Participation by the City of El Paso in the Texas Association of School Boards Purchasing Cooperative was approved by City Council September 19, 2006. Total Recommended Estimated Award: \$2,173,500.

Mr. Javier Reyes, Engineering Division Manager, presented a PowerPoint presentation, (copy on file in City Clerk's office).

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
 NAYS: None

.....
14A. PLANNING AND ECONOMIC DEVELOPMENT

Discussion and action on a Resolution to approve the creation of the City of El Paso Economic Development Incentive Policy for Energy Related, Targeted Growth and Investment, and/or Technology Development Projects.

1ST MOTION

Motion made by Representative Ortega, seconded by Representative Acosta to **SUSPEND THE RULES** of order to allow for additional speakers to address the Council after the sign-up period.

NOT PRESENT FOR THE VOTE: Representatives Robinson, Quintana, and Holguin

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried to **DIRECT** the City Manager to revise the proposed City of El Paso Economic Development Incentive Policy for Energy Related, Targeted Growth and Investment, and/or Technology Development Projects, to include the following: removal of the research superiority endowment, and authorizing no less than 75% of the funds to the MCA foundation and area, and 25% for clean energy and incubation.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Ortega, and O'Rourke

NAYS: Representative Holguin

Ms. Joyce Wilson, City Manager, and Mr. Ernesto Gamboa, Deputy Director of Economic Development, presented a PowerPoint presentation, (copy on file in City Clerk's office).

Mayor Cook and Representatives Acosta, Byrd, O'Rourke Ortega, and Robinson, commented.

The following members of the public commented:

1. Ms. Emma Schwartz, Medical Centers of America, presented a PowerPoint presentation (copy on file in City Clerk's office).
2. Mr. Bob Cook, El Paso Regional Development (REDCO)
3. Dr. Paul Maxwell, Executive Director and CEO, BiNational Sustainability Laboratory/Hub for Human Innovation
4. Mr. Richard Aduato, Vice President, University of Texas El Paso
5. Dr. Charles Miller, Texas Tech Medical School
6. Mr. Gary Williams, Hub for Human Innovation
7. Ms. Terry Gándara, HomeGrown El Paso, presented a PowerPoint Presentation (copy on file in City Clerk's office).
8. Ms. Lisa Turner, citizen

.....
14B. PLANNING AND ECONOMIC DEVELOPMENT

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **REFER** to the Economic Development, Planning and Tourism Legislative Review Committee the Hub of Human Innovation Inc. grant funding request for a Hub and Clean Energy Incubator program, a Proof of Concept program, a Certification Center and Odyssey program as detailed in the Hub of Innovation's Proposal to the City of El Paso for activities over a four year period in the amount of \$2,305,000.

.....
The City Council Meeting was **RECESSED** at 1:49 p.m.

.....
The City Council Meeting was **RECONVENED** at 2:14 p.m.

.....
15A. CITY MANAGER

Motion made by Representative Ortega, seconded by Representative Byrd, and carried to **APPROVE** the item regarding the adoption of the El Paso Regional Ports of Entry Operations Plan as presented by James Brogan of Cambridge Systematics. **THE MOTION PASSED.**

- AYES: Mayor Cook and Representatives Byrd, Ortega, and O'Rourke
NAYS: Representatives Acosta, Robinson, and Holguin
NOT PRESENT FOR THE VOTE: Representatives Lilly and Quintana

Mayor Cook broke the tie, voting Aye.

Mr. James Brogan, Cambridge Systematics and Ms. Kelsey Ahem, Transportation Analyst, Cambridge Systematics presented a PowerPoint presentation (copy on file in City Clerk's office).

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Jane Shang, Deputy City Manager for Mobility Services

The following members of the public commented:

1. Ms. Emma Schwartz, Medical Center of the Americas
2. Mr. Mark Young, TXDOT, Regional Planning Office
3. Mr. Gilbert Cordova, President, El Paso Customs Brokers
4. Ms. Kathy Neal, Border Trade Alliance
5. Ms. Veronica Callaghan, El Paso Foreign Trade Zone Alliance
6. Ms. Lisa Turner, citizen

.....
15B. CITY MANAGER

Discussion and action on City initiatives and action plan to mitigate the impacts of commercial truck traffic to the Chamizal neighborhood when crossing the Bridge of the Americas.

NO ACTION was taken on this item.

.....
Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried to **ADJOURN** this meeting at 3:48 p.m.

NOT PRESENT FOR THE VOTE: Representatives Lilly and Quintana
.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk