

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
MELINA CASTRO, 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

June 9, 2009
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, Fire, & CIMA Chaplain Sam Faraone
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. WEST POINT DAY**
- 2. EL MAIDA SHRINE 100TH ANNIVERSARY**
- 3. THE EL PASO SUMMER MUSIC FESTIVAL FROM THE TOP DAY**

RECOGNITIONS

**PRESENTATION BY RAFAEL GARCIA, EL PASO AREA 7 CHAIRMAN,
EMPLOYER SUPPORT OF THE GUARD AND RESERVE AS FOLLOWS:**

**THE ABOVE AND BEYOND AWARD - EL PASO POLICE DEPARTMENT
MY BOSS IS A PATRIOT AWARD - LT. RAY MENCHACA**

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 June 2, 2009.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign an Industrial Site Lease by and between the City of El Paso, on behalf of the El Paso International Airport, and EPII Group, LLC for the following property: a portion of Lot 19, Block 1, International Industrial Center, Unit 1 Replat, El Paso, El Paso County, Texas, which is municipally known and numbered as 6601 International Drive.

(District 3) [Airport, Monica Lombrana, (915) 780-4724]

3B. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), Airport Business Center Joint Venture, ("Assignor"), and CCR Properties, Inc. ("Assignee") for the following described property: Lots 1, 2, and 3 and the westerly 86.50 feet of Lot 4, Block 10, El Paso International Airport Tracts, Unit 7, El Paso County, Texas, and municipally known as 8409 and 8411 Lockheed Drive, El Paso, Texas.

(District 3) [Airport, Monica Lombrana, (915) 780-4724]

3C. That the City Manager be authorized to sign a Baggage Cart Concession Agreement by and between the City of El Paso and Smarte Carte, Inc. ("Concessionaire") at the El Paso International Airport. **(All Districts)**

[Airport, Monica Lombrana, (915) 780-4724]

3D. Placing a condemnation lien on the following properties (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso City Code.

1.	2630 Richmond Avenue	\$9,164.46	Dennis B. Dereglia, Joseph Therese Reydom, GMAC Mortgage LLC, and First American Field Services
	(District 2)		

2.	5909 Delta Drive	\$5,199.11	Primitivo N. Pena and Maria V. Pena
	(District 3)		

[Development Services, Victor Q. Torres, (915) 541-4557]

- 3E. That the City Manager be authorized to sign a Tenant Relocation Agreement between the City of El Paso and Natalia Soriano and Marcos Soriano, the tenants residing at 1008 S. Mesa Street, which Agreement allows relocation assistance in an amount not to exceed \$20,420, and that the City Manager be authorized to approve an amount not to exceed \$1,000 for incidental expenses. Project #: PBR06003; Fund:43005; Department: 32000080; Account: 508000. **(District 8)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 3F. That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 1, 2, 3, 4, 5, 7, and 8)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3G. That the City Manager be authorized to sign a First Amendment to the Lease Agreement between the City of El Paso and Franklin Self Storage Limited Liability Company to cross a portion of an identified 60-foot easement leased to El Paso Natural Gas in Tract 1P1, H.G. Foster Survey No. 256, City of El Paso, El Paso County, Texas. **(District 1)** [Financial Services, Liza Ramirez-Tobias, (915) 541-4074]
- 3H. That the City Manager be authorized to execute a contract with Odell S. Holmes, Jr., Judge of the Municipal Court of Appeals, to provide clerical and other support for the administration of the court. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

REGULAR AGENDA - INTRODUCTIONS

4. 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.**

- 4A. An Ordinance amending Ordinance Numbers 010873, 012221, 012476, 012636, 014826, 015415, 015961, and 016456 which established operating procedures and set fees for Foreign-Trade Zone No. 68, to add a designation for Distribution Site Operator; to add User Fees; to provide for the removal of FTZ Designation; and to implement a Small Manufacturing Business Accelerator Project at Foreign - Trade Zone No. 68. **(Districts 2, 3, 4, 6 and 7)** [Airport, Monica Lombrana, (915) 780-4724]
- 4B. 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 adding Mesquite Hill Drive and Tierra Dorada Drive to Subsection F (Thirty-Five Miles per Hour). The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(Districts 4 & 5)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

PUBLIC HEARING WILL BE HELD ON JUNE 16, 2009, FOR ITEMS 4A – 4B

- 4C. An Ordinance repealing Ordinance 8397 which established procedures for annexation and amending Title 20 (Zoning), Chapter 20.06 (Zoning Districts and Maps), of the El Paso City Code to establish annexation procedures. **(All Districts)** [Development Services, John Neal, (915) 541-4285]

PUBLIC HEARING WILL BE HELD ON JULY 7, 2009, FOR ITEM 4C

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 – PUBLIC HEARINGS

5. DEVELOPMENT SERVICES:

- 5A.** An Ordinance changing the zoning of Lots 25 through 28, Block 22, Second Addition to Womble Addition, City of El Paso, El Paso County, Texas, from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 332 North Clark Drive. Property owner: E.B. Silva Management L.L.C. ZON08-00096
(District 3) [Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 5B.** An Ordinance changing the zoning of Tracts 1D-2C, 1D-2A1, Block 35, Ysleta Grant, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 8450 Alameda Avenue. Property owners: Martin and Maria Isela Armendariz. ZON08-00094 **(District 7)**
[Development Services/Planning, Mirian Spencer, (915) 541-4192] **POSTPONED FROM 06-02-09**
- 5C.** An Ordinance changing the zoning of a portion of Tract 7D, First Supplemental Map of Parkland Addition, City of El Paso, El Paso County, Texas, from R-4 (Residential) to A-1 (Apartment) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 6001 Transmountain Road. Property owner: David Harrell. ZON08-00113.
(District 4) [Development Services/Planning, Mirian Spencer, (915) 541-4192]
POSTPONED FROM 06-02-09

6. PARKS AND RECREATION:

- 6A.** An Ordinance amending Title 2 (Administration and Personnel) by adding Chapter 2.22 (Open Space Advisory Board) to create the Open Space Advisory Board to assist in the preservation and acquisition of open space. **(All Districts)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4283]
- 6B.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.20 (Board of Parks and Recreation) in its entirety. **(All Districts)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4283]

REGULAR AGENDA – OTHER BUSINESS

7. MAYOR AND COUNCIL:

- 7A.** Discussion and action on establishing a 50% park credit for private park amenities in multi-family developments. [Representative Beto O'Rourke, (915) 541-4123]
POSTPONED FROM 05-26-09
- 7B.** Discussion and action regarding the Global Public Policy Forum: The U.S. War on Drugs 1969 - 2009, to be held at the University of Texas at El Paso,

September 20 - 22, 2009, and that the Council finds and declares that the expenditure of discretionary funds, to include \$5000 from District 8 discretionary funds, to help support the presentation of the conference serves a municipal purpose, including the Charter-established municipal purposes concerning border relations, and that the City Manager be authorized to sign any agreement, including an Interlocal Governmental Agreement, regarding the payment of the discretionary funds to support the conference.

[Representative Beto O'Rourke, (915) 541-4123]

8. DEVELOPMENT AND INFRASTRUCTURE:

Discussion and action to authorize the City Manager to bring forward recommendations, Code amendments, and necessary City-initiated public right-of-way vacation applications to permit an "open air entertainment area" within a portion of the Union Plaza District; to take any necessary actions within a period of no more than sixty days; and to investigate other potential opportunities for "open air entertainment areas" within the City.

(District 8) [Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

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/>