

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
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

SPECIAL WORK SESSION MEETING OF THE CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
May 24, 2012

The City Council met at the above place and date. Meeting was called to order at 11:04 p.m. Mayor John Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susie Byrd, Emma Acosta, Carl Robinson, Michiel Noe, Eddie Holguin, Jr. Steve Ortega, and Cortney Carlisle Niland.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

- 1A.** Approval of Minutes for the Health, Safety and Community Services Legislative Review Committee meeting of January 26, 2012. [Health and Public Safety, David Almonte, (915) 541-4853]
- 1B.** Approval of the Minutes for the Transportation Legislative Review Committee meeting of March 22, 2012. [Transportation, Emma Acosta, Chair, (915) 541-4515]

CONSENT AGENDA

Motion made by Representative Niland, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **APPROVE**, 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, Noe, Holguin, Ortega, and Niland
NAYS: None

REGULAR – OTHER BUSINESS

2. DEPARTMENT OF TRANSPORTATION

- 2A.** Discussion and action on a Capital Improvement Program (CIP) for streets and related infrastructure, a debt service policy for FY2013-2022, and a fiscal and financial plan which will be updated annually in accordance with the implementation schedule of projects. **(All Districts)** [Department of Transportation, Daryl W. Cole, (915) 621-6757]

Ms. Joyce Wilson, City Manager introduced the meeting and commented on the need for direction on the Quality of Life Bond issue. She stated we must tie down the Quality of Life Bond and get final dollar amounts for the formal preparation on the ballot language. Bond resolution goals and bring before council.

Mr. Alan Shubert presented a PowerPoint presentation (copy on file in City Clerk's office) which was an overview of downtown Improvements and proposed street infra-structure Capital Plan for FY2013-FY2019.

Mayor Cook explained how the Quality of Life Bond issues in dealing with public safety are being finance. There are separate issues.

Mr. Daryl Cole, Director, Department of Transportation, presented a PowerPoint presentation (copy on file in City Clerk's office) He described the resurfacing for fiscal years 2013 – 2019. Micro-resurfacing - Capital Improvement Plan maps. There is a \$136 million budget over the next 7 years, or 90 proposed projects. This will change the infrastructure citywide and within the city network.

He explained the differences between reconstruction, resurfacing and micro-resurfacing. These are:

- Reconstruction is full replacement of the streets and substructure at a cost of approximately \$160 - \$170 per square yard.
- Resurfacing is new sidewalks and 2-3" of pavement at a cost of \$17 - \$20.00 per square yard
- Micro-Resurfacing is about \$5.00 per square yard

He further discussed the difference between concrete and asphalt and gave recommendations and explanations for each one.

Unpaved roadways, right-of-ways, and alleys make for asphalt.

Landscape medians, 9-10 need to be done with list (does not include TxDOT).

Neighborhood Traffic Management Program:

- Pedestrian elements, sidewalks and parkway improvements
- Reconstruction for bike lanes
- Proposed red light camera improvements

Representative Acosta thanked Mr. Cole for focusing on the Transportation infrastructure. She presented a PowerPoint presentation (copy on file in City Clerk's Office) on streets in her district that are in dire need of repair. Some of these streets are not included on the original list.

Ms. Sylvia Firth, City Attorney commented on annexation.

Representative Ortega asked how recommendations were made between micro-resurfacing. He questioned cluster strategy.

Mr. Cole replied that street in fair to good condition. Gap between 45-71% that does get addressed. All roadways fall within 70% grouping according to the software.

Representative Ortega asked if a policy could be formulated as to concrete or asphalt before work begins on the road repair.

Mr. Alan Shubert replied that the economic impact and fluctuation of the market is the reason that this is not done.

Representative Ortega stated that Council must be presented with a choice or set of values before making decisions.

Representative Byrd stated that unpaved alleys close to the mountains have problems due to rain water runoff.

Mr. Cole stated he would share the numbers with Representative Byrd at a later date.

Representative Byrd questioned the selection of medians.

Mr. Cole stated extensions/addition of medians, continuation and elimination.

Representative Byrd asked about bike lanes.

Mr. Cole stated that restructuring, extensions and red light camera networks tie all together, and asked for public opinion on a bike network.

Representative Robinson commented on lots of needs, however not to draw a line on the streets not making the list. He further discussed the gaps in sidewalks in District 4.

Representative Niland asked, on an annual basis, how many miles are to be paved, 7.5 – 8 miles are scheduled and not take care of.

Mr. Cole stated that \$5 million is being budgeted for resurfacing.

Mr. Cole also stated that 2300 miles is a huge chunk of the very worse streets in El Paso, which are costly to maintain.

Representative Niland asked about payment on the debt.

Ms. Joyce Wilson responded that the Quality of Life Bond will answer funding cash vs. debt which items will be listed.

Representative Niland stated that our Bond rating is excellent and requests direction to tackle the revenue stream before the taxpayer is burdened.

Representative Acosta questioned whether the data base is updated after resurfacing.

Mr. Cole stated yes, must also update system after each inspection.

Representative Acosta stated that we need flexibility in the street pavement budgeting.

Ms. Joyce Wilson stated that funds will grow over time. We must constrain the list because of other demands.

Representative Acosta asked about state funding on sidewalks and corridors.

Mr. Cole stated that funding is very limited, about \$250,000.

Representative Holguin asked for a financial list by district; that funds are not being distributed evenly.

Mr. Cole stated that they do not look at district lines and can give information on the selection process at a later date.

Representative Robinson asked how much funding is needed to accomplish this.

Mr. Cole stated that he estimates \$750 million is the value of the assets.

Motion made by Representative Robinson, seconded by Representative Niland and unanimously carried to approve the Capital improvement program for streets and related infrastructure, a debt service policy for FY 2012-1022, and a fiscal and financial plan which will be updated every 3 years in accordance with the implementation schedule of projects.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland

NAYS: Representative Holguin

PUBLIC COMMENT:

Ms. Lisa Turner, citizen

3. CITY MANAGER'S OFFICE

3A and 3B TAKEN TOGETHER

3A. Discussion and action on the proposed 2012 Quality of Life Bond Election for November 2012

1. Revised Project recommendations and cost estimates
2. Preliminary wording on ballot and Project groupings
(All Districts) [City Manager Joyce Wilson, (915) 541-4859]

3B. Discussion and action on other possible funding sources for projects identified for the 2012 Quality of Life Bond election. **(All Districts)** [City Manager Joyce Wilson, (915) 541-4859]

Ms. Wilson asked for a list of the projects. We must determine what funds are being allocated to what area. Some projects are not on the bond. She recommends, no soccer stadium, or Sun Bowl upgrades which conflict with statues, stating why should the city invest in a facility it can not control. A possible funding source would be an increase in tax, but must be put towards revenue.

Representative Acosta asked that the language toward the Bond issue be more basic so that individuals can understand.

Ms. Wilson stated that the language will be written on specifics. Limit questions for clarity. The language has been shown to Council and a group only.

Representative Acosta stated that the Zoo is also an important tourist attraction, and requested additional funds to bring the Quality of Life bond up to \$50 million. She questioned soccer fields.

Ms. Wilson said that parks are part of the bond. The economic impact of tournaments coming into the city is great.

Representative Acosta stated that the Digital wall for museums is very important.

Ms. Wilson stated that they are included on the ballot.

Representative Ortega stated that the public is voting for different categories. He questioned a baseball/soccer stadium with limited funding. The same criteria for both. We need to have further clarification on this issue.

Ms. Wilson stated we could raise taxes to a certain revenue. There is no funding source for a major soccer team. We must have voter approval.

Mr. Paul Braden, Outside Bond Counsel, Fulbright and Jaworski, stated funding implications for revenue are according to the law.

Representative Ortega questioned Sun Bowl expenditures.

Ms. Wilson stated the answer is in the book.

Representative Ortega stated that the Museums Building is under utilized. He does not want new venues because there is existing infrastructure.

Ms. Wilson agrees, no acquisition funding.

Representative Ortega suggests the removal of some downtown projects.

Ms. Wilson stated that information is wrapped into the museums package.

Representative Byrd asked about Parks category funding.

Ms. Wilson stated that it is capped.

Representative Byrd said that she would continue to support the Open Space Master Plan and that we would retain the Plan. As far as the Celsea pool is, we should replace existing assets first.

Ms. Nanette Smejkal, Director of Parks and Recreation said that the Master Plan does not include the pool. A new pool is being considered to meet all the parameters/criteria for a competition pool.

Representative Byrd questions whether we should build new recreation centers or add on to the existing facilities.

Ms. Smejkal said expanding existing facilities/use what you have according to the Master Plan.

Representative Byrd commented that the Zoo needs more venues to host parties, and rental facilities. According to the Zoo director the venue rental goes directly to the Zoo.

Mayor Pro Tempore Lilly wants \$35 million as opposed to \$50 million approved. District 1 does not have a pool.

Representative Niland stated that San Antonio passed a Quality of Life Bond for \$596 million; El Paso must invest in itself, Downtown revitalization is extremely important. We do not have enough parks or facilities for our population.

Representative Noe stated that the Bond Issue only chance to fund numerous projects. 250 Million. Districts 1 and 5 have no aquatic centers.

Ms. Wilson stated that staff recommends Waco Park build up. That Council is not focused on staff recommendations' but Councils'.

Representative Niland stated that Parks and Recreation are most important.

Must constrain funds for total cost of Bond on each issue.

Mr. Joe Gomez, Circle of Giate Museum Group, commented on the digital wall for the museums.

Mr. Richard Dayoub, Greater El Paso Chamber of Commerce, stated that the Chamber supports the Quality of Life Bond Issue.

PUBIC COMMENT:

1. Mr. Joe Gomez, Circle of Giate Museum Group
2. Mr. Richard Dayoub, Greater El Paso Chamber of Commerce
3. Mr. Charlie Wakeem, Open Space Advisory Board, presented a PowerPoint presentation (copy on file in City Clerk's office).
4. Mr. Robert Rodriguez, Bowie High School
5. Ms. Melissa Garcia, Bowie High School
6. Mr. Jesse Lopez, Bowie High School
7. Mr. Alfred Diaz, Quality of Life Bond
8. Ms. Renee Neuert, Quality of Life Bond
9. Ms. Lisa Turner, Citizen
10. Mr. James Coulter, Border Interfaith
11. Mr. Faken Ducre, EPISO
12. Mr. Guillermo Glenn, FamiliasUnidas
13. Ms. Pat McGoldrick
14. Mr. Oscar Jimenez
15. Ms. Victoria Quevedo
16. Ms. Kezia Flores
17. Ms. Meryn Heyman

Representative Noe stated he is happy to support the bond issues for districts identified but just asks for support when it comes to his District.

Representative Robinson asked if we had done a needs' assessment.

Ms. Wilson stated that yes, that is part of the Master Plan.

Representative Robinson asked if we could list items that the public would like to see on the ballot and let the citizens decide. As far as Cohen Stadium, why can't we retro fit or upgrade?

Representative Acosta said that she does not want the public confused about the bond issue being voted on. There should only be 2 questions or categories compared to year 2000. It is a question of \$160 or \$185 million – which one should we go for?

Representative Byrd suggests indoor pool and soccer facility. We can fulfill the gaps or needs in the city to be determined at a later date according to staff recommendations.

Representative Holguin asked for more than 2 questions for the voters.

Representative Niland said that this appears to be a battle of the Districts. Why hire an expert for the Quality of Life Bond and heed the advice from the advisor?

1st MOTION

Motion made by Representative Niland, seconded by Representative Acosta and unanimously carried regarding the parks and recreation open space at \$190 million with \$5 million going to open spaces. Remove Ascarte Park and add 2nd pool. Location: Waco Park and Don Haskins Recreation Center.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

2nd MOTION

Motion made by Representative Robinson, seconded by Representative Acosta carried and unanimously carried to approve \$50 million for Zoo.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

Representative Byrd commented on the difference between \$35 million vs \$50 million as far as facilities.

Mr. Steve Marshall, Zoo Director, suggested committing money for the Master Plan. This would be a major exhibit investment \$35 million to meet necessary needs. The extra dollars would take the zoo to the next level.

3RD MOTION

Motion made by Representative Robinson, seconded by Representative Acosta and unanimously carried to approve \$12 million for the library.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

4TH MOTION

Motion made by Representative Niland, seconded by Mayor Pro Tempore Lilly and unanimously carried to approve \$180 million for a Multi Purpose Center.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

5th MOTION

Motion made by Representative Byrd, seconded by Representative Ortega and unanimously carried to approve \$36.25 million for upgrades to Museums, Children's Museums, Hispanic and Cultural Museum Center and digital wall and to use existing buildings.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

6th MOTION

Motion made by Representative Robinson, seconded by Representative Byrd and unanimously carried to approve \$10 million to the Neighborhood Improvement Project.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

7th MOTION

Motion made by Representative Noe, seconded by Representative Ortega to approve \$20 million for Downtown improvements, property acquisition, green space and vertical rehab.

AYES: Representatives Byrd, Noe, Ortega and Niland
NAYS: Mayor Cook and Representatives Lilly, Acosta, Robinson and Holguin
Mayor Cook voted nay and broke the tie.
The Motion **FAILS**

Ms. Wilson stated that she could not recommend the motion.

Ms. Veronica Soto, Downtown Management District stated that it is worthwhile to invest in the Downtown

Representative Holguin stated that \$40 million set aside for downtown is a slush fund.

Ms. Lisa Turner, citizen, commented.

8th MOTION

Motion made by Representative Acosta, seconded by Representative Holguin to place the following categories on the ballot: Libraries, Museums, Parks, Zoo, Multi Purpose Center, and 2% HOT tax in order to fund a Baseball Park/Professional Sports venue.

AYES: Representatives Acosta, Robinson, and Holguin
NAYS: Representatives Lilly, Byrd, Noe, Ortega and Niland
The Motion **FAILS**

9th MOTION

Motion made by Representative Robinson, seconded by Representative Byrd and unanimously carried to **SUSPEND THE RULES** of Council to allow for additional speakers.

Tripper Goodman, Chairperson, El Paso Tomorrow Committee, stated he is concerned about the categories for the Bond ballot.

Representative Niland stated we hired an expert and are not heeding the expert's advice.

Representative Acosta asked that we leave the categories as listed above.

Representative Noe questioned the legal number of categories.

Mr. Paul Braden stated that the minimum is 2 categories.

Representative Holguin stated that citizens should be able to vote on individual items that they want to pay for.

10th MOTION

Motion made by Representative Ortega, seconded by Representative Niland and carried to approve 2 categories on the ballot: Parks and Recreation and Cultural and Entertainment facilities and a separate question for professional sports venue.

AYES: Representatives Lilly, Byrd, Noe, Ortega and Niland
NAYS: Representatives Acosta, Robinson, Holguin

3C. Discussion and action to terminate lease with TxDOT for Lincoln Center building due to interest in the building by other state agencies. **(All Districts)**
[City Manager Joyce Wilson, (915) 541-4859]

Motion made by Representative Acosta, seconded by Representative Byrd and unanimously carried to terminate the lease with TXDOT for Lincoln Center Building.

Ms. Maria Chacon, State Senator Jose Rodriguez's office, commented.

Mr. Hector Gonzalez, Lincoln Park neighbor, commented.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland
NAYS: Representative Holguin

Motion made by Representative Robinson, seconded by Representative Niland and unanimously carried to adjourn this meeting at 4:18 p.m.

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

NOTICE TO THE PUBLIC: This special work session meeting has been posted in conformity with the Texas Open Meetings Act, to allow for deliberations among a majority of the members of the City Council, should a majority of the entire membership of the City Council choose to attend the work session and participate in the discussions. Council member attendance at this special City Council meeting is not required by the City Charter.

Sign language interpreters will be provided for this meeting upon request. Requests must be made to this department a minimum of 24 hours in advance.

Copies of this Notice will be provided in Braille, large print or audio tape upon request. Requests must be made a minimum of 48 hours prior to the date and time of meeting.

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk