

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

AGENDA FOR REGULAR CITY COUNCIL MEETING

**June 15, 2010
Council Chambers, City Hall
8:30 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 Chaplain Cliff Barnes
Pledge of Allegiance**

MAYOR'S PROCLAMATION

- 1. JUNETEENTH FREEDOM CELEBRATION DAY**
- 2. EL PASO'S REGIONAL MEDICAL CENTER OUTREACH 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.

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 8, 2010.

[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 a Contract of Sale between the City of El Paso and R. L. Bowling, III and Paulette Bowling for the purchase of the following property at the corner of Lee Boulevard and Turner Road for \$17,000 as part of a negotiated settlement. **(District 5)**

[Engineering, R. Alan Shubert, (915) 541-4423]

3B. That Regent Broadcasting and Bel Air Optimist Club be authorized to provide for the sale and service of alcoholic beverages at the Downtown Street Festival in closed portions of Santa Fe Street between Franklin Street and San Antonio Street, Main Street between Santa Fe Street and El Paso Street, El Paso Street between Franklin Street and Main Street and Sheldon Court between Mills Street and Santa Fe Street from 6:00 p.m. Friday, July 2, 2010, to 2:00 a.m. Saturday, July 3, 2010, and from 6:00 p.m. Saturday, July 3, 2010, to 2:00 a.m. Sunday, July 4, 2010. SPL10-00001 **(District 8)**

[Engineering/Traffic Division, Mirian Spencer, (915) 541-4482]

3C. That O.P.E.P. be authorized to provide for the sale and service of alcoholic beverages at the outdoor street festival in the closed portion of Ochoa Street between First Avenue and Paisano Drive from 7:00 p.m. Saturday, June, 26, 2010, to 2:00 a.m. Sunday, June 27, 2010 (SPL10-00017).

(District 8) [Engineering/Traffic Division, Jared Jason Mendoza, (915) 541-4152]

3D. That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 1, 2, 3, & 4)**

[Environmental Services, Ellen A. Smyth, (915) 621-6719]

3E. That the City Manager be authorized to sign the Interlocal Agreement by and between the City of El Paso and the Housing Authority of the City of El Paso ("HACEP") to sell HACEP surplus vehicles through the City's auctioning process from June 15, 2010 to June 14, 2011. **(All Districts)**

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[Financial Services, Raquel Alarcon, (915) 541-4755]

3F. That the City Manager be authorized to sign the Third Amendment to the 1970 Lease Agreement between the City of El Paso and the Greater El Paso Chamber of Commerce. **(All Districts)** [Quality of Life Services, Deborah Hamlyn, (915) 541-4686]

4. BOARD RE-APPOINTMENT:

Karl P. Heimer to the Community Development Steering Committee by Representative Eddie Holguin Jr., District 6.

[Representative Eddie Holguin Jr., (915) 541-4182]

5. APPLICATIONS FOR TAX REFUNDS:

That the tax refunds listed on the attachment posted with this agenda be approved.

(See Attachment B) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

6. FINANCIAL SERVICES:

Discussion and action on the request that the Purchasing Manager of Financial Services, Purchasing Division, be authorized to exercise the City's option to extend current Contract 2007-153 (Security Guard Services For Park Facilities-Rebid) with AlliedBarton Security Services for two additional years pursuant to the provisions of an award approved by the City Council on June 26, 2007. Contract period will be from June 27, 2010 to June 26, 2012

Department: Parks and Recreation
Option: One [of One]
Annual Estimated Amount: \$254,535
Funding Source: General Fund – Security contracts
Total Estimated Amount: \$509,070 (2 Year Extension)

Districts: All
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Parks and Recreation, Leonor Wilson, (915) 541-4335]

REGULAR AGENDA – PUBLIC HEARINGS

7. DEVELOPMENT SERVICES:

7A. 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 amending Subsection G, forty miles per hour, Number 12: Socorro Road from 400 feet southeast of Southside Road and 450 feet southeast of Avenue of the Americas to 400 feet southeast of Southside Road and the southeast city limits; and to delete Number 2 in Subsection H, forty-five miles per hour, Socorro Drive between a point 450 feet southeast of Avenue of the Americas and the southeast city limits; the penalty being as provided in Section 12.84.010 (Violation--Penalty) of the El Paso City Code. **(District 6)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4050] **POSTPONED FROM 05-18-10**

7B. An Ordinance authorizing the City Manager of the City of El Paso to sign a quit claim deed to convey to the state of Texas, approximately 31.118 acres of land known as a portion of Fred Wilson Avenue, Marshall Road and Airport Road in the City of El Paso, located in Sections 19 and 30, Block 80, Township 2 and

Sections 17, 18, 19 and 20, Block 81, Township 2, Texas and Pacific Railway Company surveys, El Paso County, Texas, said parcel to be included in the state of Texas Spur 601 controlled access highway project; and authorizing the City Manager to sign any and all documents necessary to complete the transfer of the land. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]

- 7C.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.08 (Junked Vehicles), Section 9.08.020 (Definitions) to amend the definition of junked vehicle; to clarify which entity cancels certificates of Title in 9.08.030 (Abatement); and to clarify appropriate cover of antique and special interest vehicles stored outdoors in 9.08.040C (Exceptions); the penalty as provided in Section 9.08.070 of the El Paso City Code. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

REGULAR AGENDA – OTHER BUSINESS

8. MAYOR AND COUNCIL:

Legislative Review Committee:

1. For notation: Formal report of the Environmental Services Legislative Review meeting held on May 6, 2010, as submitted by Representative Susie Byrd, Chair; and
2. Discussion pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee, as follows:
 - A) Tire disposal options and other potential projects that support sustainability.
 - B) On Section 20.02.1136 to discuss flea market vendors.**(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

9. POLICE:

Discussion and action on a resolution authorizing the Mayor to sign an Interlocal Agreement with the County of El Paso regarding the housing of city inmates.

(All Districts) [Office of Management and Budget, David Almonte, (915) 541-4777]
[Police, Greg Allen, (915) 564-7000]

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.** Antonio Hernandez vs. The City of El Paso, et. al.; Cause No. EP-09-CV-0461 (551.071)
[City Attorney's Office, Karla M. Nieman, (915) 541-4550]
- EX2.** In re: Order of Foreclosure concerning: Albert Herrera and Annette Herrera and 304 Encino Drive, El Paso, Texas 79905, Cause No. 2010-1194. (551.071 and 551.072)
[City Attorney's Office, Kenneth A. Krohn, (915) 541-4550]
- EX3.** Mutual Settlement and Release of all Claims with the County of El Paso regarding the housing of city inmates and damages to City property at the MDR Building. (551.071)
[City Attorney's Office, John Batoon, (915) 541-4550]
- EX4.** Collection re: Ernesto Corral, Our File No. 10-COL-009. (551.071)
[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 FRIDAY AT THE ADDRESS BELOW:

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