

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 23, 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 – Fire Chaplain Ed Sinke
Pledge of Allegiance**

MAYOR'S PROCLAMATIONS

- 1. INDEPENDENTS' WEEK**
- 2. SUN CITY "ALL AIRBORNE" FIESTA V**
- 3. EL PASO COMMUNITY COLLEGE'S 40TH ANNIVERSARY CELEBRATION DAY**
- 4. HOMEOWNERSHIP MONTH IN EL PASO**

RECOGNITIONS

- 1. THE CITY OF EL PASO RECEIVES AWARDS FROM THE TEXAS PUBLIC WORKS ASSOCIATION:
2009 PUBLIC WORKS PROJECT OF THE YEAR
ENVIRONMENT PROJECT \$10-\$100 MILLION AWARD
(CITY WIDE ENERGY OPERATIONAL SAVINGS PROGRAM)
2009 PUBLIC WORKS PROJECT OF THE YEAR
TRANSPORTATION PROJECT LESS THAN \$2 MILLION
AWARD (ENGINEERING ASSESSMENT FOR SAFE ROUTES
TO SCHOOL)**
- 2. STAR ON THE MOUNTAIN AWARD –
MAJORS RONALD AND ELAINE WILDMAN**

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.

REGULAR AGENDA – OTHER BUSINESS

1. MAYOR AND COUNCIL:

1A. Discussion and action on the election of Mayor Pro Tempore and Alternate Mayor Pro Tempore. [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

1B. Discussion and action on a Resolution adopting the Rules of Order for City Council meetings. [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

CONSENT AGENDA

2. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of June 16, 2009.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

3. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

4. RESOLUTIONS:

4A. Resolution approving submission of the grant application for the Neighborhood Stabilization Program to the Texas Department of Housing and Community Affairs (TDHCA), in conformance with Section 12g of the TDHCA Notice of Funding Availability (NOFA), and reaffirming and restating City Manager

authorization relating to the City's grant application submittal to TDHCA as approved by prior Resolution on April 21, 2009. **(All Districts)**
 [Community and Human Development, William Lilly, (915) 541-4643]

- 4B.** That O.P.E.P be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portion of Ochoa Street between First Avenue and Paisano Drive from 9:00 p.m., Saturday, July 4, 2009, to 2:00 a.m. Sunday, July 5, 2009. SPL09-00015 **(District 8)**
 [Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 4C.** That Regent Broadcasting be authorized to provide for the sale and service of alcoholic beverages at the outdoor street festival in the 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 3, 2009, to 2:00 a.m., Saturday, July 4, 2009, and from 6:00 p.m., Saturday, July 4, 2009, to 2:00 a.m., Sunday, July 5, 2009. SPL09-00013 **(District 8)**
 [Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 4D.** That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Moore Nordell Kroeger Architects for a project known as "El Paso Community Lab" for an amount not to exceed \$449,443.25 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$499,443.25. Federal Crime Lab Grants: G210720-21150010-05931-502000 and G210735-21150010-05427-502000. **(All Districts)**
 [Engineering, R. Alan Shubert, (915) 541-4423]
- 4E.** That the City Manager be authorized to sign a 180-day License Agreement (License L1123) with the El Paso County Water Improvement District No. 1 for use of District facilities for conveyance of dewatering activities necessary for construction of pipeline, sewer lines, buildings, or other facilities not owned by the District into one or more of the District's drainage canals or other facilities. The License is for the Montoya Drain north of Redd Road and the fee for License L1123 is \$1,000. The estimated cost for the water discharge fee is \$177,420. The City Manager is also authorized to sign amendments to the License Agreement extending the time of the License and for payment up to an additional \$50,000 for the cost for water discharge that exceeds the original estimate, for a total not to exceed \$227,420. 2004 General Obligation Bonds: PBE04ST139 14200403 29155 508027. **(District 1)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 4F.** That the City Manager be authorized to sign a 180-day License Agreement (License L1093) with the El Paso County Water Improvement District No. 1 for use of District facilities for conveyance of dewatering activities necessary for construction of pipeline, sewer lines, buildings, or other facilities not owned by the District into one or more of the District's drainage canals or other facilities. The License is for the Nemexas Drain at Country Club Drive and the fee for License L1093 is \$1,000. The estimated cost for the water discharge fee is \$164,473.20. The City Manager is also authorized to sign amendments to the License Agreement extending the time of the License and for payment up to an additional \$50,000 for the cost for water discharge that exceeds the original

estimate, for a total not to exceed \$214,473.20. Storm 2006 Certificates of Obligation (COs) PSTM06 PW26-0 14200500 27264 508027. **(District 1)**
[Engineering, R. Alan Shubert, (915) 541-4423]

- 4G.** That the City Manager be authorized to sign a renewal subscription agreement, an order form, and all related materials by and between the City of El Paso and West Publishing Corporation for the provision of legal research products, including both Internet and print resources. The renewal subscription agreement shall be for the period of three years and shall include updates and continuing services for all Internet and print materials. In addition, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary during the contract. Total estimated award: \$165,000 (3-year total); Account No.: 04102011 – 508039– 27504 – P540010LEG. **(All Districts)**
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

5. BOARD RE-APPOINTMENTS:

- 5A.** Delia Chavez to the Fair Housing Task Force by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]
- 5B.** Hector F. Arellano to the Community Development Steering Committee by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4108]
- 5C.** Kaaren Kimball to the Retired and Senior Volunteer Program Advisory Council (RSVP) by Representative Rachel Quintana, District 5. [Representative Rachel Quintana, (915) 541-4701]
- 5D.** Susan Ryde to the Art Museum Advisory Board by Representative Rachel Quintana, District 5. [Representative Rachel Quintana, (915) 541-4701]
- 5E.** Katherine Brennand to the Cultural Affairs Advisory Board by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4572]
- 5F.** Larry Medina to the Civil Service Commission by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4572]

6. BOARD APPOINTMENTS:

- 6A.** Eva Hinojosa to the Complete Count Committee by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 6B.** Marina Monsisvais to the Cultural Affairs Advisory Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 6C.** Laird S. Carmichael to the Committee on Border Relations by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4108]
- 6D.** Jose M. Landeros to the Open Space Advisory Board by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4108]

- 6E. Michael Edwin Armstead to the Open Space Advisory Board by Representative Rachel Quintana, District 5. [Representative Rachel Quintana, (915) 541-4701]
- 6F. Mel Clarkston to the Art Museum Advisory Board by Representative Rachel Quintana, District 5. [Representative Rachel Quintana, (915) 541-4701]
- 6G. Charles S. Wakeem to the Open Space Advisory Board by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]
- 6H. Richard Bonart to the Open Space Advisory Board by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]
- 6I. Kathleen Walker to the International Bridge Commission by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

7. NOTICE OF CAMPAIGN CONTRIBUTIONS:

For notation pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions by Representative Steve Ortega on June 5, 2009, in the amount of \$500 from Ted Houghton. [Representative Steve Ortega, (915) 541-4108]

8. DISCRETIONARY FUNDS:

Request authorization to transfer District 1 Discretionary Funds (Council Special Projects), Department ID 01153010, Account 504420, Fund No. 16501, Project PD10422, in the amount of \$25,000 to the City's Capital Outlay Fund, Department ID 04102010, Account No. 508000, Fund No. 27503, Project #P09PA001, to be used for future City open space projects within District 1.
[Representative Ann Morgan Lilly, (915) 541-4151]

9. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

9A. Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to exercise the City's option to extend current Contract 2007-178 (Waterous Proprietary Parts) with Spartan Motors Chassis, Inc. for one additional year pursuant to the provisions to an award approved by City Council on July 10, 2007. Contract period is July 9, 2010, to July 9, 2011.

Department: Fire
Account No.: 22010320 – 503118 – 01101
Funding Source: Fire General Fund
Total Estimated Award: \$30,000 (Total for one-year extension)
Reference No.: 2007-178
Districts: All

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

9B. Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to ESI Companies, Inc., a contractor under General Services Administration (GSA) Contract No. GS-07F-08157 SIN 426-4S, for the purchase of five Mobile Skycop License Plate Readers (LPRs), two Skycop Mobile Trailers, two Autovu Portable LPRs, and an upgrade kit, and necessary software and hardware in the estimated amount of \$299,754.

Department: Police
 Account No.: 21150002 – 508010 – 05444 – G210832
 Funding Source: BSET Grant Border Security Equipment Technology
 Total Estimated Award: \$299,754
 Reference No.: 2009-225
Districts: All
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

10. BIDS:

- 10A.** Award Solicitation No. 2009-203 for the Franklin Park Improvements to Allen Concrete, Inc. for a total estimated amount of \$192,183.17.

Department: Engineering
 Award to: Allen Concrete, Inc.
 Base Bid I: \$192,183.17
 Account No.: 71150069 – 508027 – 07886 – G7134CD0016
 Funding Source: CDBG (2008-2009) 34TH Year
 Total Estimated Award: \$192,183.17
District: 4

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-price contract. The Engineering Department recommends award as indicated to the lowest responsible bidder.
 [Engineering, R. Alan Shubert, (915) 541-4423]

- 10B.** The award of Solicitation No. 2009-120 (Gas Chromatograph (GC)-Mass Spectrometer (MS)) to Thermo Electron North America LLC, for a total amount of \$77,900.

Department: Police
 Award to: Thermo Electron North America LLC
 West Palm Beach, FL
 Items: Focus DSQ II – CG MS
 Option: To purchase 100% of the original quantity within 90 days
 Account No.: 21150002 – 508012 – 05951 – G210918
 21150060 – 508007 – 16371 – P502231
 Funding Source: State Grant (Forensic Improvement Project and

	Confiscated Funds
Total Award:	\$77,900
Districts:	All

This is a fixed-price, single (one-time) purchase.

The Departments of Financial Services, Purchasing Division, and Police recommend award as indicated to the lowest responsive, responsible bidder. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA - INTRODUCTIONS

11. 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.

- 11A.** An Ordinance vacating a portion of a 20' wide alley, Block 1, Mills Map, City of El Paso, El Paso County, Texas. Location: east of El Paso Street and north of Main Street. Property owner: City of El Paso. SUB08-00084 **(District 8)** [Development Services/Planning, Michelle Padilla, (915) 541-4903]
- 11B.** An Ordinance authorizing the City of El Paso to sell the east 11.91 feet of the west 48.60 of Lots 19 and 20, Block 106, Campbell Addition, City of El Paso, El Paso County, Texas, to Centro De Salud Familiar La Fe, Inc. **(District 8)** [Financial Services, Liza Ramirez-Tobias, (915) 541-4074]
- 11C.** An Ordinance authorizing the City of El Paso to sell Lots 1 and 2, Block 54, Grandview Addition, City of El Paso, El Paso County, Texas, to Kyriacos Louloupides. **(District 2)** [Financial Services, Liza Ramirez-Tobias, (915) 541-4074]

PUBLIC HEARING WILL BE HELD ON JULY 7, 2009, FOR ITEMS 11A – 11C

- 11D.** An Ordinance granting Special Permit No. ZON09-00020 to allow ballrooms on the property described as Lots 1 and 2, Block 1, John T. Hellard Subdivision, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject property: 10280 Montana Avenue. Property owners: John Hellard and Jesus Allen. ZON09-00020 **(District 3)** [Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 11E.** An Ordinance amending Title 20 (Zoning), Chapter 20.18 (Sign Regulations), of the El Paso City Code to amend Articles I, II, III, and V to establish revised regulations for signs, to add definitions; to add provisions to limit the conversion of billboards to electronic displays; to extend the sign regulation to the City's Extraterritorial Jurisdiction; to prohibit new billboard signs, to remove the exemptions for governmental entities, and to establish appeal procedures. The penalty is as provided in Section 20.24 of the El Paso City Code. **(All Districts)** [Development Services/Planning, Mathew McElroy, (915) 541-4056]
- 11F.** An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Article II (Definitions), of the El Paso City Code to revise all the

definitions related to signs. The penalty is as provided in Section 20.24 of the El Paso City Code. **(All Districts)**

[Development Services/Planning, Mathew McElroy, (915) 541-4056]

- 11G. An Ordinance changing the zoning of the following real property described as: Parcel 1: all of Tract 11, Block 49, Ysleta Grant, City of El Paso, El Paso County, Texas, be changed from R-F/H (Ranch and Farm/Historic) to S-D/H (Special Development/Historic); and, Parcel 2: all of Tract 12-A-1, Block 49, Ysleta Grant, City of El Paso, El Paso County, Texas, be changed from R-F (Ranch and Farm) to S-D (Special Development). The penalty is as provided in Chapter 20.24 of the El Paso City Code. Subject property: 9180 Socorro Road. Applicant: Ysleta Del Sur Pueblo. ZON09-00018 **(District 6)**

[Development Services/Planning, Tony De La Cruz, (915) 541-4329]

- 11H. An Ordinance authorizing the City Manager to sign a contract of sale and any other necessary documents between the City of El Paso and the County of El Paso which will allow for the City of El Paso to convey property commonly known as 211 and 325 Shelter Place, El Paso, El Paso County, Texas, including the improvements thereon, to the County of El Paso. **(District 8)**

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

PUBLIC HEARING WILL BE HELD ON JULY 14, 2009, FOR ITEMS 11D – 11H

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 – OTHER BIDS, CONTRACTS, PROCUREMENTS

12. ENGINEERING:

Discussion and action on the award of Solicitation No. 2009-242 for the Fiber Optic Network Phase II to Tri-State Electric, Ltd., for a total estimated amount of \$2,578,756.05.

Department:	Engineering Department
Award to:	Tri-State Electric, Ltd.
Base Bid:	\$2,578,756.05
Account No.:	14200500–508027–27264–PSTM06 PW542
Funding Source:	Storm 2006 Certificates of Obligation (COs)
Total Estimated Award:	\$2,578,756.05
Districts:	All

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-price contract. The Engineering Department recommends award as indicated to the lowest responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

13. FINANCIAL SERVICES:

13A. Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to Chastang's Bayou City Autocar, a Texas Association of School Boards (TASB) BuyBoard contractor under Contract No. 281-07, for eight Automated Side Loader chassis, in the estimated amount of \$991,326 and to McNeilus Truck & Manufacturing, a TASB BuyBoard contractor under Contract No. 280-07, for the purchase of eight 31-Yard Side Load Containers in the estimated amount of \$809,502, for a total estimated amount of \$1,800,828. The participation by the City of El Paso in the TASB BuyBoard was approved by Mayor and City Council on August 21, 2007.

Department: Environmental Services
Award to: TASB Contract No. 281-07 – Chastang's Bayou City Autocar (\$991,326 – Chassis and Assembly)
TASB Contract No. 280-07 – McNeilus Truck & Manufacturing (\$809,502 – 31-Yard Containers)

Account No.: 34010289 – 508006 – 40403
Funding Source: Vehicular Equipment
Total Est. Award: \$1,800,828 (8 Automated Side Loaders)
Reference No.: 2009-247

Districts: All
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

13B. Discussion and action on a Resolution that the Purchasing Manager is authorized to notify Casa Ford Lincoln Mercury that the City is terminating Contract No. 2007-115 (Proprietary Parts & Service – Ford Motor Company) pursuant to the provisions and requirements of Section C 18A of the Contract Clauses due to convenience and that the termination shall be effective as of June 23, 2009. **(All Districts)**
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

13C. Discussion and action on the award of Solicitation No. 2009-131 (Ford Motor Company Proprietary Parts and Service) to Casa Ford, Inc., for a total estimated amount of \$1,230,000.

Department: General Services
Award to: Casa Ford, Inc.
El Paso, TX
Items: All items: Part A and B
Option: Two years

Annual Estimated Amount: \$ 410,000
 Account No.: 37370510 – 503121 – 45202
 37370510 – 503125 – 45202
 Funding Source: Internal Service Fund
 Total Estimated Award: \$1,230,000 (3-year total)
Districts: All

This is a thirty-six month requirements type contract for Ford Motor Company Proprietary Parts and Service.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and General Services recommend award as indicated to the lowest responsive, responsible bidder. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA – PUBLIC HEARINGS

14. DEVELOPMENT SERVICES:

- 14A.** An Ordinance changing the zoning of a portion of Section 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-5 (Residential) to A-2 (Apartment). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: south of Pebble Hills Boulevard and east of Tim Foster Street. Applicant: Ranchos Real IV, LTD. ZON09-00014 **(Adjacent to Districts 5 & 6)**
 [Development Services/Planning, Andrew Salloum, (915) 541-4027]
- 14B.** 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 AND 06-09-09
- 14C.** An Ordinance changing the zoning of the following real property described as: Parcel 1: a portion of Sections 20 and 29 Block 80, Township 1, Texas and Pacific Railroad Surveys City of El Paso, El Paso County, Texas, from R-3A (Residential) to C-2 (Commercial) and imposing a condition; Parcel 2: a portion of Section 21, Block 80, Township 1, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, from R-3A/C (Residential/Conditions) to C-2 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: Dyer Street north of Ashley Drive and east of the Patriot Freeway. Property owner: Karma-JKS Properties, Inc. ZON09-00013 **(District 4)**
 [Development Services/Planning, Mirian Spencer, (915) 541-4192] POSTPONED FROM 06-16-09
- 14D.** An Ordinance releasing a condition placed on property by Ordinance No. 016732 which changed the zoning of a portion of Section 21, Block 80, Township 1,

Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: Dyer Street north of Ashley Drive and east of the Patriot Freeway. Property owner: Karma-JKS Properties, Inc. ZON09-00017

(District 4) [Development Services/Planning, Mirian Spencer, (915) 541-4192]
 POSTPONED FROM 06-16-09

- 14E. An Ordinance granting a Special Privilege to the Catholic Diocese of El Paso - Saint Thomas Aquinas Church permitting the encroachment of a single directional sign onto a portion of public right-of-way at Lee Trevino Drive and a single directional sign onto a portion of public right-of-way at Pebble Hills Boulevard. SPL09-00008 **(District 5)**
 [Development Services/Planning, Esther Guerrero, (915) 541-4720]

15. PARKS AND RECREATION:

An Ordinance authorizing the City of El Paso to enter into a Lease Agreement with El Paso Independent School District for the purpose of developing, constructing, and utilizing youth baseball and softball fields on property located adjacent to Brown Street and Schuster Avenue consisting of all of Blocks 104, 105, and 136, Alexander Addition, and a portion of Blocks 103, 106, 107, 135, 137, 138, 139, 142, 143, and 174, and a portion of Ange Street, Octavia Street, Price Street, Noble Street, Daggett Street, Wade Street, University Avenue, Blanchard Avenue and Blacker Avenue, Rights-Of-Way (Vacated), Alexander Addition, El Paso, El Paso County, Texas. **(District 1)**
 [Parks and Recreation, Nanette Smejkal, (915) 541-4283]

REGULAR AGENDA – OTHER BUSINESS

16. PARKS AND RECREATION:

Discussion and action on a Resolution authorizing the Mayor to execute an Interlocal Agreement by and between the City of El Paso, Texas (the “City”) and the El Paso Independent School District (“District”) whereby the District may lease a 21.686 acre portion of City property and construct and maintain a baseball field, a softball field, and related facilities for joint use with the City for as long as the referenced Lease Agreement for said 21.686 acres is in effect. **(District 1)**
 [Parks and Recreation, Nanette Smejkal, (915) 541-4283]

17. ENVIRONMENTAL SERVICES:

- 17A. Discussion and action on a Resolution authorizing the City Manager to sign Local Air Program grant contract No. 582-10-90258 (the “Agreement”) by and between the City of El Paso and the Texas Commission on Environment Quality (“TCEQ”), in the amount of \$479,214 for the period of September 1, 2009, through August 31, 2010, to conduct compliance investigations on behalf of TCEQ at permitted air sources including, but not limited to, gasoline stations, paint shops, auto body shops, and cabinet shops. City matching funds are required in the amount of \$158,140. The City Manager is authorized to approve necessary budget transfers to designate the required matching funds. **(All Districts)**
 [Environmental Services, Ellen A. Smyth, (915) 621-6719] POSTPONED FROM 06-16-09

- 17B. Discussion and action on a Resolution authorizing the City Manager to sign Pass-Thru grant contract no. 582-10-86410 (the “Agreement”) by and between the City of El Paso (“City”) and the Texas Commission on Environmental Quality

("TCEQ") in the amount of \$140,066 per year for the period of September 1, 2009, through August 31, 2011, to allow the City to assist TCEQ in the operation, maintenance, data review, data reporting, training on, and special purpose monitoring of air monitoring equipment at six locations within the City. City matching funds are required in the amount of \$46,222 per year. The City Manager is authorized to approve necessary budget transfers to designate the required matching funds. **(All Districts)**

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

18. OFFICE OF MANAGEMENT AND BUDGET:

Discussion and action to approve a budget transfer to increase the appropriation of the State Confiscated Award by \$451,200 and the Federal Confiscated Award by \$1,153,150 to fund the Police Department's Fiscal Year (FY) 2009 Confiscated Fund budget.

Increase	Misc Non Operating Revenue	\$1,153,150
Increase	Contractual Services	\$ 138,000
Increase	Materials and Supplies	\$ 35,950
Increase	Operating Expenses	\$ 89,000
Increase	Capital	\$ 890,200

Increase	Misc Non Operating Revenue	\$ 451,200
Increase	Contractual Services	\$ 358,900
Increase	Materials and Supplies	\$ 22,000
Increase	Capital	\$ 70,300

(All Districts)

[Police Department, Eric Shelton, (915) 564-7309]

[Office of Management and Budget, David Almonte, (915) 541-4777]

REGULAR AGENDA – PUBLIC HEARINGS

**19. COMMUNITY AND HUMAN DEVELOPMENT:
(TO BE HEARD AT 11:00 A.M. OR LATER)**

Public Hearing on program performance and on the Proposed Annual Action Plan 2009 - 2010 of the Consolidated Plan for 2005 - 2010, and adoption of a Final Action Plan for 2009 - 2010, including the 35th Year (2009 - 2010) Community Development Block Grant Program, and the 2009 - 2010 Emergency Shelter Grant Program, HOME Investment Partnerships Program, and Housing Opportunities for Persons with AIDS Budgets.

(All Districts) [Community and Human Development, William Lilly, (915) 541-4643]

REGULAR AGENDA – OTHER BUSINESS

**20. COMMUNITY AND HUMAN DEVELOPMENT:
(TO BE HEARD AT 11:00 A.M. OR LATER)**

20A. Discussion and action on a Resolution that the City Council, having conducted a public hearing in order to receive comments on program performance and on the Proposed Annual Action Plan 2009 - 2010 of the Consolidated Plan for 2005 - 2010, hereby adopts a Final Action Plan for 2009-2010, including the 35th Year (2009 - 2010) Community Development Block Grant Program, and the 2009 - 2010 Emergency Shelter Grant Program, HOME Investment Partnerships

Program, and Housing Opportunities for Persons with AIDS Program Budgets. **(All Districts)** [Community and Human Development, William Lilly, (915) 541-4643]

- 20B.** Discussion and action on a Resolution that the City Manager be authorized to sign and submit to the Department of Housing and Urban Development (HUD) the Annual Action Plan 2009 - 2010; Form SF-424, and all certifications contained therein; and to sign all documents related to the implementation and performance of the activities contained in the 2009 - 2010 Annual Action Plan and corresponding programs. **(All Districts)**
[Community and Human Development, William Lilly, (915) 541-4643]

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/>