

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**

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**June 24, 2008  
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.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: 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 PROCLAMATIONS**

**100<sup>TH</sup> BIRTHDAY OF FRANCES CATHERINE GRUBBS**

### **RECOGNITION**

**NORTHWEST EARLY COLLEGE HIGH SCHOOL STUDENTS WITH THE  
CANUTILLO INDEPENDENT SCHOOL DISTRICT**

### **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](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 17, 2008, and the Special City Council Meeting of June 14, 2008.  
[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 the Third Amendment to the Airline Operating Agreement and Terminal Building Lease by and between the City of El Paso and Air Wisconsin Airlines Corporation for the purpose of extending the term to August 31, 2009, and replacing Exhibits A, B-1, and B-2. **(District 3)**  
[Airport, Patrick Abeln, (915) 780-4724]

**3B.** That the City Manager be authorized to sign a Restated General Aviation Non-Commercial Ground Lease by and between the City of El Paso (“Lessor”) and C&M Airways, Inc. (“Lessee”) regarding the following premises: the east ½ of Lot 23 and all of Lot 24, Block 4, El Paso International Airport Tracts, Unit 2, El Paso, El Paso County, Texas, commonly known as 7335 Boeing Drive. **(District 3)**  
[Airport, Patrick T. Abeln, (915) 780-4724]

**3C.** That The New 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 Street and Paisano Drive from 2:00 p.m. Saturday, June 28, 2008, to 2:00 a.m. Sunday, June 29, 2008. **(District 8)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]

**3D.** That the City Manager be authorized to sign and accept a Perpetual Easement Agreement with El Paso County Water Improvement District in the District’s Nemexas Drainage Canal to construct, maintain, and use a traffic “round about” on and across that portion of District Property as more particularly shown in Exhibit B of the Agreement. The cost to the City is \$46,105.70. **(District 1)**  
[Engineering, R. Alan Shubert, (915) 541-4423]

**3E.** That the City Engineer, is authorized to notify SamCorp General Contractors and Hartford Fire Insurance Company that the City is terminating Contract No.

2005-256 pursuant to the provisions and requirements of 6.9, General Conditions, of the contract, due to default of SamCorp General Contractors for failing to provide the contracted services and that the termination shall be effective as of June 24, 2008. And that the City Engineer shall file a claim with Hartford Fire Insurance Company for completion of Contract No. 2005-256 pursuant to the performance bond issued for Contract No. 2005-256. And that the City Manager is authorized to sign any take over agreements or related documents and to take any action necessary to accomplish the take over of the performance of Contract No. 2005-256 by Hartford Fire Insurance Company. **(District 1)** [Engineering, R. Alan Shubert, (915) 541-4423]

- 3F. That the Purchasing Manager is authorized to notify Sun City Towing and Recovery L.P., that the City is terminating Contract No. 2006-042 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 24, 2008. **(All Districts)** [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
- 3G. That the City Manager be authorized to sign Consent to Assignment of the contract by and between the City of El Paso, Frontera Sanitation, LLC, (“Assignor”) and Hot Properties, Inc. a/k/a Sarabia’s Portable Jons (“Assignee”) with respect to the City of El Paso Contract No. 2007-135 for Rental of Portable Restrooms until September 30, 2008, and that the Contract be mutually terminated for convenience on September 30, 2008. **(All Districts)** [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
- 3H. That the City Manager be authorized to sign Consent to Assignment of the contract by and between the City of El Paso, Transmountain Oil Company, L.C. (“Assignor”), and Western Refining Wholesale, Inc. (“Assignee”) with respect to the City of El Paso Contract No. 2003-179 Vehicle Fueling-Offsite for city vehicles and Contract No. 2003-205 Automotive Fuel, Diesel and Unleaded for city storage tanks. **(All Districts)** [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
- 3I. Resolution to authorize the City Manager to submit an application and any related documentation to the U.S. Department of Transportation for the Transportation Border Congestion Relief Program utilizing the Texas Transportation Institute’s Universal Freight Shuttle concept. There is no cost to the City. **(All Districts)** [International Bridges, Said Larbi-Cherif, (915) 858-3842]
- 3J. Resolution to authorize the City Manager to approve the FY 2009-2013 Strategic Plan for the El Paso Museum of Archaeology. **(All Districts)** [Museums and Cultural Affairs, Yolanda Alameda, (915) 541-4896]
- 3K. Resolution to authorize the City Manager to approve the FY 2009-2013 Strategic Plan for the El Paso Museum of History. **(All Districts)** [Museums and Cultural Affairs, Yolanda Alameda, (915) 541-4896]
- 3L. That the City Manager is authorized to execute an agreement with the Smithsonian Institution wherein the City shall pay the Smithsonian Institution \$25,078 for the public purpose of advertising and promotional benefits for the City, expenses related to the inclusion of El Paso participants, and production of one concert showcasing El Paso artists as part of the Smithsonian Institution’s

exhibit "A Celebration of Texas Music, Food and Wine" at the 2008 Smithsonian Folklife Festival. **(All Districts)**

[Museums and Cultural Affairs, Yolanda Alameda, (915) 541-4896]

**3M.** A Resolution that the City of El Paso accepts the deeds on six parcels for the Singh Road extension. **(District 6)** [Street Department, Daryl Cole, (915) 621-6750]

**4. BOARD APPOINTMENT(S):**

**4A.** Gracia M. Sandoval to the City-County Animal Shelter Advisory Committee by Representative Beto O'Rourke, District 8.

[Representative Beto O'Rourke, (915) 541-4400]

**4B.** Marianne Campbell to the City-County Animal Shelter Advisory Committee by Representative Rachel Quintana, District 5.

[Representative Rachel Quintana, (915) 541-4701]

**4C.** Rafael Hernando III to the City Accessibility Advisory Committee by Representative Rachel Quintana, District 5.

[Representative Rachel Quintana, (915) 541-4701]

**5. BID:**

The award of Solicitation No. 2008-194 (Dorbandt Street & Drainage Improvements) to J & J General Contracting, Inc., for a total estimated amount of \$409,689.05.

Department:	Engineering Department
Award to:	J & J General Contracting, Inc. El Paso, TX
Base Bid I:	\$350,471.46
Base Bid II:	\$33,794.44
Base Bid III:	\$25,423.15
Account No.:	14200403 – 508027 – 29123 – PBE04ST108 31255008 – 508027 – 27695 – PBE04ST108
Funding Source:	2004 General Obligation Bonds and PSB Funded Capital Project

Total Estimated Award: \$409,689.05

**District:** 7

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 part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law, and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Purchasing Division, and Engineering recommend award as indicated to the lowest responsive, responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

**REGULAR AGENDA - INTRODUCTIONS**

**6. 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.**

- 6A.** An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code to delete Chapter 2.06 (Bond Overview Advisory Committee) in its entirety. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 6B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all Times on Certain Streets) of the El Paso City Code to add Miranda Court. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 1)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 6C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), Zone K: No Parking 7:00 a.m. – 4:00 p.m., School Days Only, of the El Paso City Code by adding Stonehaven Drive. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 7)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 6D.** An Ordinance of the City of El Paso, Texas, authorizing the City Manager to execute a Special Warranty Deed and any other necessary documents as required for the sale and conveyance as recommended by the El Paso Water Utilities for the following described real property to G H Dairy-El Paso, the sole and highest bidder, such land totaling approximately 9.635 acres of land out of a portion of Lot 1, Block 1, Riverside International Industrial Center, City of El Paso, El Paso County, Texas, located in the Mission Valley area of El Paso between Pan American Drive and Southside Drive. **(District 6)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5607]
- 6E.** An Ordinance of the City of El Paso, Texas, authorizing the City Manager to execute a Special Warranty Deed and any other necessary documents as required for the sale and conveyance as recommended by the El Paso Water Utilities for the following described real property to El Paso Independent School District, such land totaling approximately 14.7482 acres of land out of a portion of Section 22, Block 81, Township 1, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, located in Northeast El Paso near I-10 and Sean Haggerty. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5607]

- 6F. An Ordinance of the City of El Paso, Texas, authorizing the City Manager to execute a Special Warranty Deed and any other necessary documents as required for the sale and conveyance as recommended by the El Paso Water Utilities for the following described real property to El Paso Electric Company, such land totaling approximately 14.6275 acres of land out of a portion of Tract 1A, Section 11, Block 81, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, located in Northeast El Paso near Stan Roberts Sr. Avenue. **(District 4)**  
[El Paso Water Utilities, Robert D. Andron, (915) 594-5607]

**PUBLIC HEARING WILL BE HELD ON JULY 1, 2008, FOR ITEMS 6A– 6F**

- 6G. An Ordinance changing the zoning of Lots 17 to 20, Block 3, Mirafior Addition, City of El Paso, El Paso County, Texas, from A-3 (Apartment) to A-O (Apartment-Office) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 503½ South Estrella Street. Applicant: J & L Unique Homes, Inc. ZON08-00010 **(District 8)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 6H. An Ordinance changing the zoning of a portion of Lots 52 and 53, San Jose Addition Replat, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-2 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8058 San Jose Road. Applicant: Irene Yglesias. ZON08-00021 **(District 7)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]

**PUBLIC HEARING WILL BE HELD ON JULY 15, 2008, FOR ITEMS 6G – 6H**

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**

**7. FINANCIAL SERVICES:**

- 7A. Discussion and action on the award of Solicitation No. 2008-162 (Carnegie Avenue – Street & Drainage Improvements) to Southwest Growth, Inc., for a total estimated amount of \$3,299,044.80.

Department:	Engineering	
Award to:	Southwest Growth, Corp. El Paso, TX	
Base Bid I:	\$1,890,975.05	Option 1: \$378,833.40
Base Bid II:	\$375,520.26	Option 2: \$327,738.60
Base Bid III:	\$171,430.00	
Base Bid IV:	\$14,950.00	
Base Bid V:	\$136,832.49	
Base Bid VI:	\$2,765.00	
Account No.:	99331117 – 508027 – 27263 – PCP06ST010	

Funding Source: 2006 Certificates of Obligation  
Total Estimated Award: \$3,299,044.80  
**District: 2**

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 part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law, and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Purchasing Division, and Engineering recommend award as indicated to the lowest responsive, responsible bidder.  
[Engineering, R. Alan Shubert, (915) 541-4423]

- 7B.** Discussion and action on the award of Solicitation No. 2008-184 (Open Space Enhancements) to Accent Landscape Contractors, Inc., for a total estimated amount of \$693,768.69.

Department: Engineering Department  
Award to: Accent Landscape Contractors, Inc.  
El Paso, TX  
Base Bid: \$693,768.69  
Account No.: 14200403 – 508027 – 29139 – PBE04ST124B  
14200403 – 508027 – 29139 – PBE04ST124C  
Funding Source: 2004 General Obligation Bonds  
Total Estimated Award: \$693,768.69  
**District: 2**

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 and will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law, and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Purchasing Division, and Engineering recommend award as indicated to the lowest responsive, responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

- 7C. Discussion and action on the award of Solicitation No. 2008-198 (Upper Valley Drainage Improvements Phase III – Redd/Mulberry) to J.A.R. Concrete, Inc. d/b/a J.A.R. Construction, Inc., for a total estimated amount of \$5,995,295.28.

Department:	Engineering Department
Award to:	J.A.R. Concrete, Inc. d/b/a J.A.R. Construction, Inc. El Paso, TX
Base Bid I:	\$3,355,878.98
Base Bid II	\$2,489,778.10
Base Bid III	\$120,583.20
Base Bid Option I	\$29,055.00
Account No.:	14200500 – 508027 – 27264 – PSTM06 PW26-0A
Funding Source:	Storm 2006
Total Estimated Award:	\$5,995,295.28
<b>District:</b>	<b>1</b>

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 part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law, and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Purchasing Division and Engineering recommend award as indicated to the lowest responsive, responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

**REGULAR AGENDA – PUBLIC HEARINGS**

**8. DEVELOPMENT SERVICES:**

- 8A. An Ordinance changing the zoning of the following real property described as Parcel 1: all of Lots 1-5, Block 224, Alexander Addition, City of El Paso, El Paso County, Texas, be changed from C-1 (Commercial) to S-D (Special Development); and, Parcel 2: a portion of Lots 6 through 10, Block 224, Alexander Addition, City of El Paso, El Paso County, Texas, be changed from

C-2 (Commercial) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2701 and 2725 N. Mesa Street. Applicants: Gilbert W. Malooly and Geraldine Malooly, Trustees. ZON07-00137 **(District 1)**

[Development Services/Planning, Arturo Rubio, (915) 541-4633]

POSTPONED FROM 06-10-08 AND 06-17-08

- 8B.** An Ordinance granting Special Permit No. ZON08-00032 to allow for a parking reduction on the property described as a portion of Lot 6 through 10 and all of Lots 1 through 5, Block 224, Alexander Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2701 and 2725 N. Mesa Street. Applicants: City of El Paso on behalf of property owner Gilbert W. Malooly and Geraldine Malooly, Trustees. ZON08-00032 **(District 1)**

[Development Services/Planning, Arturo Rubio, (915) 541-4633]

POSTPONED FROM 06-10-08 AND 06-17-08

### **REGULAR AGENDA – OTHER BUSINESS**

#### **9. ENGINEERING:**

- 9A.** Discussion and action on a Resolution authorizing the City Manager to sign a Developer's Participation Agreement between the City of El Paso and El Paso Glory Road, LLC, to allow the City to participate in the cost of the construction of public improvements along Mesa Street, Glory Road, and Cincinnati Street in an amount not to exceed \$30,000 from Fiscal Year 2003 Certificates of Obligation, in accordance with Local Government Code Section 212.071. **(District 1)**

[Engineering, R. Alan Shubert, (915) 541-4423] POSTPONED FROM 06-10-08 AND 06-17-08

- 9B.** Discussion and action on a Resolution that the City Manager be authorized to sign a Pedestrian Easement Agreement with El Paso Glory Road, LLC, for an eighteen-foot strip of land, a 0.0487 acre parcel more or less, out of a portion of Lots 4 and 5, Block 224, of the Alexander Addition, City of El Paso, El Paso County, Texas, and accept a Warranty Deed from El Paso Glory Road, LLC, conveying a 0.0127 acre parcel of land being a portion of Lots 1, 2, 3, 4, 5, and 6 of Block 224 of the Alexander Addition, City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the Warranty Deed. The total cost to the City is \$70,000. **(District 1)**

[Engineering, R. Alan Shubert, (915) 541-4423] POSTPONED FROM 06-17-08

### **REGULAR AGENDA – PUBLIC HEARINGS**

#### **10. DEVELOPMENT SERVICES:**

- 10A.** An Ordinance changing the zoning of all of Lot 2, Block 160, Vista Del Sol, Unit 54, City of El Paso, El Paso County, Texas, from C-1/SC (Commercial/Special Contract) to C-4/SC (Commercial/Special Contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 11355 Pellicano Drive. Applicants: Nancy Corbin-Tardif. ZON08-00013 **(District 7)**

[Development Services/Planning, Arturo Rubio, (915) 541-4633] POSTPONED FROM 06-17-08

- 10B.** Discussion and action on an appeal from property owners in the Austin Terrace Historic District regarding a decision rendered by the Historic Landmark Commission (HLC) on March 17, 2008, to approve the construction of a new residence at 111 Pennsylvania  
**(District 2)** [Development Services/Planning, Victor Q. Torres, (915) 541-4145]

**11. COMMUNITY AND HUMAN DEVELOPMENT:**

Public Hearing and discuss and action on program performance and on the Proposed Annual Action Plan 2008-2009 of the Consolidated Plan for 2005-2010 and adoption of a Final Action Plan for 2008-2009, including the 34<sup>th</sup> Year (2008-2009) Community Development Block Grant Program, FY 2008 Emergency Shelter Grant Program, and FY 2008 HOME Investment Partnerships Program Budgets. **(All Districts)**  
[Community and Human Development, William Lilly, (915) 541-4643]

**REGULAR AGENDA – OTHER BUSINESS**

**12. COMMUNITY AND HUMAN DEVELOPMENT:**

- 12A.** 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 2008-2009 of the Consolidated Plan for 2005-2010, hereby adopts a Final Action Plan for 2008-2009, including the 34<sup>th</sup> Year (2008-2009) Community Development Block Grant Program, FY 2008 Emergency Shelter Grant Program, and FY 2008 HOME Investment Partnerships Program Budgets. **(All Districts)**  
[Community and Human Development, William Lilly, (915) 541-4643]

- 12B.** 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 2008-2009; all certifications contained therein; and to sign all documents related to the implementation and performance of the activities contained in the 2008-2009 Annual Action Plan and corresponding programs. **(All Districts)** [Community and Human Development, William Lilly, (915) 541-4643]

**13. MAYOR AND COUNCIL:**

Discussion and action directing that the City Manager revise the El Paso City Code (Zoning) to permit LED billboard signs as a form of permitted off-premise advertising; that specific location and construction criterion be developed to permit these types of signs, including but not limited to, an exchange program that allows new or alteration of legal conforming signs to LED billboard signs in exchange for the removal of three legal conforming or nonconforming off-premise signs; and that such Code amendment be presented to City Council for finalization within a period of thirty days. **(All Districts)**  
[Mayor John F. Cook, (915) 541-4145]

**14. ECONOMIC DEVELOPMENT:**

**14A.** Discussion and action regarding the establishment of a neighborhood empowerment zone within the area described as the Texas Avenue - Alameda Street Revitalization Corridor. **(Districts 3, 6, 7, and 8)**  
[Economic Development, Kathryn B. Dodson, (915) 541-4760]

**14B.** Discussion and action regarding the establishment of a neighborhood empowerment zone and the delivery of incentives within the area described as the Dyer Street Revitalization Corridor. **(Districts 2 and 4)**  
[Economic Development, Kathryn B. Dodson, (915) 541-4760]

**15. CITY MANAGER:**

City Manager's report of current events and issues:

Discussion and action of the use of procurement programs. **(All Districts)**  
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

**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

Discussion and action on the following:

**EX1.** Momar, L.P. vs. City of El Paso; Cause No. 2007-4830. (551.071)  
[City Attorney's Office, Karla M. Nieman (915) 541-4550]

**EX2.** Discussion and action regarding the possible offer of financial or other incentives to Hawkins Regency, LLC. (551.087) [City Attorney's Office, Marie A. Taylor, (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/>