

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

**REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JUNE 23, 2009
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:04 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Carl Robinson, Rachel Quintana, Eddie Holguin, Jr., and Steve Ortega. Late arrivals: Beto O'Rourke at 9:06 a.m. and Emma Acosta at 9:07 a.m. The invocation was given by Fire Chaplain Ed Sinke, followed by the Pledge of Allegiance to the Flag of the United States of America.

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.

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Jorge Artalejo
3. Mr. Matt Carroll

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1A. MAYOR AND COUNCIL

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **ELECT** Representative Acosta as Mayor Pro Tempore.

Mayor Cook asked for a clarification from the Council that the Mayor Pro Tempore position be rotated so that everyone has an opportunity to have that leadership role. Council verbally confirmed assent that this position would be rotated.

Representative Quintana commented.

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1B. MAYOR AND COUNCIL

Discussion and action on a Resolution adopting the Rules of Order for City Council meetings.

Mayor Cook and Representatives Byrd, Acosta, Holguin, Robinson, Quintana, Ortega, O'Rourke, and Lilly commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Charlie McNabb, City Attorney, gave legal advice.
3. Ms. Elaine Hengen, Senior City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Richard Schecter
2. Ms. Lisa Turner
3. Mr. Richard Dayob
4. Mr. Darren Hunt, KVIA 7

1ST MOTION

Motion made by Representative Holguin, seconded by Representative Quintana, to **ALLOW** members of the public to place items on the Agenda. **THE MOTION FAILED.**

AYES: Representatives Acosta, Quintana, and Holguin

NAYS: Representatives Lilly, Byrd, Robinson, Ortega, and O'Rourke

2ND MOTION

Motion made by Representative Quintana, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the sign-up period.

3RD MOTION

Motion made by Representative Robinson, seconded by Representative Byrd, to **REINSTATE** prohibition from the prior rules that prohibits members of Council from making or taking telephone calls, other than calls of an emergency nature, or send, open, or otherwise view any electronic communications other than internal communications with staff while in Council Chambers once a Council meeting has been called to order. City staff, other than the dignitary protection officers, and members of the public shall turn off the signals of all pagers, cellular telephones and other devices capable of making an audible signal and shall not make or take any telephone calls while in Council Chambers once a Council meeting has been called to order. **THE MOTION FAILED.**

AYES: Representatives Lilly, Byrd, Robinson, and O'Rourke
NAYS: Mayor Cook and Representatives Acosta, Quintana, Holguin, and Ortega

Mayor Cook broke the tie, voting nay.

4TH MOTION

Motion made by Representative Holguin, seconded by Representative Quintana, to **ALLOW** members of the public to place items on the Agenda as long as they supply backup. **THE MOTION FAILED.**

AYES: Representatives Acosta, Robinson, Quintana, and Holguin
NAYS: Mayor Cook and Representatives Lilly, Byrd, Ortega, and O'Rourke

Mayor Cook broke the tie, voting nay.

5TH MOTION

Motion made by Representative Byrd, seconded by Representative Robinson, to **APPROVE** as recommended. **THE MOTION FAILED.**

AYES: Representatives Byrd, Acosta, and Robinson
NAYS: Representatives Lilly, Quintana, Holguin, Ortega, and O'Rourke

6TH AND FINAL MOTION

Motion made by Representative O'Rourke, seconded by Representative Ortega, and carried to **APPROVE** the current Rules of Order, as amended on May 20, 2008.

AYES: Representatives Lilly, Acosta, Quintana, Holguin, Ortega, and O'Rourke
NAYS: Representative Byrd
ABSTAIN: Representative Robinson

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried to **APPROVE, AS REVISED**, 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, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None
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2. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of June 16, 2009.

3. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

4A.

***RESOLUTION**

WHEREAS, by resolution on April 21, 2009, the El Paso City Council approved submission of the grant application for the Neighborhood Stabilization Program to the Texas Department of Housing and Community Affairs (TDHCA) and provided certain authorizations related to grant application submittal; and

WHEREAS, Section 12g of the TDHCA Notice of Funding Availability (NOFA) requires that the governing body's resolution authorizing application submission include an acknowledgment that the Neighborhood Stabilization Program is a reimbursement program; and

WHEREAS, the City desires to issue a resolution that fully conforms to the requirements set forth in the NOFA for the State's Neighborhood Stabilization Program.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council has approved submission of a grant application for the Neighborhood Stabilization Program to TDHCA and further acknowledges that the TDHCA's Neighborhood Stabilization Program is a reimbursement program; and

2. That the City Council hereby reaffirms the authorization granted by its resolution dated April 21, 2009, restated as follows:

that the City Manager be authorized to sign the grant application including all understandings, certifications, and assurances contained therein, and apply for, accept, reject, alter, or terminate the grant in the amount of \$1,648,634 for the purpose of neighborhood restoration efforts; that the City Manager be authorized to sign any related paperwork, including authorize budget transfers and submit any necessary revisions to the operational plan; and that the City Manager be authorized to execute on behalf of the City of El Paso, any grant amendments or corrections to the initial Grant Agreement which increase, decrease or de-obligate program funds provided that no City funds are required, and any documents to request and accept an extension of the award ending date for the grant.

4B.

***RESOLUTION**

WHEREAS, O.P.E.P. (hereinafter referred to as "Grantees") are sponsoring an outdoor street festival for a Fourth of July Block Party (hereinafter referred to as "Event"), from Saturday, July 4, 2009 to Sunday, July 5, 2009; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for a street closure of less than twenty-four (24) hours for the use and closure of public rights-of-way for a portion

of Ochoa Street, between First Avenue and Paisano Drive from 4:00 pm Saturday, July 4, 2009, to 4:00 am Sunday, July 5, 2009, in conjunction with the proposed Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management, and production of the Event; and

WHEREAS, the Grantees desire to provide for the sale and service of alcoholic beverages on public rights-of-way during the Event;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Grantees 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 pm, Saturday, July 4, 2009 to 2:00 am, Sunday, July 5, 2009.

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4C.

***RESOLUTION**

WHEREAS, Regent Broadcasting (hereinafter referred to as “Grantees”) are sponsoring an outdoor street festival for the Downtown Street Festival (hereinafter referred to as “Event”), from Friday, July 3, 2009 to Sunday, July 5, 2009; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for a street closure for more than twenty-four (24) hours for the use and closure of public rights-of-way for 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 am Thursday, July 2, 2009, to 1:00 pm Sunday, July 5, 2009, in conjunction with the proposed Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management, and production of the Event; and

WHEREAS, the Grantees desire to provide for the sale and service of alcoholic beverages on public rights-of-way during the Event;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Grantees 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 pm, Friday, July 3, 2009 to 2:00 am, Saturday, July 4, 2009 and from 6:00 pm, Saturday, July 4, 2009 to 2:00 am, Sunday, July 5, 2009.

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4D.

***RESOLUTION**

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.

Mayor Cook and Representatives Byrd, Acosta, Ortega, Holguin, and O’Rourke commented.

The following City staff members commented:

1. Assistant Police Chief Eric Shelton
2. Police Officer Jorge Valenzuela
3. Mr. Sam Rodriguez, Engineering Division Manager
4. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services
5. Mr. Alan Shubert, City Engineer

Ms. Lisa Turner, citizen, commented.

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4E.

***RESOLUTION**

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.

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4F.

***RESOLUTION**

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.

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4G.

***RESOLUTION**

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 a period of three years and shall include updates and continuing services for all Internet and print materials.

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5A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Delia Chavez to the Fair Housing Task Force by Representative Beto O’Rourke, District 8.

5B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Hector F. Arellano to the Community Development Steering Committee by Representative Steve Ortega, District 7.

5C. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Kaaren Kimball to the Retired and Senior Volunteer Program Advisory Council (RSVP) by Representative Rachel Quintana, District 5.

5D. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Susan Ryde to the Art Museum Advisory Board by Representative Rachel Quintana, District 5.

5E. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Katherine Brennand to the Cultural Affairs Advisory Board by Representative Emma Acosta, District 3.

5F. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Larry Medina to the Civil Service Commission by Representative Emma Acosta, District 3.

6A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Eva Hinojosa to the Complete Count Committee by Representative Susie Byrd, District 2.

6B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Marina Monsisvais to the Cultural Affairs Advisory Board by Representative Susie Byrd, District 2.

6C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Laird S. Carmichael to the Committee on Border Relations by Representative Steve Ortega, District 7.

6D. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Jose M. Landeros to the Open Space Advisory Board by Representative Steve Ortega, District 7.

6E. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Michael Edwin Armstead to the Open Space Advisory Board by Representative Rachel Quintana, District 5.

6F. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Mel Clarkston to the Art Museum Advisory Board by Representative Rachel Quintana, District 5.

6G. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Charles S. Wakeem to the Open Space Advisory Board by Representative Beto O'Rourke, District 8.

6H. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Richard Bonart to the Open Space Advisory Board by Representative Ann Morgan Lilly, District 1.

6I. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Kathleen Walker to the International Bridge Commission by Representative Ann Morgan Lilly, District 1.

7. NOTICE OF CAMPAIGN CONTRIBUTION

*Motion made, seconded, and unanimously carried to **APPROVE** 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.

8. DISCRETIONARY FUNDS

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the transfer of 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.

Mayor Cook and Representative Lilly commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

Mr. Richard Schechter, citizen, commented.

9A. PURCHASING REQUEST TO ISSUE PURCHASE ORDER, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, 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

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9B. PURCHASING REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, 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

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10A. BID

*Motion made, seconded, and unanimously carried to **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

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.

Representative Ortega commented.

Mr. Alan Shubert, City Engineer, commented.

10B. BID

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO THE REGULAR AGENDA.**

2ND AND FINAL MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and carried to **AWARD** Solicitation No. 2009-120 (Gas Chromatograph (GC)-Mass Spectrometer (MS)) to Thermo Electron North America LLC, for a total amount of \$77,900.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, and Ortega

NAYS: Representative O'Rourke

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

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.

Mayor Cook and Representatives Lilly, Holguin, O'Rourke, Robinson, and Ortega commented.

The following City staff members commented:

1. Assistant Police Chief Eric Shelton
2. Police Officer Jorge Valenzuela
3. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services
4. Mr. Alan Shubert, City Engineer

Ms. Lisa Turner and Mr. Richard Schechter, citizens, commented.

11A. & 11C - 11H. INTRODUCTION TO ORDINANCES

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Ortega, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

NOT PRESENT FOR THE VOTE: Representative O'Rourke

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.

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.

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.

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.

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.

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.

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.

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

11B. INTRODUCTION TO ORDINANCE

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, and Ortega

NAYS: None

ABSTAIN: Representative O'Rourke

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.

PUBLIC HEARING WILL BE HELD ON JULY 7, 2009, FOR ITEM 11B

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12. ENGINEERING

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **AWARD** 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.

NOT PRESENT FOR THE VOTE: Representative Quintana

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

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.

Mayor Cook and Representatives Holguin and Robinson commented.

Mr. Alan Shubert, City Engineer, and Mr. Gerald Gordier, Chief Information Officer and Information Technology Director, commented.

Mr. Richard Schecter, citizen, commented.

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13A. FINANCIAL SERVICES

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order 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.

NOT PRESENT FOR THE VOTE: Representative Robinson

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

Mayor Cook and Representatives Byrd, Robinson, O'Rourke, Acosta, and Holguin commented.

The following City staff members commented:

1. Mr. Terrence Freiburg, Purchasing Manager
2. Ms. Ellen Smyth, Director of Environmental Services
3. Mr. Stuart Ed, Director of General Services

Ms. Lisa Turner, citizen, commented.

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TAKEN WITH ITEM 13C

13B.

***RESOLUTION**

WHEREAS, the City awarded Contract No. 2007-115 to Casa Ford Lincoln Mercury, of El Paso, Texas, on March 27, 2007, for Proprietary Parts & Service-Ford Motor Company for General Services Department, Fleet Division; and

WHEREAS, pursuant to Section C 18A of the Contract (Termination for Convenience), the City is authorized to terminate the Contract for convenience; and

WHEREAS, the amount of the Contract awarded has been exceeded and City has notified vendor that the City would rebid the contract and Council would terminate said Contract for convenience pursuant to the provisions of the Contract; and

WHEREAS, the City desires to terminate the Contract for convenience.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Purchasing Manager is authorized to notify Casa Ford Lincoln Mercury, that the City is terminating Contract No. 2007-115 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.

Mayor Cook commented.

Ms. Joyce Wilson, City Manager, and Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

Ms. Lisa Turner and Mr. Richard Schecter, citizens, commented.

Motion made by Representative Lilly, seconded by Representative O'Rourke, and unanimously carried to **APPROVE** the Resolution.

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TAKEN WITH ITEM 13B

13C. FINANCIAL SERVICES

Motion made by Representative Lilly, seconded by Representative O'Rourke, and unanimously carried to **AWARD** 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)

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.

Mayor Cook commented.

Ms. Joyce Wilson, City Manager, and Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

Ms. Lisa Turner and Mr. Richard Schecter, citizens, commented.

.....
14A.

ORDINANCE 17127

The City Clerk read an Ordinance entitled: The City Clerk read an Ordinance entitled: **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.**

Representative Quintana commented.

Mr. Mathew McElroy, Deputy Director of Planning, commented.

Motion duly made by Representative Quintana, seconded by Representative Holguin, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Lilly

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

.....
14B. PUBLIC HEARING – DEVELOPMENT SERVICES

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing on 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.

Mayor Cook and Representatives Byrd and Robinson commented.

.....
TAKEN WITH ITEM 14D

14C.

ORDINANCE 17128

The City Clerk read an Ordinance entitled: **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.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Robinson commented.

Mr. Jim Smith, JKS (applicant), commented.

Motion duly made by Representative Robinson, seconded by Representative Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

.....
TAKEN WITH ITEM 14C

14D.

ORDINANCE 17129

The City Clerk read an Ordinance entitled: **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.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representative Robinson commented.

Mr. Jim Smith, JKS (applicant), commented.

Motion duly made by Representative Robinson, seconded by Representative Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

.....
14E.

ORDINANCE 17130

The City Clerk read an Ordinance entitled: **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.**

Motion duly made by Representative Quintana, seconded by Representative Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Holguin

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

.....

TAKEN WITH ITEM 16

15.

ORDINANCE 17131

The City Clerk read an Ordinance entitled: **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.**

Mayor Cook and Representatives Robinson, Holguin, and Quintana commented.

Representative Lilly read a letter into the record from Ms. Margaret Servin, President of the Rim Area Neighborhood Association.

Ms. Nanette Smejkal, Director of Parks and Recreation, commented and Ms. Laura Gordon, Deputy City Attorney, gave legal advice.

Motion duly made by Representative Lilly, seconded by Representative Byrd, that the Ordinance be **ADOPTED**, with the notation that the park is not fenced. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

.....

TAKEN WITH ITEM 15

16.

RESOLUTION

That the Mayor be authorized 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.

Mayor Cook and Representatives Robinson, Holguin, and Quintana commented.

Representative Lilly read a letter into the record from Ms. Margaret Servin, President of the Rim Area Neighborhood Association.

Ms. Nanette Smejkal, Director of Parks and Recreation, commented.

Motion made by Representative Lilly, seconded by Representative Byrd, and unanimously carried to **APPROVE** the Resolution, with the notation that the park is not fenced.

.....
TAKEN WITH ITEM 17B

17A.

RESOLUTION

That the City Manager be authorized 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 of Environmental 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.

Mr. Miguel Parra, Manager of Environmental Management, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Ortega, Acosta, Byrd, Robinson, and Holguin commented.

Ms. Joyce Wilson, City Manager, and Ms. Ellen Smyth, Director of Environmental Services, commented.

Mr. Jerry Thiedt, citizen, commented.

1ST MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Jerry Thiedt to address the Council after the signup period.

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, and Quintana

NAYS: Representatives Holguin, Ortega, and O'Rourke

.....
TAKEN WITH ITEM 17A

17B.

RESOLUTION

That the City Manager be authorized 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.

Mr. Miguel Parra, Manager of Environmental Management, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Ortega, Acosta, Byrd, Robinson, and Holguin commented.

Ms. Joyce Wilson, City Manager, and Ms. Ellen Smyth, Director of Environmental Services, commented.

Mr. Jerry Thiedt, citizen, commented.

1ST MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Jerry Thiedt to address the Council after the sign-up period.

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, and Quintana

NAYS: Representatives Holguin, Ortega, and O'Rourke

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18. OFFICE OF MANAGEMENT AND BUDGET

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried 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

Assistant Police Chief Eric Shelton commented.

.....
TAKEN WITH ITEMS 20A AND 20B

19. COMMUNITY AND HUMAN DEVELOPMENT

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **CLOSE THE 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.

NOT PRESENT FOR THE VOTE: Representatives Byrd and O'Rourke

Mayor Cook commented.

Mr. William Lilly, Director of Community and Human Development, commented.

.....
TAKEN WITH ITEMS 19 AND 20B

20A.

RESOLUTION

That, the City Council having herein 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, attached hereto as Exhibit "A," 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 attached hereto as Exhibit "B."

Representatives Ortega, Holguin, and Robinson commented.

Mr. William Lilly, Director of Community and Human Development, commented and Ms. Laura Gordon, Deputy City Attorney, gave legal advice.

Ms. Annette Stone, committee member, commented.

1ST MOTION

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Acosta, and carried to **APPROVE** the Resolution, except for Project #14.

AYES: Representatives Lilly, Byrd, Acosta, Quintana, Holguin, and Ortega

NAYS: None

ABSTAIN: Representatives Robinson and O'Rourke

2ND MOTION

Motion made by Representative Lilly, seconded by Representative Byrd, and carried to **APPROVE** Project #14.

AYES: Representatives Lilly, Byrd, Acosta, Quintana, and Ortega

NAYS: Representative Holguin

ABSTAIN: Representatives Robinson and O'Rourke

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TAKEN WITH ITEMS 19 AND 20A

20B.

RESOLUTION

That the City Manager or the Mayor 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

That the City Manager or the Mayor be authorized to sign Grant Agreements with HUD for the four entitlement grants covered by the Annual Action Plan: the Community Development Block Grant, the Emergency Shelter Grant, the HOME Investment Partnerships Program and the Housing Opportunities for Persons with AIDS Program; and

That the City Manager or the Mayor be authorized to sign all Letters of Support, Certifications of Local Government Approval, and Certifications of Consistency with the Consolidated Plan required by HUD or the State of Texas for grant applications or applications for Low Income Housing Tax Credits for programs covered by the Consolidated Plan or related Community Development programs; and

That the City Manager or the Mayor be authorized to sign all contracts and documents with the agencies or City departments approved for funding in the Annual Action Plan 2009-2010 related to the implementation and performance of the activities contained in the Annual Action Plan 2009-2010 and corresponding programs. The City Manager or the Mayor is authorized herein to sign amendments to such contracts which add to or reduce funding when such amendments are consensual, including the de-obligation of funds by mutual termination; and

That the City Manager or the Mayor be authorized to sign all Environmental Assessments, Requests for Release of Funds, Certifications, and Performance Reports required by the U.S. Department of Housing and Urban Development for activities covered by the Consolidated Plan 2005-2010, the Annual Action Plan 2009-2010, and related Community Development programs; and

That the City Manager or the Mayor be authorized to sign agreements to secure matching funds which add to amounts allocated under the regular CDBG budget, provided that no additional funds from the City are required in addition to those allocated under the regular CDBG budget. The City Manager or the Mayor is authorized herein to sign amendments to matching fund agreements, including extensions to the contract period, provided that no additional City funds are required.

Representatives Ortega, Holguin, and Robinson commented.

Mr. William Lilly, Director of Community and Human Development, commented and Ms. Laura Gordon, Deputy City Attorney, gave legal advice.

Ms. Annette Stone, committee member, commented.

1ST MOTION

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Acosta, and carried to **APPROVE** the Resolution, **AS REVISED**, except for Project #14.

AYES: Representatives Lilly, Byrd, Acosta, Quintana, Holguin, and Ortega

NAYS: None

ABSTAIN: Representatives Robinson and O'Rourke

2ND MOTION

Motion made by Representative Lilly, seconded by Representative Byrd, and carried to **APPROVE** Project #14.

AYES: Representatives Lilly, Byrd, Acosta, Quintana, and Ortega

NAYS: Representative Holguin

ABSTAIN: Representatives Robinson and O'Rourke

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The City Council Meeting **RECESSED** at 12:39 p.m. and **RECONVENED** at 1:20 p.m.
.....

ADDITION TO THE AGENDA

1. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Luis M. Ruiz to the Open Space Advisory Board by Representative Eddie Holguin, Jr., District 6.

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TAKEN WITH ADDITION TO THE AGENDA ITEMS 2B, 2C, AND 2D

ADDITION TO THE AGENDA

2A. MAYOR AND COUNCIL

Discussion and action that the City Manager be authorized to abandon the project known as "New Commuter Port Of Entry between the Bridge of the Americas and Zaragoza Ports Of Entry."

Mr. Roy Gilyard, Executive Director of the Metropolitan Planning Organization, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Quintana, Ortega, Holguin, Acosta, Byrd, Robinson, Lilly, and O'Rourke commented.

Mayor Cook authorized the following statement made by Representative Ortega to be made part of the record of these Minutes:

"We have said time and time again that the bridge, if indeed it is built, will not route traffic through existing neighborhoods and no schematic has been endorsed by this body or any other body. I will not endorse a plan that routes traffic through existing neighborhoods."

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Terry Quezada, Engineering Capital Improvement Program Administrator
- 3. Ms. Jane Shang, Deputy City Manager of Mobility Services
- 4. Mr. Alan Shubert, City Engineer
- 5. Mr. Said Larbi-Cherif, Director of International Bridges

The following members of the public commented:

- 1. Ms. Minerva Acosta
- 2. Ms. Ana Duenez
- 3. Ms. Marty Reyes, Ysleta Board of Trustees
- 4. Ms. Reesa Turner
- 5. Mr. Ruben Santillan

- 6. Mr. Salvador Gomez
- 7. Mr. Jorge Artalejo
- 8. Mr. Eddie Miranda, Greater El Paso Chamber of Commerce
- 9. Mr. Teodoro Espinoza

1ST MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

2ND MOTION

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Santillan an additional five minutes to address the Council.

3RD AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Espinoza an additional two minutes to address the Council.

NO ACTION, other than the above procedural Motions, was taken on the item.

.....
 TAKEN WITH ADDITION TO THE AGENDA ITEMS 2A, 2C, AND 2D

ADDITION TO THE AGENDA

2B. MAYOR AND COUNCIL

Discussion and action that the City Manager be authorized to change the scope of the agreement signed between the City of El Paso and Structural Engineering Associates Inc. to look into the expansion and improvement of the Zaragoza Port of Entry.

1ST MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

2ND MOTION

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Santillan an additional five minutes to address the Council.

3RD AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Espinoza an additional two minutes to address the Council.

NO ACTION, other than the above procedural Motions, was taken on the item.

.....

TAKEN WITH ADDITION TO THE AGENDA ITEMS 2A, 2B, AND 2D

**ADDITION TO THE AGENDA
2C. MAYOR AND COUNCIL**

Discussion and action that the City Manager be authorized to work with the City Representatives on the Metropolitan Planning Organization so that the City can speak in one voice regarding the abandonment and change of scope of the project known as the "New Commuter Port of Entry between the Bridge of the Americas and Zaragoza Ports of Entry."

1ST MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the sign-up period.

2ND MOTION

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Santillan an additional five minutes to address the Council.

3RD AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Espinoza an additional two minutes to address the Council.

NO ACTION, other than the above procedural Motions, was taken on the item.

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TAKEN WITH ADDITION TO THE AGENDA ITEMS 2A, 2B, AND 2C

**ADDITION TO THE AGENDA
2D. MAYOR AND COUNCIL**

Discussion and action concerning reaffirmation of the City of El Paso's commitment to protecting existing neighborhoods and existing arterials as the feasibility study for the potential new commuter port of entry continues. Additionally, discussion and action directing City of El Paso staff to work with relevant entities in order to amend and expand the scope of the study to include the feasibility of expansion of the existing Zaragoza Port of Entry and the Bridge of the Americas Port of Entry.

1ST MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the sign-up period.

2ND MOTION

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Santillan an additional five minutes to address the Council.

3RD MOTION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Espinoza an additional two minutes to address the Council.

4TH AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative Byrd, and carried to **REAFFIRM** the City of El Paso's commitment to protecting existing neighborhoods and existing arterials as the feasibility study for the potential new commuter port of entry continues and **DIRECTING** City of El Paso staff to work with relevant entities in order to amend and expand the scope of the study to include the feasibility of expansion around the existing Zaragoza Port of Entry and around the Bridge of the Americas Port of Entry, with the addition of the word "around" the port of entry sites and to coordinate both studies on the Zaragoza Port of Entry and the Bridge of the Americas, changing the scope of the agreement with Structural Engineering Associates, Incorporated, and to share all the information with the public.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Ortega, and O'Rourke
NAYS: Representative Holguin

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Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried to **ADJOURN** this meeting at 4:15 p.m.
.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk