

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
July 3, 2012
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:36 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Michiel R. Noe, Eddie Holguin, Jr., and Steve Ortega. Late arrival: Emma Acosta and Carl Robinson, at 8:42 a.m. Absent: Cortney Carlisle Niland. The invocation was given by CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

- 1. NATIONAL PARKS AND RECREATION MONTH**
- 2. TEAM ALCHEMY KARATE ACADEMY MONTH**

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 8:30 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. Mr. Richard Schechter
2. Ms. Lisa Turner
3. Mr. Salvador Gomez
4. Mr. Manny Hinojosa
5. Mr. James Perry
6. Mr. Jorge Artalejo
7. Mr. Malcolm McGregor III
8. Mr. Jerry Thiedt
9. Ms. Jeri Hallberg

Representative Ortega commented.

Motion made by Representative Byrd seconded by Representative Robinson and unanimously carried to **SUSPEND THE RULES** of Council to allow for additional speakers after the sign up period.

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Lilly, 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, Noe, Holguin and Ortega
NAYS: None
ABSENT: Representative Niland

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of June 26, 2012.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Cortney Carlisle Niland from the Regular Council Meeting of July 3, 2012.

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3. SPECIAL APPOINTMENT

* Motion made, seconded and carried that Lauren Ferris be **APPOINTED** by the Mayor with a majority vote of the entire Council as an Assistant City Attorney effective July 16, 2012 at a salary of \$60,000.00 per annum, plus benefits.

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4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Michael Bray to the Building and Standards Commission, as an alternate member, by Representative Susie Byrd, District 2.

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4B. BOARD APPOINTMENT.

*Motion made, seconded, and unanimously carried to **APPOINT** Carol W. Molloy to the Community Development Steering Committee by Mayor John F. Cook.

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5. INTRODUCTION

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, and unanimously carried that the following Ordinance, 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, Noe, Holguin and Ortega
NAYS: None
ABSENT: Representative Niland

An Ordinance repealing Ordinance No. 016911 dated June 10, 2008 adopting sustainable development design standards for City buildings, so that new standards may be adopted by resolution. **(All Districts)**

PUBLIC HEARING WILL BE HELD ON JULY 17, 2012, FOR THE ITEM

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6A. CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **DELETE** the public hearing on an Ordinance changing the zoning of Tracts 9A1, 9A1A and 9A2, Block 79, Section 32, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: south of Montana Avenue and west of Dominican Street. Property Owner: Acala Investments, LLC. PZRZ12-00001

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6B.

ORDINANCE 17817

The City Clerk read an Ordinance entitled: **AN ORDINANCE REPEALING ORDINANCE NO. 017708 DATED JANUARY 17, 2012 WHICH GRANTED A SPECIAL PRIVILEGE LICENSE TO MARY STILLINGER AND ENRIQUETA GODINEZ, PERMITTING THE MAINTENANCE AND REPAIR OF A 2,199 SQUARE FOOT PORTION OF AN EXISTING MASONRY WALL WITH WROUGHT IRON FENCING WITHIN PORTIONS OF CITY RIGHT-OF-WAY ON FARRELL DRIVE BETWEEN CINDY DRIVE AND KATHY DRIVE AND KATHY DRIVE BETWEEN STEVENS ROAD AND FARRELL DRIVE ADJACENT TO THE PROPERTY LEGALLY DESCRIBED AS LOTS 15 AND 16, RICHARD LEE SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, THEREBY TERMINATING THE SPECIAL PRIVILEGE LICENSE (SPL11-00040).**

Mr. Philip Etiwe, Development Review Manager, commented.

Representatives Byrd, Holguin, and Ortega commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

Motion duly made by Mayor Pro Tempore Lilly, seconded by Representative Ortega, 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, Noe, and Ortega
- NAYS: None
- ABSTAIN: Representative Holguin
- ABSENT: Representative Niland

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

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6C.

ORDINANCE 17818

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF AN 18' ALLEY OUT OF BLOCK 47, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. APPLICANT: EL PASO WATER UTILITIES. SUB10-00307**

Mr. Philip Etiwe, Development Review Manager, presented a PowerPoint presentation, (copy on file in City Clerk's office).

Representative Byrd commented.

Motion duly made by Mayor Pro Tempore Lilly, 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, Noe, Holguin and Ortega

NAYS: None

ABSENT: Representative Niland

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

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7. MAYOR AND COUNCIL

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Robinson, and carried to **RESCIND** the travel ban to Arizona given subsequent similar immigration restrictive actions by other states and recent Supreme Court ruling limiting state authority on matters of immigration. **THE MOTION FAILS.**

AYES: Representatives Lilly, Robinson, and Noe

NAYS: Representatives Byrd, Acosta, Holguin, and Ortega

ABSENT: Representative Niland

Mayor Cook and Representatives Lilly and Holguin commented.

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ADD1. CITY MANAGER

Update and discussion of the current status of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) project for the El Paso community to include a presentation by the International Boundary and Water Commission on Upper Rio Grande Flood Control Projects. **(All Districts)**

Mr. R. Alan Shubert, City Engineer, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. Edward Drusina, International Boundary and Water Commission, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Lilly, Byrd, and Robinson commented.

NO ACTION was taken on this item.
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Motion made by Representative Robinson, seconded by Representative Ortega, and unanimously carried to **ADJOURN** this meeting at 9:55 a.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk