

OSCAR LEESER
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

AGENDA FOR REGULAR COUNCIL MEETING

**July 16, 2013
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.**

AND

**LEGISLATIVE REVIEW MEETING OF THE WHOLE
300 N. CAMPBELL
MAIN CONFERENCE ROOM, 2ND FLOOR
July 15, 2013
9:00 a.m.**

NOTE:

- The City Council Agenda has been reorganized as directed by City Council on June 25, 2013 to allow for a **Call to the Public at 12:15 p.m. – 12:45 p.m.** Requests to speak must be received by **9:00 a.m.** on the date of the meeting. Three minutes may be allowed for each speaker. Thirty minutes in total will be devoted for Call to the Public.
- 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.
- If items are scheduled for the Executive Session, the Council will move to Executive Session at the end of the Regular Agenda items or after Call to the Public, whichever comes first or as determined by the Presiding Officer.

ROLL CALL

INVOCATION BY POLICE CHAPLAIN CARLOS FLORES

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATION

RETT SYNDROME AWARENESS DAY HONORING JULIANA BROOKS

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 July 9, 2013, the Legislative Review Meeting of the Whole of July 8, 2013, and the Legislative Review of the Whole/Work Session of July 9, 2013.

[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. BOARD APPOINTMENT:

Marcia Margherio to the Animal Shelter Advisory Committee by Representative Larry Romero, District 2. [Representative Larry Romero, (915) 541-4996]

REGULAR AGENDA - INTRODUCTIONS

4. 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.**

4A. An Ordinance changing the zoning of a portion of Section 16, Block 79, Township 3, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to R-3A (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Vista Del Sol Drive and west of City Limit. Property Owner: Americas Loop 375 Joint Venture. PZRZ13-00002 **(District 6)**
[City Development, Andrew Salloum, (915) 541-4633]

4B. An Ordinance granting Special Permit No. PZST13-00015, to allow for infill development with reduced lot width and side yard setback on the property described as a portion of Lot 1, Block 2, Town and Country Village 2nd Revised Map, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 5135 Chromite Street. Property Owner: E. Peinado Development Co. PZST13-00015 **(District 1)** [City Development, Andrew Salloum, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON AUGUST 6, 2013, FOR ITEMS 4A – 4B

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 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, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS**5. AIRPORT:**

An Ordinance amending Ordinance No. 014826 and No. 015961 to approve the use of Subzone Operator Agreements for Foreign Trade Zone No. 68 and to authorize the City Manager or designee to execute these types of agreements on behalf of the City of El Paso. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

6. CITY ATTORNEY:

An Ordinance amending Ordinance No. 17924 amending Title 5 (Business License and Permit Regulations) of the El Paso City Code to add Chapter 5.17 (Credit Access Businesses) in order to set forth registration requirements and credit extension guidelines, to amend the effective date of Ordinance No. 17924.
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

7. CITY DEVELOPMENT:

7A. An Ordinance changing the zoning of Lot 3 and the east half of Lot 2, Block 59, East El Paso Addition, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3405 Gateway West Boulevard. Property Owner: Richard Brent Aziz. PZRZ13-00010 **(District 2)**
[City Development, Arturo Rubio, (915) 541-4633]

7B. An Ordinance amending Title 20 (Zoning), Chapter 20.18 (Sign Regulations), Article IV (On-Premise Sign Regulations) of the El Paso City Code to amend sign standards for wall signs and establish standards for perpendicular signs in the C-5 and Union Plaza (U-P) zoning districts. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**
[City Development, Arturo Rubio, (915) 541-4633]

7C. An Ordinance granting Special Permit No. PZST12-00026, to allow for the expansion of a major utility facility for El Paso Electric Company on the property described as a portion of Block 7, Celina Plaza, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.730 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1165 Sunmount Drive. Applicant: El Paso Public Service Board (PSB). PZST12-00026 **(District 3)** [City Development, Arturo Rubio, (915) 541-4633]

7D. An Ordinance granting Special Permit No. PZST12-00023, to allow for a Facility-Mounted Personal Wireless Service Facility (PWSF) and imposing a condition on the property described as Lot 19 and a portion of Lot 17, Block 138, Chaparral Park Unit 30, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter

20.24 of the El Paso City Code. Subject Property: 6520 Loma De Cristo Drive.
Applicant: Ascension Lutheran Church. PZST12-00023 **(District 1)**
[City Development, Arturo Rubio, (915) 541-4633]
[POSTPONED FROM 07-02-2013]

- 7E.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.01 (Provisions Applicable To All Platting Procedures), to modify and add exemptions, and amend the time for decision on Plats and Land Studies; Chapter 19.02 (Land Studies), to amend the criteria for approval and criteria for revisions following approval of a Land Study; Chapter 19.03 (Preliminary Plat), to amend the effect of approval of a Preliminary Plat, and the time for expiration and extension of the Preliminary Plat; Chapter 19.04 (Final Plat), to amend the time for expiration and extension of a Final Plat, and the plat recordation procedure; Chapter 19.08 (Construction Plans and Management), to amend the requirements of Subdivision Improvement Plans, the timing of public improvements and permit issuance to allow grading permits without requiring a subdivision, and to amend the security for completion of improvements; Chapter 19.10 (Dedication, Construction Requirements and City Participation), to clarify Roadway Participation Policies and developer's proportionate share; Chapter 19.15 (Roadways), to amend the street/thoroughfare escrow policies and procedures; Chapter 19.21 (Sidewalks), to amend sidewalk requirements for new streets; Chapter 19.41 (Expiration, Extension and Reinstatement), to amend the time of expiration of a plat application; and Chapter 19.46 (Proportionality Appeal), to amend the appeal requirements. The penalty being as provided in Chapter 19.42 of the City of El Paso City Code. **(All Districts)**
[City Development, Kimberly Forsyth, (915) 541-4668]

REGULAR AGENDA – OTHER BUSINESS

8. CITY ATTORNEY:

Discussion and action on Interim Rate Adjustment Request filed by Texas Gas Service Company, a division of ONEOK, Inc., on April 2, 2013.
[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]
[POSTPONED FROM 07-02-2013]

9. EL PASO WATER UTILITIES:

Discussion and action on a Resolution granting the El Paso Water Utilities Public Service Board President/CEO the authority to apply for Texas Water Development Board (TWDB) grant funded outside the City of El Paso projects for water and wastewater to include the authority to manage such projects. In such matters, the President/CEO shall be considered as acting on behalf of the City of El Paso, Texas.
(Outside City Limits)

[El Paso Water Utilities Public Service Board, Marcela Navarrete, (915) 594-5614]

10. MAYOR AND COUNCIL:

Discussion and action on the status of the Texas Attorney General's opinion on the release of personal emails that pertain to official city business by various members of city council and staff and the cost to date, on hiring outside legal counsel acquired by the city to challenge the AG's opinion. [Representative Emma Acosta, (915) 541-4515]

11. CITY MANAGER:

City Manager's report of current events and issues:

Presentation of the City Manager's FY 2014 Proposed Budget.

[City Manager's Office, Lynly Leeper, (915) 541-4777]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

12:15 p.m. – 12:45 p.m. 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.

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 THURSDAY AT THE ADDRESS BELOW:

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