

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

July 22, 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 and Fire Chaplain Sam Farone
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

EL PASO PAN AMERICAN GOLF ASSOCIATION WEEK

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved.

Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of July 15, 2008, and the Special City Council Meeting Minutes of July 10, 2008, and July 11, 2008, (Budget Hearings). [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 a Contract of Sale between the City of El Paso and Stephen Zucker for the purchase of a 0.039-acre portion of Tract 2E12, A.F. Miller Survey 212, City of El Paso, El Paso County, Texas, to be used for the Westside Flood Drainage Improvements, Phase I. Project #: PSTM06PW43-0; Fund: 27264; Department: 14200500; Account: 508000. **(District 1)** [Engineering, R. Alan Shubert, (915) 541-4423]

3B. That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Pierce Hardy Limited Partnership, a Pennsylvania Limited Partnership, for the purchase of a 3.4742-acre parcel of land, more or less, being a portion of Tracts 98-B and 98-C, S.A. & M.G. Railroad Company Survey No. 267, Abstract 179, City of El Paso, El Paso County, Texas, for the Upper Valley Phase I project. Project #: PSTM06 PW26-0; Fund: 27264; Department: 14200500; Account: 508000. **(District 1)** [Engineering, R. Alan Shubert, (915) 541-4423]

3C. That the Classification and Compensation Plan be amended as set forth on the attachment posted with this agenda, as recommended by the Civil Service Commission on July 10, 2008. (See Attachment A) **(All Districts)**
[Human Resources, Linda Ball Thomas, (915) 541-4509]

3D. That the City Manager be authorized to sign a Second Amendment and Extension to Interlocal Agreement by and between the City of El Paso, a municipal corporation situated in El Paso County, Texas, in its capacity as the designated Metropolitan Planning Organization for the El Paso Urban Transportation Study Area, hereinafter referred to as "City", and the Regents of New Mexico State University, hereinafter referred to as "NMSU", wherein NMSU agreed to conduct the Urbanism 2002 Base Year Database & Model Development & Urbanism Training, Phase I, for the El Paso Metropolitan Planning Organization. **(All Districts)**
[Metropolitan Planning Organization, Ricardo Dominguez, (915) 591-9735, Ext. 19]

4. BOARD RE-APPOINTMENT:

Samuel J. Barela to the Zoning Board of Adjustment by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

5. BOARD APPOINTMENTS:

- 5A.** Jorge E. Salom, Jr. to the International Bridge Commission by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 5B.** A. Mark Benitez to the Tree Board by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4572]
- 5C.** Lawrence E. Wilder to the Photographic Traffic Signal Enforcement System (PTSES) Advisory Board by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]

6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDER, ETC.:

- 6A.** Request that the Purchasing Manager for Financial Services be authorized to issue a purchase order to Desert Communications, Inc., a cabling services contractor under Region 19 Contract Number 08-6138 (Structured Cabling Services), in the amount of \$163,937.58 for wiring, cabling, and installation of I.T. infrastructure equipment in the new Municipal Services Center East Administrative Building at San Paulo.

The participation by the City of El Paso in the ESC Region 19 Purchasing Cooperative Program was approved by Mayor and City Council on March 4, 2008.

Department:	Environmental Services
Account No.:	340101289 – 508027 – 40499 – PSWM0009
Funding Source:	Environmental Services
Total Estimated Amount:	\$163,937.58
Ref. No.:	2008-234
District:	7

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

- 6B.** Request to reject all bids for Solicitation No. 2008-068 (Interview Room Audio/Video Recording System/Northeast and Pebble Hills Regional Command Centers) because none of the bids received met bid specifications. This item will be re-bid with revised specifications as requested by the Police Department. **(Districts 4 and 7)** [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA - INTRODUCTIONS

7. 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.**

- 7A.** An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property described as the north portion of Lot 33 (25 feet on the north, 42.15 feet on the east, 25.32 feet on the south and 39.20 feet on the west), Block 12, Sunset Heights, an addition to the City of El Paso, El Paso County, Texas, to Juan Antonio Flores, Jr. **(District 8)** [Delgado, Acosta, Spencer, Carmen Perez, (915) 545-5481]

- 7B. An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property located at 300 Arroyo Grande to F & F General Contractor. **(District 1)**
[Delgado, Acosta, Spencer, Carmen Perez, (915) 545-5481]

- 7C. An Ordinance granting a Special Privilege to River Elms, L.L.C. permitting the encroachment of six aerial pipelines over a portion of public right-of-way (alley) between Lots 1 - 8, Block 81, Bassett Addition, and Lots 25 - 32 and the east half of Lot 24, Block 81, Bassett Addition, City of El Paso, El Paso County, Texas. **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 7D. An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the map atlas of The Plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended. Applicant: El Paso Water Utilities - Public Service Board. **(District 4)**
[Development Services/Planning, Chuck Kooshian, (915) 541-4632]

- 7E. 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 prohibit parking on Pellicano Drive from Lomaland Drive to the east city limits and Peter Cooper Drive from Vista del Sol Drive to Dos Rios Drive. The penalty being as provided in Section 12.85 of the El Paso City Code. **(District 6)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

- 7F. An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 1, Civil Service Commission, to add Section 13, Restriction on Representation of Employees by Former Commissioners. **(All Districts)**
[Human Resources, Linda Ball Thomas, (915) 541-4509]

PUBLIC HEARING WILL BE HELD ON JULY 29, 2008, FOR ITEMS 7A – 7F

- 7G. An Ordinance changing the zoning of a portion of Sections 9, 10, 15, 16, 17, and 18, Block 81, Township 1, Texas & Pacific Railway Company Surveys; and a portion of Sections 11, 14, and 19, Block 81, Township 1, Texas & Pacific Railway Company Surveys; and a portion of Sections 11, 12, 13, 14, 19, 20, and 21, Block 81, Township 1, Texas & Pacific Railway Company Surveys; and a portion of Sections 7, 17, 18, 19, 20, and 30, Block 80, Township 1, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm), PMD (Planned Mountain Development), M-2/C (Heavy Manufacturing/Condition) to GMU (General Mixed-Use) and GMU/C (General Mixed Use/Condition) and approving a master zoning plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of U.S. Highway 54 and east of Franklin Mountains. Applicants: El Paso Water Utilities – Public Service Board. ZON08-00055 **(District 4)**
[Development Services/Planning, Christina Valles, (915) 541-4930]

- 7H. An Ordinance amending The Plan for El Paso and the Year 2025 General Land Use Map by amending the Smart Growth Plan for the Northeast as a specific study area plan. Applicant: City of El Paso. **(District 4)**
[Development Services/Planning, Melissa Kellum, (915) 541-4730]

PUBLIC HEARING WILL BE HELD ON AUGUST 12, 2008, FOR ITEMS 7G – 7H

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

8. FINANCIAL SERVICES:

Discussion and action on the award of Solicitation No. 2008-108R (Airport Financial & Planning Services) to Ricondo & Associates for a total amount of \$750,000.

Department: Airport
 Award to: Ricondo & Associates, Inc.
 Chicago, IL
 Option: 2 years
 Estimated Annual Amount: \$375,000
 Account No.: 62620001 – 502215 – 40101
 Funding Source: Airport Operating Fund
 Total Award: \$750,000 (2 years)
District: 3

The Departments of Financial Services, Purchasing Division, and Airport recommend award as indicated. The review committee based on evaluation factors established for this procurement, recommend award to the highest ranked proposer as indicated.

In addition, the City Manager is authorized to execute any related contract documents and agreements necessary to effectuate this award.
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA – PUBLIC HEARINGS

9. DEVELOPMENT SERVICES:

9A. An Ordinance changing the zoning of all of Lots 25 and 26, Block 17, Franklin Heights, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to RMU (Residential Mixed Use) and approving a Master Zoning Plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1217 Magoffin Avenue. Applicants: Ray Tullius, Executive Director of the Opportunity Center for the Homeless. ZON08-00053 **(District 8)**
 [Development Services/Planning, Arturo Rubio, (915) 541-4633]

9B. An Ordinance granting Special Permit No. ZON08-00044 to allow for a parking reduction on the property described as Lots 25 and 26, Block 17, Franklin Heights, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 Parking Reduction of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1217 Magoffin Avenue. Applicants: Ray Tullius, Executive Director of the Opportunity Center for the Homeless. ZON08-00044 **(District 8)**
 [Development Services/Planning, Ismael Segovia, (915) 541-4027]

- 9C.** An Ordinance granting Special Permit No. ZON08-00045 to allow for a parking reduction and infill development for reduced front and side set backs on the property described as Lots 7 and 8, Block 32, Franklin Heights Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 Parking Reduction and 20.10.280 Infill Development of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1314 Myrtle Avenue. Applicants: Ray Tullius, Executive Director of the Opportunity Center for the Homeless. ZON08-00045 (**District 8**) [Development Services/Planning, Arturo Rubio, (915) 541-4633]

REGULAR AGENDA – OTHER BUSINESS

10. MAYOR AND COUNCIL:

- 10A.** Discussion and action that the City Council declares that the expenditure of discretionary funds to pay the costs of food and beverages to be consumed at block parties held by City-recognized Neighborhood Associations and Neighborhood Watch Groups in conjunction with National Night Out police-community crime and drug prevention activities serves a municipal purpose and is authorized. [Representative Melina Castro, (915) 541-4400]
- 10B.** Discussion and action that the City Council declares the expenditure of discretionary funds towards a commemoration project for the 1949 Bowie High School Baseball team serves a municipal purpose and is authorized. [Representative Beto O'Rourke, (915) 541-4123]

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.** Intervention on behalf of the City regarding the petition of El Paso Electric Company for authority to increase fuel factor, for fuel surcharge, and for related good-cause exception before the Public Utility Commission of Texas, Docket No. 35856, SOAH No.473-08-3762. (551.071) [City Attorney's Office, Bertha A. Ontiveros, (915) 541-4550]

- EX2.** Lots 27, 28, 29, 30, 31, and 32, Block P-2, Garden Subdivision, El Paso, El Paso County, Texas. (551.072) [City Attorney's Office, Marie Taylor, (915) 541-4550]
- EX3.** Claim of Alvin Reaux; Our File No. 08-C-106. (551.071)
[City Attorney's Office, Michele C. Daly, (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/>